

Surveillance, control and resistance in UK schools

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INTRODUCTION

This chapter will outline the development of the current socio-political context within which U.K. schools experience surveillance and implement their security and disciplinary procedures. However, it is argued that there is some hope for the future of education-structurally, within the Equality Act 2010; through student resistance, drawing on their digital capital; through holistic, restorative approaches to behaviour management; and through the teacher practice of ‘critical bureaucracy (Carlile 2012).

The chapter will start by outlining the idea that schools have developed their approaches to social control against a background of neoliberalism and audit culture, wherein the fetishisation of measurable outcomes and the resulting requirement to ‘teach to the test’ undermines the potential for collaborative, creative, discursive student-teacher relationships (Fan 2012; Anderson 2008; Posner 2004). It will be explained as having flourished within the marketisation of much of the school system through an ‘academisation’ process. The chapter will proceed to discuss how marketisation as led to an increased level of surveillance of teachers and students through various means. These include datafication (the requirement that schools may only show their progress through quantitative data, or statistics); digital surveillance methods such as CCTV; and other digital means, including digital fingerprinting as a lunch payment system and the tracking of children’s online activities. Another form of surveillance and the disciplining of identities- biopolitical control in schools- will be described as showing itself through successive education Ministers’ attachment to the traditionalisation of gendered school uniform (Prince 2009; Corner 2011; Murray 2012; and

the increasing pathologisation of the behaviour of ethnic minorities (Kulz 2014). Their perceived threats to both state security and market capitalism have led to the policing of students' and teachers' identities and critical discourses through the U.K. government's 'anti-terrorist' Prevent and Fundamental British Values agendas (discussed below and in other chapters within this volume). All of this has led to an increase in student and teacher stress (Ball 2003; Elias 1989; Keddie 2014; Teague 2014). The response described in this chapter amounts to a harsher approach to discipline and punishment through rising numbers of detentions, seclusions, and exclusions (Carlile 2012; Lloyd 2005; Department for Education 2014a; Department for Education 2015). However, there is potential for restorative justice approaches (McCluskey et al 2008a, 2008b, 2011). Other sources of hope for the future of education will be described towards the end of the chapter. Here, the Equality Act 2010 will be explained as having provided protection for students and teachers who possess specific 'protected characteristics' related to, for example, religion, ethnicity, sexual orientation, gender identity, and disability. This statutory protection will be shown to not simply require a response to inequitable treatment but to mandate an active approach to developing positive relationships between groups. In addition, evidence will be discussed which demonstrates that school students' digital capital allows them to access a range of critiques, making them knowing subjects rather than simply docile bodies (Foucault 1975; Hope 2015). The chapter will include ways in which the current context provides gaps and spaces for the practice of 'critical bureaucracy' (Carlile 2010) as a route towards resistance and social justice in U.K. schools. However, it concludes that this might actually have resulted in a tougher approach to discipline.

U.K. SCHOOLS IN A NEOLIBERAL CONTEXT

Neoliberalism is understood by the critical pedagogue Giroux, to be a form of ideological market fundamentalism; 'a pervasive and potent form of public pedagogy that operates

simultaneously on discursive and material registers' (Robbins 2012: 630). From the early years onwards, the neoliberal context is serving to prepare U.K. children 'subserviently' for their role in the economy (Roberts-Holmes 2015: 303). As Willis's (1977) classic *Learning to Labour* lays out so clearly, the U.K. education system has historically been theorised as a system for the reproduction of socioeconomic class. This maintenance of an oppressive hierarchy is remembered fondly as a time of socially responsible capitalism. However, in the late modern era, the imperative for schools to create productive workers (Willis 1977) has morphed into the imperative to create as many successful consumers as possible (Robbins 2012; Kulz 2014; Mendick, Allen and Harvey 2015). A meritocracy allows for progress within this framework: in a market-serving consumer's world, any individual must have the potential to merit financial success (Couldry 2010; Mendick, Allen and Harvey 2015). This sets individual success against the success of groups, sweeping aside the political significance of institutional prejudice. Since the late 1990s, the most recent U.K. governments across all three mainstream parties have successively labelled any attempt to focus on systemic inequity as 'low expectations': a disabling lack of belief in children to reach their potential (Kulz 2014). Such a belief in meritocracy makes invisible the problems of systemic inequity. The solution to 'improving standards' is seen to lie in the competitiveness of the market. The view is that if a school cannot help these children, then its work should be offered out to a competitive bid to find one which can. Thus the U.K. education system has emerged into a neoliberal context (Kulz, 2014).

A Politics of Emergency

As schools become tangled with the global market, they have become implicated in a neoliberal 'politics of emergency' (Robbins 2008: 331) which has been enhanced geometrically by the 'War on Terror' project and the fear of outsiders generated by it. In an important study on a well-known school key to the U.K. government's marketization policy,

