

# Curriculum regulation in Scotland: A wolf in sheep's clothing is still a wolf

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## Abstract

Following political devolution in 1999, Scotland's already distinctive education system has diverged further from the rest of the United Kingdom. A major trend has been a weakening of input regulation of the school curriculum. Scotland's recently developed Curriculum for Excellence (CfE) has been predicated upon notions of curricular flexibility, local autonomy and school-based curriculum development. Ostensibly Scotland has entered a new era of curricular autonomy for schools and teachers. However, while Scotland has escaped some of the worst excesses of England's marketised approaches to regulating outputs, the new curriculum has been accompanied by high levels of output regulation – most notably the recourse to external inspections and the use of attainment data to judge of the effectiveness of schools – which reduce school autonomy. Although there have been recent attempts to soften this approach in line with the spirit of CfE, it is evident that such methods for accountability exert an effect on schools, contributing to cultures of performativity, creating perverse incentives and potentially distorting educational decision making in schools. In this paper, I examine the balance between input and output regulation, considering how the current balance in Scotland impacts upon teacher agency, and especially the capacity of teachers to undertake school-based curriculum development.

Key words: curriculum; input regulation; output regulation; Scotland

## Introduction

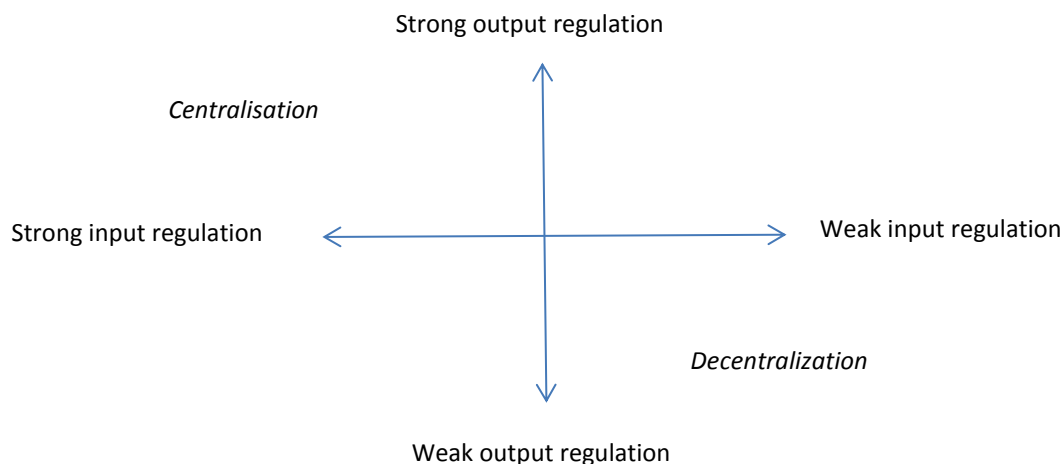
The recent history of Scotland's curriculum provides a fairly typical illustration of worldwide trends; , at least across the Anglophone world (see Sinnema & Aitken, 2013), there has been a shifting balance between curriculum freedom and regulation. Scotland, in common with these other countries, moved towards a higher degree of prescription in content in the late 1980s and early 1990s. Its 5-14 curriculum framework specified content, articulated as multiple outcomes arranged into hierarchical levels. In more recent years, Scotland has experienced a pendulum swing towards less prescription and more autonomy for schools to make the curriculum. Scotland's Curriculum for Excellence (CfE), first introduced in 2004, articulated a renewed vision of teachers as developers of curriculum at a school level. CfE thus seems to exemplify trends noted across curricular jurisdictions by Nieveen and Kuiper (2012), being an apparent move from more extreme versions of prescription to greater degrees of freedom for schools to develop the curriculum, and predicated upon notions of curricular flexibility, local autonomy and school-based curriculum development.

However, this is not the whole story. There are legitimate questions about whether this putative curricular deregulation is genuine, or whether, it is illusory and rhetorical – whether this new apparently softer form of curriculum is merely a wolf in sheep's clothing. The extent to which this is the case lies in the balance between the levels of prescription imposed on schools in terms of curricular content, etc., and the ways in which their outcomes are measured and evaluated. Following Nieveen and Kuiper (2012), I shall refer to these respectively as input regulation and output regulation. Scotland has escaped some of the worst excesses of England's marketised approaches to regulating outputs; however, the new curriculum has been accompanied by high levels of output regulation – most notably the recourse to external inspections and the use of attainment data to judge of the effectiveness of schools.

In this paper, I examine the balance between input and output regulation in Scotland, considering how the current balance in Scotland impacts upon teacher agency, and especially the capacity of teachers to undertake school-based

curriculum development. In doing so, I draw upon a recent comparison of curriculum regulation in England and Scotland (Leat, Livingston & Priestley, 2013).