Kulz (2014) drew a link directly between the ‘War on Terror’ and the marketization of schools. She suggests that the mobilization of extreme policing in schools is necessary in order to enable marketised institutions to maintain a competitive edge. Kulz (2014) describes a U.K. context in which a spate of riots against austerity measures and economic equality emerged in London in August 2011; the racist English Defence League drew ideological strength from ‘neo-Nazi movements in Europe’; and a link is repeatedly made by the government between ‘the lack of a strong British identity’ and ‘Muslim extremism’ (682-683). Following the 2011 riots- despite a reduction in funding for police- the government re-established its interest in an already well-established early intervention strategy – the Safer Schools Partnerships- placed police in U.K. schools (or groups of schools) in several specific high-crime areas (Allen 2011; ACPO 2011; Lamont, Macleod and Wilkin 2011). Climates of this sort can result in schools replicating ‘...the government’s measures in everyday practices and relationships of surveillance and scapegoating, especially in times of ‘crisis’’ (Robbins 2008: 339). A neoliberal state with this kind of agenda needs to ‘protect its valued consumers and private investors from disabled consumers, citizens who have been disadvantaged historically by the oppressive social and political relationships of sexism, racism and class inequality’ (Robbins 2008: 335). This is not a dystopian fantasy: O’Connor’s (2009) work on the Safer Schools Partnerships evidences a ‘biased and didactic’ (136) police presence in schools, to the detriment of teaching staff ratios, teacher-student relationships, student voice, creative pedagogical materials and dialogic pedagogical expertise in teaching about drugs, alcohol and crime education. The U.K.’s experience here is in line with a global phenomenon: Robbins (2008) cites Giroux’s description of the ‘hard war’ waged by neoliberalism on young people in the US, referring to ‘the harshest elements, values, and dictates of a growing youth-crime complex that increasingly governs poor minority youth through a logic of punishment, surveillance, and control’ (Giroux cited in Robbins 2012: 631). One of the key delivery modes for this schema in U.K. schools is the audit.

Audit Culture

Audit culture (Strathern 2000) in U.K. schools requires that practitioners provide *quantitative* proof of their success. Concurrently, it encourages a performative approach not to the education process, but to demonstrating that proof (Ball 2003). Teachers are constantly aware of the data which Ofsted (the U.K. schools inspectorate) will want to see, and adjust their pedagogy accordingly. Instead of thinking about building trusting, functional learning relationships with their students, teachers' attention is often turned towards the incoming inspectors (Ball 2003; Lightfoot 2016). This, coupled with the sheer volume of audited data collected, means that government inspectors can only focus on the end results. The imperative to a tokenistic performativity of results means that the process- the actual day to day work of teaching and learning, questioning, cognition and metacognition, relationship-building, critical thinking and dialogue- becomes invisible, and so lacks value. This can provide opportunities, gaps and spaces for resistance and freedom to practice 'critical bureaucracy' (Carlile 2012; Teague 2014; see below). However, audit culture's lack of interest in the process is one of the effects of a consequentialist approach to public services such as education, and it can have disastrous impacts. One of these is the fetishisation of cherry-picked statistics in policy-making.

Audit culture shapes school policy in the U.K. For example, by 2010, the right-wing Conservative U.K. government Department for Education (DfE) had redrawn the curriculum as a narrow range of subjects to be tested in high-stakes summative assessments, removing teacher judgment on assessed coursework. This affected all students, from the very youngest children upwards. Relationships between students and teachers are lost in this equation: what cannot be counted cannot be audited, and what cannot be audited cannot be costed. In this schema, it follows that what is not amenable to being counted becomes worthless. The results are a 'focus on a narrow range of tested subjects and [the reduction of] school and teacher

value to their capacities to drive up student achievement on these subjects' (Keddie 2014: 504).

In U.K. nurseries, the 'increased accountability and surveillance of the early years' (Roberts-Holmes 2015:303) have subverted child-centred, play-based approaches. Early years policies serve 'to discipline early years children and teachers through public processes of judgment, ranking and classification' (ibid). In the early years of primary school, from 2010, the Early Years Foundation Stage Profile (EYFSP) criteria was drastically changed. Abolishing formative, holistic teacher descriptions of the cognitive development which children were demonstrating through their play, the EYFSP required 'a much sharper focus upon literacy and maths, with substantially raised thresholds, making them harder to achieve' (Roberts-Holmes 2015: 304). In the process, this change destabilised 'early years teachers' passionately held child-centred principles' (ibid 305). In secondary schools, the EBACC (English Baccalaureate) introduced from 2015 requires students in England to achieve a certain standard in tightly drawn (and at times ideological) curricula for English, maths, science, a language, and a humanity. All of this pressurises school administrators and teachers into prioritising the performative demands of an audit (Ball 2003) which pays no attention to the arts, citizenship, sports, or religious education.

Kulz (2014) describes the way in which '(p)erformance management, spreadsheets, quantifiable league tables, slick marketing, strict discipline and professional appearance have become the key focus of this education market' (688). As a result, children, young people and teachers in U.K. schools are becoming increasingly anxious. As Robbins (2008) puts it, 'teachers, subjected as they are to the persistent surveillance and random intrusion of administrators, fear disciplinary action for not following the given 'standard' for the day' (344). In response to this environment, in 2016 head teachers' unions made statements against the Education Secretary and parents held a 'children's strike' against government policies around the implementation of SATS tests for six-year-old children (Stewart 2016).

U.K. schools use a plethora of databases and digital management programmes as part of the ‘dataveillance’ (Hope 2015) project. These include the ubiquitous RaiseOnline, which tracks student progress across subjects. The RaiseOnline website explains how the programme can ‘(e)nable schools to analyse performance data in greater depth as part of the self-evaluation process’. Schools also use Show My Homework, which allows parents to check for homework set for students. The blurb on the Show My Homework website manages to be friendly and practical whilst also sounding corporate. It explains how the programme works:

With instant insight into how each student, teacher and class is performing, and the ability to quality assure all homework, easily identify gaps in learning... Keep parents happy: Give parents complete homework visibility so that they can fully support their child at home or on the go with our free apps and homework notifications.

Without understanding the impact on the actual process of education, it is difficult to argue with quality assurance, parental (customer?) happiness, and ‘complete visibility’. Audit culture in U.K. schools affects everyone from executive head teachers of large federations of secondary schools to three-year-old children in nursery classrooms, and inserts itself into homes with parent-friendly apps and websites. It also penetrates into bodies (see section on ‘biopower’, below). In their fetishisation of quantitative data, the technologies of the audit culture in U.K. schools skew the understanding of what is important. What is measured is chosen by the gatekeepers of the technology- the developers and institutional users. This serves to ignore less-measurable and voiced experiences (Carlile 2012). It pathologises children and teachers by ranking them on constructed scales, and trapping their performance in time on official documentation. As Foucault (1975) explains, documents function to

‘capture and fix’ identities (189), so a child’s test score comes to represent them without information about the socioeconomic context within which they are learning, being tested, and being labelled. In these ways, and many others, audit culture serves to remove attention from those structural inequalities not tracked, measured, recorded, or described.

New surveillance technologies

Dataveillance (Hope 2015) is one of the technologies of surveillance imposed upon U.K. schools in the service of audit culture (Roberts-Holmes 2015; Carlile 2012). Extensive research on U.K. schools (Hope 2009, 2015; Taylor 2011) has described the impact of other surveillance technologies: biometrics (of which more later); drug testing; electronic movement detectors; surveillance of internet misuse; and the main subject of this section, which will be expanded upon as a key example of the use of surveillance technologies: CCTV.

Hope (2015) describes how CCTV was originally mobilized in the 1990s to protect school boundaries from intruders. This trend came within the context of an infamous school shooting in Dunblane, Scotland, in 1996, where sixteen children and a teacher were killed by a gunman who had easily entered the building during a PE lesson (BBC 2016). By 2011, 85% of U.K. secondary schools had CCTV systems (Taylor 2011), ostensibly to protect them from intruders. The use of CCTV gradually developed into a tool for the social control of student populations. This social control does not simply apply to bullying or violence in schools- Taylor (2011) describes systems in place in school toilets to tackle “the misuse of paper towels and soap’ and general ‘horseplay’” (6). CCTV in U.K. schools is also now used for ‘teacher development’ observations. In one urban area in England, the local authority placed CCTV cameras with microphones into classrooms and gave teachers earpieces ‘... so that live feedback can be provided to them on their teaching delivery and performance’ (Quereshi cited in Taylor 2011: 7). In its role in teacher surveillance, CCTV is an instrument of audit

culture. Hope (2015) cites Ball's argument 'that surveillance cameras are items of material culture, embodying a sign value, reminding people of what constitutes acceptable behavior, whilst threatening consequences for deviancy' (893-4). This 'sign value' is so powerful and panoptic that it extends beyond the real into simulation: for example, schools often use dummy cameras, and Hope (2015) found that one school '...was happy to let individuals believe that the cameras were linked to the civic centre' (901). Whilst he found that an actual link to civic centres or central police control rooms was prohibitively expensive, schools were not beyond borrowing the semblance of this power to engender student self-surveillance under the gaze of their CCTV systems.

Taylor (2011) critiques great failings in the U.K. Data Protection Act (DPA) 1998's ability to protect school students from an inequitably heavy handed implementation of CCTV. He explains that young people's status mean that they 'command relatively less power resources to resist or reject the surveillance they are subjected to on a routine basis' (ibid: 2). For example, the DPA 1998 and associated guidance should preclude CCTV in toilets for anything other than 'very serious concerns', but there is evidence that U.K. schools routinely contravene this guidance (Taylor 2011: 8; Action for the Rights of Children in Taylor 2011). In this context, the growth in biometrics in U.K. schools is also of note.

Policing student and teacher bodies: biopower and exclusion in U.K. schools

Hope (2015) explains that from a Foucaultian point of view, 'the body has become a target of relentless, minute and detailed forms of technical surveillance'(3). In, schools, this can lead to exclusion. These aspects are not just limited to the physical body: intent, attitude behavior and mental state also become targets for control (Carlile 2009a). These can be called what I have termed 'the extended body' (Carlile 2009a). The extended body is vulnerable because its boundaries are porous: it can be '...extended further, providing more space within which a person can be described, stereotyped, 'supported', controlled, or discussed' (Carlile 2009a).

The extended body is ‘contested space’ because whilst powerful institutional agents can describe an extended body, it also provides space for individuals to speak back, or to renarrativise or co-construct their identities. However, U.K. students whose extended bodies are not comported within a perceived ‘acceptable’ way of being are likely to be the subject of discipline.

As Hope (2015) shows, schools seek behavioural change through ‘not only through teaching methodologies and curriculum content, but also the management of ... sexuality and the body’ (4). For example, girls in U.K. schools have been both officially and unofficially permanently excluded from school as a result of behavior ascribed to ‘pre-menstrual syndrome’, being too noisy, or having a lesbian relationship. Intersectional concerns compound the impact of these stereotyping judgments. Research conducted in 2005 describes a British Iraqi Muslim girl who was excluded because her noisy anger was perceived by teaching staff to be inappropriate for her faith; and a boy of Nigerian heritage was not given the belief or support he needed to come out as gay, instead being perceived as merely ‘a thug’ (Carlile 2009a; 2009b).

School uniform is another means by which biopower is implemented. Studies carried out in the USA are inconclusive as to whether school uniform improves discipline or increases grades (Stover 1990; Brunnsma and Rockquemore 1998; Bodine 2003; Han 2010). Despite a lack of evidence, however, gendered uniform policy has long been espoused by UK Education Ministers (Prince 2009; Corner 2011; Murray 2012). School uniform can be said to indicate ‘a discourse of control’ (Hope 2015: 896; Gorard 1998) over students’ bodies, serving to both police gender expression and to place the responsibility for perceived male sexual violence in schools upon perceived female victims. School uniform could in fact be seen to be a way to control, cloak, or restrict the extended body.