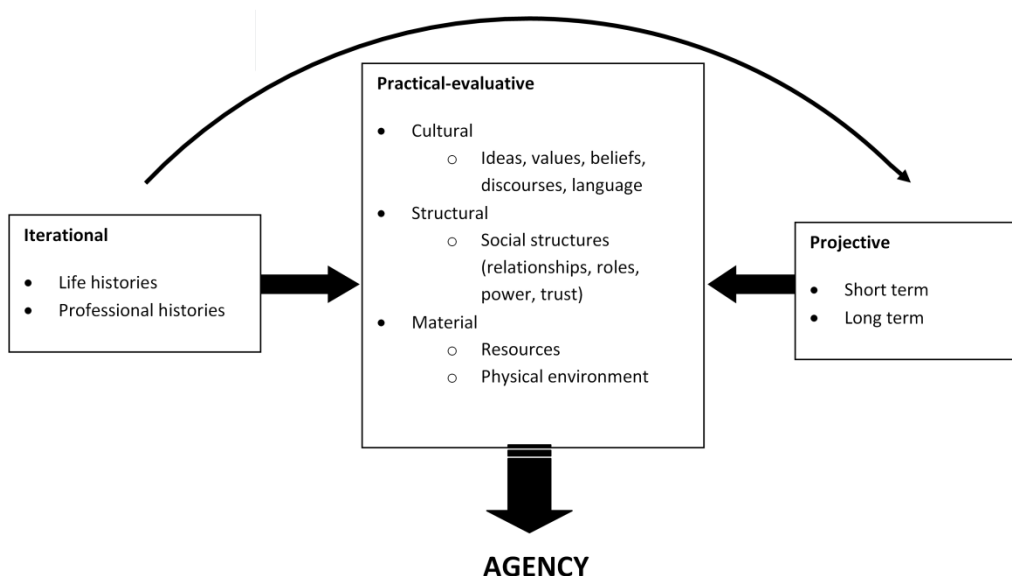
Figure 1: The balance between input and output regulation



(source: Leat, Livingston & Priestley, 2013)

This paper extends the centralised/decentralised continuum proposed by Nieveen and Kuiper (2012), providing an analysis framed as a quadrant rather than as a linear continuum (figure 1, above). Additionally, as I am primarily concerned with the effects of regulatory systems on the autonomy granted to teachers making the curriculum, I employ an ecological understanding of teacher agency (for a fuller account of this approach, see: Priestley, Biesta and Robinson, 2013). This approach, depicted in figure 2 (below), construes agency as an emergent phenomenon, combining the personal capacity of teachers to act (for example in developing the curriculum) with the context (social and material) by means of which they act. In this view, agency is something that people achieve rather than something that resides within them; it thus varies from place to place and over time. This approach allows us to make judgements about the ways in which regulatory frameworks shape the achievement of agency by teachers as they develop the curriculum. The most obvious area for analysis here lies in the practical-evaluative dimension of agency. Regulatory frameworks, relating to both inputs and outputs, concern the cultural system (in relation to ideas, dispositions and values that shape agency) as well as the structural realm (for example, in relation to coercive power structures and relational resources). These aspects are practical, in terms of how social structures and cultural forms constitute the social conditions that render different forms of agency possible. They are also evaluative, insofar as teachers will form judgments (for example evaluations of risk) as they enact the curriculum.

Figure 2: The ecological approach to teacher agency



There are further issues to consider in respect of how teachers achieve agency as they enact the curriculum. We must bear in mind that yesterday's practical-evaluative dimension constitute today's iterational dimension; the social conditions of schools in the past have helped to form teachers' expectations about what is possible and desirable in the present. In other words, past patterns of curriculum regulation continue to exert influence on teacher agency today, through shaping teacher judgements and aspirations. Therefore, to offer a full analysis of how different forms of curriculum regulation impact upon the achievement of agency by teachers, we would also need to consider the iterational dimension (how life and professional histories shape agency today) and the projective dimension (for example, how aspirations about future possibilities for curriculum-making are both enhanced and narrowed by past experiences of professional working). These are empirical issues that are beyond the scope of this short paper. However, there is one pertinent implication (for this paper); we should also consider how the working environment of today (including the balance between input and output regulation) might shape agency in the future – a key question if we wish to develop the capacity of teachers to become professional developers of the curriculum.

## **Curriculum regulation in Scotland**

### ***Input regulation***

Macro-level Curriculum for Excellence policy suggests a desire to move away from a top-down prescriptive curriculum for teachers to deliver. Instead teachers are expected to take an active role in school-based curriculum development.

Within a clear framework of national expectations, teachers will have greater scope and space for professional decisions about what and how they should teach, enabling them to plan creatively within broader parameters. (Scottish Executive Education Department, 2006, p.1)

Subsequent policy documents have echoed this message (e.g. the 'Building the Curriculum' series), emphasising the commitment and quality of teachers in Scotland.