Biometrics

Beyond the physical body, biopower in U.K. schools can also be detected in the ways in which biometrics are creeping into day-to-day surveillance. A school in Scotland became the first in the world to use hand-vein scanning technology to take lunch money in the cafeteria in 2006; fingerprint technology is becoming ubiquitous in cafeterias (Waters 2009). According to Hope (2015), through these means, 1.28 million U.K. school students have been fingerprinted. Lunch queues are apparently much faster, with the result being that more lunches are sold. The financial imperative ushers in the use of high-tech security technology. The systems 'effectively treat the body as an identity/debit card' (Hope 2015: 5). Developers and vendors of the technology are conscious of the problematic implications: biometric data is primarily used (and perceived as) as 'a security tool' (Waters 2009). Waters (2009) cites the maker of the HandKey, one such technology, in a knowing assessment of its sign value, explaining:

I guess fingerprinting has an unavoidable criminal connotation that people just have a hard time getting away from ... The idea that you're fingerprinting your kid just smacks of institutional mistrust and, well, Big Brother. It's not like the eyeball scanning stuff, which does the same thing but makes you feel like a secret agent.

Waters (2009) also describes the ways in which the sellers of such technology are anxious not to describe the technology as 'fingerprint scanners', but as 'finger ID systems' or 'fingertip readers'. Organisations such as LeaveThemKidsAlone.com have pointed out privacy issues related to schools' collection of every child's fingerprint. This is of specific concern in relation to Taylor's (2011) warnings about the failure of schools to adhere to the Data Protection Act 1988 (described above). Hope (2015) suggests that such biopower technologies 'can be seen as part of broader biopolitical processes that effectively seek to normalize invasive surveillance procedures so that they become accepted as commonplace practice' (5).

We might ask why, within an environment increasingly under digital surveillance, the apparent self-policing impact of a panoptic approach does not appear to be tempering the fact that U.K. schools are noticeably becoming more disciplinarian in the ‘real world’. Perhaps this is because U.K. school students are knowing subjects rather than docile bodies (Foucault 1975). Some students, for example, find unobserved spaces or play for the camera, returning its gaze; turn a PC monitor away from a teacher’s eyeline; or visit banned internet sites despite the knowledge that they can be detected (Hope 2015). As Simon (cited in Hope 2015) suggests, ‘where individuals are uncaring ... of surveillance then panoptic power will flounder’ (900). Perhaps this knowing resistance is a reason for U.K. schools’ increasingly harsher ‘zero-tolerance’ disciplinary approaches, which thrive in ‘academies’, and are discussed below.

ACADEMIES

A key location for the dataveillance, biometrics and harsh disciplinary approaches emanating from the neoliberal context in U.K. schools is the academies agenda. Academies in the U.K. are usually originally community schools funded and governed by democratically elected local authorities. The schools are taken over, often against the wishes of the elected governing body, and transformed into academies funded by corporations and overseen by the central government DfE through appointed governors. Academies are similar to Independent Public Schools in Australia and Charter Schools in the USA (Keddie 2014). The immense pressure on governing bodies to transform community schools into academies is brought to bear within a context of ‘aggressive cuts and the marketization of public services’ in the U.K., which are systematically dismantling ‘structures of local democratic accountability, all under the guise of unavoidable austerity measures in the wake of the banking crisis’ (Kulz 2014: 686).

Marketisation and exclusion

The academisation process has been a key methodology for the marketization of education in the U.K. In the process, students have become commodified (Keddie 2014) and therefore subjected to market forces. This has resulted in an intense gatekeeping process which has been affected by assumptions about race, class and potential achievement (Robbins 2008): shadowy admissions protocols have transformed the demographics of many schools, with some academies changing their catchment area boundaries to exclude working class and black communities (Kulz 2014). This is linked to speculation about the potential achievement of specific student groups and links directly to exclusion practices.

Keddie (2014) cites evidence gathered by the U.K. Academies Commission to suggest that as students become commodified, 'some academies are manipulating their student admissions criteria so that they can 'cherry-pick' more able students in order to improve their results' (503). This commodification has also given academies the imperative to implement a system of 'zero tolerance' discipline policies and permanent exclusions in the service of more tightly and exclusively controlling their borders. In this way, large numbers of students are also rejected through official permanent exclusions (expulsions) or through unofficial exclusions such as 'part time' attendance; 'virtual' education, where students carry out their school work at home on a computer; and 'managed moves' to other schools (Carlile 2012). Whilst on occasion these strategies give students access to the support they need, outcomes are not generally as successful as those of their mainstream-schooled peers (Macrae et al 2003). Such unofficial exclusions are often not recorded, nor do they allow for any kind of appeals process. Official exclusions do provide for an appeal, but these are skewed harshly in favour of the school (Carlile 2012), and due to recent changes in the law, appeal decisions can now only *advise* a school to rescind an exclusion (Education Act 2011). The process ignores the possibility that a child's behavior and actions are a reasonable response to an intolerable situation (Tait 2010). The pathologisation of the child therefore acts to take attention off the institution (Thomas and Loxley 2001). This process takes place within the extended body of

the student (Carlile 2009a). If a child can be deemed ‘bad enough’ to be permanently excluded, the problem is constructed as residing in the child, rather than in the school.

Academies permanently exclude nearly double the numbers of children as local authority-run community schools, and in 2014 were permanently excluding about 2.3 children in 1000, as opposed to 1.3 in community schools (Department for Education 2015). The audit culture needed to underpin a marketised school system draws academies’ focus away from structural inequality and focuses it in these disciplinary ways upon individual children. As Robbins (2008) puts it, ‘(t)here are students who are competitive assets, and there are students who are fiscal liabilities or waste’ (344).

STRICT DISCIPLINARY APPROACHES: TAMING THE ‘DEPRIVED’

The permanent exclusion statistics described above demonstrate that the neoliberal context- characterised by audit culture- provides a fertile context for the implementation of strict disciplinary approaches in U.K. schools (Robbins 2008); especially in academies. Perhaps as a result, since 2012, right-wing government initiatives in England have led to millions of U.K. pounds in funding for ‘boot camps’ for children and young people excluded from school or deemed to be at risk of exclusion (Mills and Pini 2015). These have been set up within a wider school context of ‘get tough’ approaches to managing behaviour, including ‘giving teachers powers to search students without consent, abolishing the ‘no touch’ rule [thus allowing teachers to physically retrain students], increasing fines for parents of truanting students, and removing students’ rights to appeal upon expulsion’ (Mills and Pini 2015, 272-3). This section will outline the impact of ‘zero tolerance’ policy, and describe how it does not merely ignore systemic inequity, but actively delivers classist, sexist and racist applications of disciplinary practices in U.K. schools (Robbins 2008; see also Kulz 2014; Carlile 2012; Lloyd 2005; Lucey and Reay 2002). Some schools have tried to counter this

approach, for example through restorative practices in dealing with behaviour; this is discussed at the end of the section, below.

Zero tolerance and permanent exclusion

‘Zero tolerance’ policies in schools have become ubiquitous in the U.K.. This approach to discipline labels certain behaviours as leading to immediate and permanent exclusion without discussion, and is often delivered in the name of the safety of others. Behaviours designated for a ‘zero tolerance’ response include carrying a weapon or drugs into school. They are emotive, and at first glance, inexcusable actions. However, the results of the policy are conceivably often far from fair (Carlile 2012). In one example, a fourteen-year-old student with Asperger’s Syndrome, eager to make friends, brought his birthday present to school to show his classmates. His father had given him a Swiss Army penknife for fishing expeditions, and for showing this to another student he was permanently excluded. Another student was permanently excluded for bringing in Paracetamol (a mild over-the counter painkiller) and pretending with two of her friends that it was the illegal recreational drug Ecstasy. A young Vietnamese woman was permanently excluded after she and two friends stole an iPod from the school changing rooms; she was the only student not reinstated, perhaps because of her father’s compromised ability to adequately advocate for her: he had attended all meetings without the (legally mandated) support of a translator. And a fourth student, whose Tourette’s Syndrome made him impulsively throw things, was excluded from a Catholic school for ‘causing the death of a living creature’. When sitting in a science lesson on a hot day, a little frog had hopped in through the door to the playground, which was open to allow cool air to circulate through the room. The student had picked up the frog, and thrown it at the wall. The student was an animal lover, and was distraught at the death. In all of these circumstances (Carlile 2012), the zero tolerance approach precludes any discussion of the subtleties of each case. Two of these exclusions were imposed upon students with

special educational needs for acts which are rooted in neurological conditions. Further, all four of these children were living in economically and educationally deprived families: in arguing the case, knowing the law and advocating for their children, they were disadvantaged in terms of linguistic and social capital. While these are discrete examples relating to specific incidents, they go some way to illustrate the potential for zero tolerance policies to deliver inequity, injustice and institutional prejudice.

As explained above, before the Education Act 2011, students in England had the right to appeal and rescind a permanent exclusion. Those with SEN (special educational needs) could appeal on the basis that the school had not put adequate support in place. Since 2011, the only recourse would be to the Supreme Court for a judicial review. There is some protection in the Equality Act 2010, which delivers a ‘public duty’ requiring that people with protected characteristics, including disabilities, and those related to ethnicity are actively supported in accessing goods and services. Post-Equality Act 2010 exclusions could therefore be judicially reviewed on this basis. Despite this, and perhaps because of cuts to legal aid; schools’ fiscal imperative; and the balance of power between knowledgeable schools and uninformed parents, students with SEN are increasingly excluded at a higher rate than those without. Government statistics (DfE 2014) show that in England in 2012-13, students with a statement of SEN (official documentation outlining specific diagnoses and support needs) were six times as likely to be subjected to a fixed-term exclusion (suspended) and seven times as likely to be permanently excluded. In Scotland, children with SEN are 4.5 times as likely to be permanently excluded. Boys are more likely to be excluded than girls, although this clouds the inequitable application of support strategies for girls, who tend to quietly ‘act out’ towards themselves through strategies including self harm and truancy (Carlile 2012). The figures also show that Gypsy/Roma, Traveller of Irish Heritage, Black Caribbean and White and Black Caribbean students are more than three times more likely to be permanently excluded (DfE 2014).

Permanent exclusion from school, especially where a student has SEN, has been shown to foreground lifelong damage to students' socioeconomic status and mental wellbeing (Macrae et al 2006). However, and despite the figures showing a disproportionate impact upon specific ethnic groups, U.K. government rhetoric is unapologetic. Its meritocratic approach can be traced back to the U.K. Conservative Prime Minister Margaret Thatcher's famous 1987 claim that 'there is no such thing as society' (Margaret Thatcher Foundation). It returns repeatedly to criticize any acknowledgement of systemic inequity on the basis of SEN, poverty, or immigration and English speaking status as constituting a damaging 'low expectations' attitude (DfE 2011b). However, as Kulz (2014) explains, a 'no excuses mantra' enacts a blinkered ignore-and-overcome logic' (699). It is a feature of neoliberal culture that individualism is prized over community (Rose 1999; Couldry 2010). The DfE's 'zero tolerance' discourse on school discipline and the resulting permanent exclusion statistics provide clear evidence for how this impacts on children's lives in U.K. schools.