However, this apparent shift to reduced input regulation at the level of national policy should be viewed sceptically in relation to schools' enactment of CfE. While the policy itself might be seen to reduce input regulation, there are various structural features of Scottish education that potentially act against this reduction. The role of the national agency Education Scotland, which continues to produce reams of policy-related guidance, is one such feature. Such guidance helps to frame the discourses around CfE, at least in part shaping the ways in which schools respond to policy. In particular, it provides the technical language subsequently used by teachers as they enact the curriculum in their schools (Priestley, Biesta & Robinson, 2013). Arguably, local authorities exert even greater effects on schools in terms on input regulation. Their governance function is partly carried out through input regulation and partly through output regulation. In the case of the former, there is considerable variation between authorities; however, it is possible to make several general observations here. Scottish schooling is extremely hierarchical; local authorities play an important role in mediating national policy, and such mediation can be significant in shaping curriculum making practices in schools. Many local authorities produce mandatory teaching materials and operate relatively high levels of prescription in terms of teaching methodologies. Therefore, while it is fair to describe the macro-level Curriculum for Excellence policy as being weak in terms of input regulation, we should acknowledge the potential for high levels of input regulation, through the local and national structures which frame the work of schools.

### ***Output regulation***

Scotland operates forms of external accountability that are characteristic of the first two dimensions of Wilkins's (2011) performativity typology, namely external inspections and the use of attainment data to evaluate schools. Since 1997, the Quality Improvement Initiative has established an accountability system, shown to have similar effects to its English counterpart (see Cowie, Croxford & Taylor, 2007). A strong attainment agenda has developed in schools, driven by statistical use of data derived from external examination results (primarily the 'gold standard' Higher qualification) and national testing (5-14). The former statistics generate what are known as Standard Tables and Charts (STACS), which are used extensively in secondary schools to manage teachers, enabling, for example, subject departments to be compared with each other, and the performance of schools and departments to be set against equivalent schools on comparator league tables (ibid.). League tables do not 'officially' exist in Scotland; national

tables are not compiled by the Scottish Government, although comparator tables are used within local authorities, and national newspapers compile their own unofficial tables annually. Empirical evidence suggests that these 'unofficial' league tables are taken seriously in schools, affecting teachers' agency in curriculum-making (Priestley *et al.*, 2011). In many local authorities, similar use has been made in primary schools of data pertaining to pupils' attainment of the curricular levels of the former 5-14 curriculum. These data have allowed schools to be compared according to attainment levels, associated in many cases with performativity practices (see Priestley, Robinson & Biesta, 2012). There is a continued emphasis on accountability practices in Scotland, despite the relaxation of input regulation associated with CfE. A new benchmarking tool is currently under development. This is said to be more in tune with the spirit of CfE. However, it remains to be seen whether its effects will be different from practices documented within existing accountability systems.

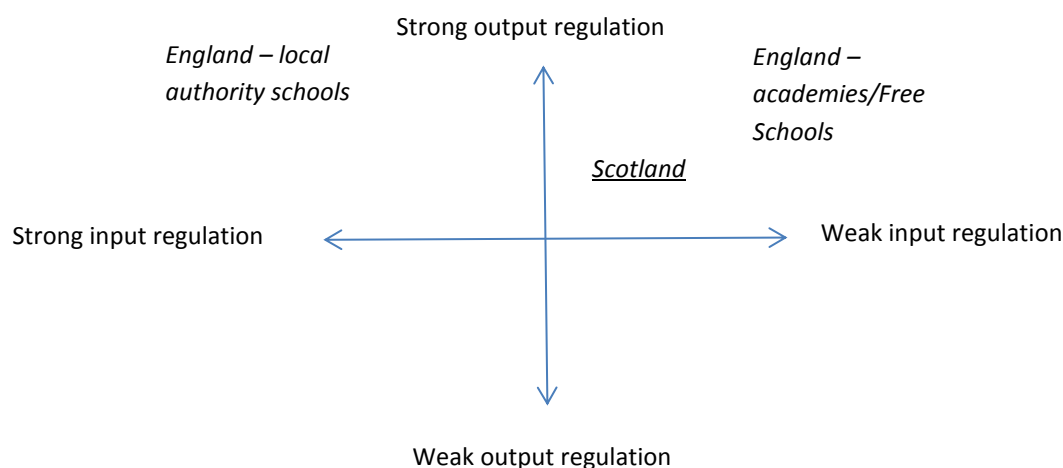
Inspections by Her Majesty's Inspectorate of education (HMIe) form a second part of this system of output regulation. Inspections are framed around a set of performance indicators known as *How good is our school?* (HGIOS<sup>1</sup>) (HMIe, 2002). Following the advent of Curriculum for Excellence, HGIOS was revamped in 2006-7, signalling a supposed shift from a hard to a softer managerialism. However, according to Reeves (2008, p.13), revisions to HGIOS are 'cosmetic, since the basic instruments and methodology remain the same'. The inspection model has been further developed subsequently, placing greater emphasis on self-evaluation. However, given that the aim of inspections is to provide public assurance and accountability, they continue to be high stakes events for schools, and constitute a key component of strong output regulation.