Excluding disabled, raced, gendered and classed bodies

Zero tolerance leading to exclusion is the inevitable dénouement of a set of discipline policies in U.K. schools designed to tame children labelled as 'deprived' in the name of meritocracy. As can be seen from the examples above, this approach is inherently pathologising of disabled, raced and classed bodies. Kulz (2014), in her study of a well-known disciplinarian academy in London (a government favourite), describes the head teacher's philosophy as 'Structure Liberates'. She explains that this tight disciplinary approach is built on a pathologising, classist and racist 'urban chaos discourse' (696) about the inadequate aspirations and parenting of a constructed 'urban child'. This can be understood to fit within the context of the neoliberal 'politics of emergency' (Robbins 2008: 331) described at the beginning of this chapter. It follows 'an evangelical belief in social mobility fueled by a meritocracy' (Kulz 2014:687), and is typified by frequent detentions for small infractions

such as using ‘slang’ words or talking in line outside a classroom or on the stairs. Kulz (2014) describes the school’s understanding of its students as ‘a culturally essentialist brew of chaos requiring discipline’ (686). Students labelled as ‘black’, ‘minority ethnic’, ‘working class’, ‘deprived’, and ‘urban’ come to ‘serve as representations of deviance, regardless of actual action or intent’ (Kulz 2014: 696; see also Robbins 2012). Mills and Pini (2015) similarly describe the ways in which ‘boot camp’ approaches to discipline in schools and special units in England and Australia are designed to address ‘the problem of troubled youth’ by constructing ‘...young people as ‘the problem’, eliding any focus on the failures of contemporary schooling systems or indeed any other structural factors which may have coalesced to create a clientele for such programmes’ (270-271). These hard-line approaches are rooted in a belief by some teaching staff that ‘(t)he expressive gestures and sounds issuing from some black bodies thus attract discipline, whereas the quiet, stationary white body engaged in casual conversation is visually non-threatening’ leading to an ‘inconsistent disciplining of pupils’ (Mills and Pini 2015, 698; see also Lucey and Reay 2002).

Teacher judgments are also influenced by gender- students read as ‘black girls’ are often disciplined for a noisiness perceived rather than factual (Lloyd 2005). As Mills and Pini (2015) suggest, ‘a more appropriate response to supporting those young people who have rejected the authority structures within and beyond schools would entail an understanding of the oppressions and injustices many of them face on a daily basis’ (271). However, when students do resist docility in their extended bodies, and communicate their protest in disrespectful attitudes towards teachers, they are pinned down with the full force of the discipline policy, rather than recognised as enacting resistance to unfair practices.

Resistance to zero tolerance: Restorative, empowering and collaborative practices as alternative approaches to discipline and behaviour management in schools

Schools in the U.K. are not necessarily docile bodies themselves in the implementation of harsh disciplinary practices, and many of them have been documented as trialing alternative approaches to behaviour management in schools (McCluskey et al 2008a; McCluskey et al 2008b; Cowie et al 2008; McCluskey et al 2011; Sellman 2011). These include Restorative Practices (RP) or Restorative Approaches (RA), whereby perpetrators in a conflict are facilitated in understanding and ameliorating any negative effects of their behaviour. It is important to note that RPs must be situated within a wider toolkit of strategies including mediation, a form of RP which does not cast victims and perpetrators, but approaches all participants in a conflict as in need of being heard; ‘emotional intelligence’ initiatives, which attempt to educate students in understanding and being able to describe the emotional motivations behind their behaviour; peer support in learning and social activities; and Circle Time discussions, where students gather in groups to constructively discuss and debate difficult issues (Cowie et al 2008). However, because of limited space, this section concentrates mainly on RPs as an exemplar of potential methods and problems.

Restorative, empowering and collaborative approaches to managing school discipline all endeavour to deal with anti-social or bullying behaviour as a learning opportunity, where schools are seen as having a role in community and citizenship education. As McCluskey et al (2011) describe it, this builds on an idea of ‘...the centrality of the education system in the development and education of all citizens’ (108). Their study of RA found that it ‘... has promoted calmer schools with a strengthened ethos and attendant reduction in disciplinary exclusion and truancy’ (106). It worked well where it was seen as embedded within a whole-school ethic of care and community; where it was only focussed on dealing with conflict, or only implemented by staff with a responsibility for behaviour, it was much less effective (McCluskey et al 2011). The Youth Justice Board of England and Wales implemented a pilot for RAs in the early 2000s, bringing together youth offending teams with 26 schools to implement a ‘restorative justice’ approach. It was found to be effective in reducing bullying,

offending and staff sickness, and improving student attendance and staff turnover rates (McCluskey et al 2008a). RPs were also the subject of an extensive pilot project in Scottish schools in 2006-2009 (McCluskey et al 2008b). They were found to be effective in reducing exclusions where schools took a whole-institutional approach and saw it as an intrinsic means to building positive relationships as opposed to simply achieving justice and retribution. However, this tension is inherent in the success of such projects. RPs have the potential to build more social justice-oriented environments in schools, but are all too easily appropriated by the ‘essentially punitive paradigm’ (McCluskey et al 2008b: 415). McCluskey et al (2008a) identified ‘...outstanding issues about Restorative Justice as social control and also about punishment itself, questions which are central to the introduction of restorative justice in educational settings (202). A key problem here is identified as centrally concerned with ‘shame’: As McCluskey et al (2008) suggest, ‘...RPs can sometimes be attractive to schools with a disciplinary ethos because of the potential for them to be implemented as ‘shaming’ strategies’ (202).

Sellman’s (2011) findings on his study of mediation programmes in schools echo those of McCluskey et al (2008a; 2008b; 2011). He found that approaches to addressing conflict which help to build individual responsibility within a framework of community responsibility are only really effective where they are embedded within an empowering structure. He explains, ‘...schools perhaps underestimate the degree to which principles of power and control underpinning the traditional activity have to be transformed in order for new models of activity to be implemented’ (58). McCluskey et al (2011) similarly raise ‘... questions about the compatibility of RA with zero tolerance and positive/assertive discipline approaches and the use of disciplinary exclusion’ (105). This is perhaps the key concern within this discussion: where senior managers are willing to bring in alternatives to harsh disciplinary regimes, they need to do so with the understanding that they will need to embed the ethic of collaboration and empowerment holistically across the whole school system,

allowing teachers and students the time – perhaps as long as ten years- and the tools to implement the approaches adequately and allowing enough time for cultural change. Perhaps partly as audit culture in schools works on a much tighter timeframe, such programmes still founder against ‘...resistance, ambivalence and ambiguity; a continuing commitment to the use of punitive sanctions and a concern about RA being ‘too soft’ (McCluskey et al 2011: 106).

‘PREVENT’: COUNTER-TERRORISM MEASURES IN U.K. SCHOOLS

The global embracing of a ‘politics of emergency’ (Robbins 2008) constitutes a key framework which underpins the growth of pervasive surveillance, security and discipline measures in U.K. schools. This has developed within the context of a spate of reported terrorist acts in Europe usually ascribed to Muslim extremism. The U.K. government response has included guidance to schools rooted in a counter-terrorism ‘Prevent’ strategy (Gearon 2015; also the main subject of another chapter in this volume). The impact in some schools has been a source of much disquiet in the education community.

‘Prevent’ was originally mooted not primarily to focus on educational institutions, but in more general terms as a sociocultural element of the U.K.’s broader counter-terrorism strategy (known as CONTEST) in 2003. It was released as revised guidance for schools in 2011 and then updated and legally mandated in schools and other institutions within the Counter-Terrorism and Security Act 2015 (Durodie 2016: 24). Gearon (2015: 274) cites the U.K. government’s intentions for Prevent:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it
- Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and

- Work with sectors and institutions where there are risks of radicalisation

He goes on to note that ‘such initiatives have direct impact on schools as institutions and their wider communities’ (ibid).

Probably the best-known of these impacts was on Park View School in Birmingham, the U.K.’s second largest city. It is in the Midlands and is home to people from many varied backgrounds, ethnicities, faiths and countries. Park View School (now Rockwood Academy) was situated in an area of the city which is home to a large population of Pakistani Muslim people. It was labelled in U.K. TV news and newspapers as the central ‘Trojan Horse’ school at the heart of a large investigation. A letter had been leaked to Birmingham local authority alleging that ‘Muslim extremists’ were trying to insert governors onto the governing bodies of several schools in the area; had managed to remove at least four head teachers; and wanted to introduce a conservative, religious curriculum at the schools involved. In response to this letter, Ofsted conducted sudden inspections at several schools in Birmingham. The DfE appointed a former head of Counter-Terrorism to conduct a city-wide enquiry. U.K. media reported that evidence of an ‘organised campaign to target certain schools’ suggested that ‘some governors attempted to ‘impose and promote a narrow faith-based ideology’ in secular schools (BBC 2015). The schools fought back, accusing ‘the government of ‘deliberately misrepresenting’ schools’ and describing ‘inspections as ‘woefully shoddy’ and ‘fatally flawed’’ (ibid). Despite this, several teachers and governors lost their positions. In July 2014, the official inquiry reported that there was no evidence of extremism but that ‘there are a number of people in a position of influence who either espouse, or sympathise with or fail to challenge extremist views’ (ibid).

The ‘Trojan Horse’ incident was only one of many: Prevent has led to a series of derisory media reports of overreactions by school teachers and police. In one incident, a nursery-age boy drew a ‘cucumber’, but was threatened with a Prevent referral when teachers misheard his description as ‘cooker bomb’ (Quinn 2016). Media and public discourse on the

issue was further divided in February 2015 when three Muslim girls from a school in East London were pictured going through airport security gates, on their way to join the terrorist group then known as ‘Islamic State’ as ‘Jihadi Brides’ in Syria (Durodie 2016: 24; see also Williams 2015).

The Birmingham Trojan Horse, cucumber and ‘Jihadi Bride’ sagas exemplify the impact of the osmosis of strategies, ideas, and concerns between British intelligence agencies and the DfE. Media reports of these stories have provided a fertile context within which the U.K. government has come to ‘expressly mandate... schools, colleges and universities to take on more of a prominent role in dissuading those in their charge assumed vulnerable of becoming associated with terrorism from doing so’ (Durodie 2016: 24). It is evidence for the way in which ‘intelligence’ now ‘draws from an array of knowledge sources, potentially about everything, and, everyone’ (Gearon 2015: 265). Since July 2016, U.K. schools have been under a legal duty to refer people through Prevent to the Channel re-education programme if they are concerned about ‘extremism’. In 2015, about one-third of the 3994 referrals were made by schools. Some were for evidence of white Christian anti-Muslim ideology, but around 90% of the 1319 referrals were for Muslim students (Ratcliffe 2016).