A third aspect of output regulation lies in the quality improvements systems operated by local authorities. A shift in emphasis in many local authorities from a supportive advisory role to a quality improvement role, characterised by audits mirroring the external inspection process, has been documented by several writers (e.g. Cowie, Croxford & Taylor 2007). The potentially detrimental effects of the role of these local bureaucracies maintaining central control was noted by an OECD report (2007).

## Analysis: curriculum regulation and teacher agency

In summary, there is relatively weak input regulation at a macro-level in Scotland, as Curriculum for Excellence opens up considerable space for school autonomy. However, as noted, levels of input regulation at a meso-level vary from authority to authority. Moreover, Scotland retains a relatively hard managerialism (Reeves, 2008) through high levels of output regulation. The rhetoric of teacher and school autonomy is therefore not easily realisable in practice. However, Scotland still compares favourably in this respect with England (for a fuller analysis of the situation in England, see: Leat, Livingston and Priestley, 2013). English local authority schools are subject to both high levels of input regulation through the National Curriculum and extensive output regulation. Academies and Free Schools, despite their much vaunted exemption from the demands of the National Curriculum, are still subject to the high levels of output regulation, and potentially the content of the curriculum in such schools may be subject to capricious control by stakeholders other than the teachers in the schools (see figure 3).

Figure 3: The balance between input and output regulation in England and Scotland



(source: Leat, Livingston & Priestley, 2013)

I conclude this paper with a brief analysis of the effects of curriculum regulation on teacher agency. While space precludes a deep analysis, I offer here a few reflections on how such regulation might be detrimental to teacher agency, and how in turn this might undermine professionalism – surely an issue at a time when curriculum policy emphasises school autonomy and positions teachers as agents of change. The following points draw upon the ecological conception of agency, as something that emerges from the transactions that individuals – with their particular talents, aspirations, values and knowledge – have within their environment.

First, teacher professionalism often tends to be seen as matter of enhancing individual capacity – for example, knowledge, skills and professional ethics – which tends to sideline the structural and cultural context in which the professions develop (Priestley, Biesta & Robinson, 2013). Output regulation comprises both a set of social structures (systems, power relations, roles, etc.) as well as cultural expectations. These social conditions shape what is possible in schools. This is both a practical issue (what is actually possible) and an evaluative issue (how professionals judge aspects such as risk). Thus output regulation potentially impacts radically on the possibilities for agency (by enabling or precluding particular practices), and has, at the same time, undermined professionals' ability to take responsibility for their work, and to act on the basis of informed and negotiated professional judgement.

The above observations apply to the practical-evaluative dimension of the ecological agency model. A related set of reflections concerns the projective and iterational dimensions of agency. Empirical research conducted in Scotland (Priestley, Biesta & Robinson, 2013), suggests that the undermining of teacher agency in a practical-evaluative sense (for example removing the need for, or distorting judgement) potentially has long term effects in terms of teachers' abilities to form expansive aspirations for their teaching. The teachers in this research were relatively unable to articulate long-term aspirations for their teaching, being focused instead on short-term goals such as engaging pupils, maintaining technical efficiency in their teaching, or even just getting through the day. Linked to this, the research found that these teachers tended to articulate their teaching in the language of policy, and seemed to lack an educational language with which they could critically interrogate policy. These issues were at least in part due to their past immersion in the performative cultures of their schools. It is worth noting here that such cultures in today's schools will shape the capacity of teachers in the future, potentially impacting heavily on future teacher agency and professionalism. It is worth noting that this research also unearthed variable degrees of teacher agency that related directly to the environment within which practitioners worked. For instance in a school with well-developed relational structures – where teachers had extensive relational resources upon which they could draw – researchers found enhanced levels of teacher agency.

In Scotland, Curriculum for Excellence, despite its teething troubles and despite the tensions with output regulation, offers considerable potential for teacher agency. However, as this analysis demonstrates, such agency needs to be nurtured. This may be partly achieved by raising the capacity of teachers to engage in school-based curriculum development. This would include access to new thinking, new pedagogies and research findings. But it also requires attention to the structural conditions within which teachers work (for example the active development of spaces for dialogue and channels for communication) and the cultures of teaching (for example collegial attitudes and openness to new ideas). Without these, the expectation that teachers will become agentic in their work will remain unrealised.

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