Fundamental British Values

Following the election of a Conservative-Liberal Democrat coalition government in 2010, the Prevent strategy was refocused ‘around a particular set of values (portrayed as being British)’ (Durodie 2016: 25). These ‘Fundamental British Values’ have been embedded into the updated Teacher’s Standards (DfE 2011b). The Teachers’ Standards and Government guidance for Ofsted (DfE 2014: 5) asks that teachers ‘uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by ... not undermining fundamental British values, including democracy, the rule of law, individual

liberty and mutual respect, and tolerance of those with different faiths and beliefs'. The document explicitly links to Prevent guidance for schools in its appendix.

One of the problems with the guidance enshrined in the Teachers' Standards is that the imperative is framed as a negative: teachers are exhorted to demonstrate their professional demeanour by 'not undermining fundamental British values'. Proving a negative is difficult. Primary school lunch halls across the country now often sport a Union Jack display together with brief sentences written by children about democracy and the rule of law (Carlile, forthcoming). As Kulz (2014) notes, '(e)ducational institutions are a pivotal site where nation-building is done, wider discourses commingle and the values and subjectivities of young people are shaped' (687). However, bland, uncritical, hegemonic 'fish and chip'/'cup of tea' discourses are not the only choice in discussing Britishness in schools. There is the potential to use techniques of critical pedagogy to provide space to students to describe and critique their own diverse identities and experience (Habib 2014).

CONCLUSION

Resistance

Foucault's (1975) descriptions of the 'technologies of power' serve to illustrate that power is not inherently evil- just harnessed for specific means. There are calls in the U.K. for the destruction of Prevent policy because it is usually applied in an Islamophobic way- but this would also mean the loss of its application to stop young people going to the war in Syria, to protect the public from genuine threats, or to suppress those seen to be showing a tendency towards extremism of the White Supremacy variety. CCTV cameras might stop teachers from feeling able to deviate from a reductive corporate script in their classrooms- but they might also make the dark corners of a school safer for smaller and more vulnerable students. Future research and policy reform needs to take a nuanced view of these issues. This will require stepping back from a dichotomous, binary discourse.

A ‘critical bureaucracy’ approach (Carlile 2012) may be one route to a more nuanced resistance. With its roots in critical pedagogy, critical bureaucracy describes the process by which policy can be interpreted, enacted or undermined from the point of view of social justice. For example, Taylor (2011) suggests that ‘(h)ighlighting the failure of schools to adhere to the law’ on CCTV is ‘a potential avenue for resistance... sewing the seeds for a wave of lawsuits being launched against schools’ (12). This might be particularly fruitful for a judicial review on the application of Prevent in schools: students could draw on the Equality Act 2010 to challenge, for example, Islamophobic applications of the protocols. Recent research on the impact of the Equality Act 2010 (Carlile, forthcoming; Educate & Celebrate 2016) has shown that a strategic implementation of its ‘public duty’ in schools can counteract some of the problems generated by the pathologisation of individual students encouraged within a neoliberal context. This research shows that if the Equality Act 2010 is embedded in five areas - curriculum, policy, environment, community and training (Educate & Celebrate 2016), it is likely to have a noticeable impact on student and teacher descriptions of inequity and equality within their schools related to, for example, homophobic language.

Audit culture also offers potential space for schools to implement a more critical bureaucracy (Carlile 2012). Since Ofsted inspections mainly look at formal outcomes data, some schools find space within the unseen process of educating children to respond in ‘more morally focussed ways ... that centre upon students and their learning and that challenge the narrowness of external measures of school success’ (Keddie 2014: 503). Teague (2014) describes the potential for teacher resistance and political, pedagogical spaces in the gaps between official surveilled U.K. primary school practices- for example, during transition times between break time and class time, or in the queering of names on maths worksheets. In his work on the ‘datafication’ of the early years, Roberts-Holmes (2015) explains how ‘some, more experienced teachers, are able to re-interpret ‘schoolification’’, locate gaps and ‘locally re-enact, interpret and translate policy’ (303). Yar’s (2003) critique of panopticism supports

this potential form of resistance, describing ‘knowing students’ and ‘knowing teachers’ performing acquiescence within an over-surveilled school environment. And the restorative approaches described by McCluskey et al (2008a, 2008b, 2011), Cowie et al (2008) and Sellman (2011) have the potential to not only empower and mediate between parties in a conflict, but to become the basis for a more empathic, collaborative school ethos.

Power finds its level

The conditions within U.K. schools were already, in the late 1980s, being described as stressful for both teachers and students (Elias 1989). Things have not improved: in England in 2016, 43% of state school teachers said they were planning to leave the profession (Lightfoot 2016). This is unsurprising: as this chapter has shown, UK schools operate within a neoliberal audit culture requiring zero tolerance disciplinary approaches which flourish within a discourse of crisis and emergency (Robbins 2008). In the U.K., these approaches draw on new technologies and biopower techniques and impact heavily on the ways in which schools implement their security, surveillance and disciplinary strategies. The academisation agenda has been seen to have marketised the U.K. school system, ushering in tight controls on school borders and strict disciplinary approaches designed to ‘tame the deprived’ in the name of meritocracy (Kulz 2014). This approach reaches sinister proportions in its application to counter-terrorism measures in U.K. schools. Where schools do not embrace a more profound, system-changing positive ethos, even restorative approaches can be used punitively; to shame students (McCluskey et al 2008a, 2008b, 2011; Sellman 2011).

Critical bureaucracy (Carlile 2012) and critical pedagogy have the potential to mitigate against some of the problems inherent in these approaches. However, there is evidence that in response, in U.K. schools, power is finding its level, like water, rushing in weightily with zero-tolerance, disciplinarian behavior management protocols.

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