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What it means to be modern :
education, policy and New Labour

by

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Kenilworth, September 2005

Declaration

None of the material in this thesis has been used before or has been published. The thesis is my own work and I confirm that it has not been submitted for a degree at another university.

Table of Contents

Abstract	1
Chapter One	
Introduction	2
The context of the research	4
The meanings of modernisation	8
Outline of material	8
Key issues and research questions	11
Chapter Two	
Research strategy and methodology	14
Rationale for the illustrative example and its construction	18
Collection of data	22
Issues of veracity and reliability	26
The use of triangulation	27
The engagement of the researcher	29
Chapter Three	
From tradition to transformation	30
‘Promoting the Education of the People....’	31
The Black Papers and their influence	34
Leisurely reform – the early Thatcher years	40
The market solution – the Education Reform Act and the road to the Third Way	48
The Third Way and its grammar	60
The elevation of administrative efficiency	67

Chapter Four

'Coketown' – a case in point 74

Introduction to illustrative example 74

The facts of the case – the inspections of Coketown
and their methods 79

What is the problem to which this is the answer? Issues of
performance and governance 89

Intervention in practice: structures of operation, management
and accountability 93

Chapter Five

Coketown voices 98

The cast – description of 'actors' and 'witnesses' 98

Coketown before inspection 104

Inspection and its aftermath 109

Life under intervention – contracts and values 119

Chapter Six

Towards an understanding of 'modernisation' 134

The 'moving target' 134

Education and the state 139

The reinvention of teacher professionalism 142

'A decisive, system wide advance' 146

Modernising the Local Authority role in education 147

The business of education improvement 157

The LEA is dead, long live the CSA! 169

Conclusion

Connections and loose ends 175

Bibliography 179

What it means to be modern: education, policy and New Labour

Abstract

This study examines the policy changes and continuities in the delivery of public education services both preceding and following the election of the Labour government in 1997. These involve the changing relationship between local and central government and the development of an enhanced role for the private sector in the management and delivery of education services. The study considers the limitations and possibilities of these developments and their implications for governance and performance through critical policy analysis and consideration of key texts, government publications and contemporary interviews with individuals within the policy process.

The study is divided into chapters dealing with the context of the research in key literature and issues of change and continuity in national education policy. It includes a critical description of the approaches to the inspection of local education authorities and an illustrative example of government intervention in an LEA leading to the outsourcing of services. Through interview material, the policy analysis is grounded in the experience of individuals who are enacting 'modernisation' and also commenting on its effects. There is also a consideration of the evidence of the impact of outsourcing on school performance in a number of authorities.

In addition, the study considers the implications of these developments for future strategy in relation to the development of local authorities in the light of the Children Act (2004).

It suggests that the readiness of local authorities to adopt the changes needed to enact the Children Act (2004) forms a contrast to their limited adherence to the local government reforms prefigured elsewhere by central government. This reflects the strength of concepts such as the well-being of children as agents of change, in contrast to the diffuse theoretical underpinnings of the third way.

Chapter One

Introduction

This research engages with a contemporary and central issue regarding public education policy in England in relation to schools and local education authorities. This is the quest, undertaken by the Labour government elected in 1997, for improvement in pupil performance through a process described by government as 'modernisation'. By considering the concept of 'modernisation', the research forms part of the developing literature which seeks to explore and define the nature of policy making in education and the conceptual questions which are prompted by its study.

It is, overall, a qualitative study, informed by personal experience gained from working at a senior level in a Local Education Authority (LEA) throughout the period of study. It also draws on published literature by other commentators and on primary sources. The primary sources include material demonstrating the government's own policy iterations, for example government publications, Green and White Papers and Ministerial Statements. These are compared and contrasted with critical and analytical literature by other researchers. The primary sources also include interviews with individuals involved in the policy process and its enactment. This leads to an evaluation of policy and its effectiveness taking into account an illustrative example of intervention in a local education authority.

This process will use the technique of triangulation to explore what has been described as the 'contested terrain' (Ozga, 2000) of policy development and its study. Through this, the study seeks to discuss how policy can be identified and also evaluated, against which criteria and to what purpose. A range of diverse but relevant material, including documentation regarding the outsourcing of educational services, is analysed in order to develop a grounded account of the issues at play. At the centre is the search for the concept of 'modernisation' and its use by New Labour as a descriptor of policy change.

As such this study contributes to debates about the nature of contemporary local democracy and the relationship of the national executive, which identifies itself with the creation of policy, to local government, which central government sees as charged with its implementation in order to achieve what has been described as holistic government (Wilkinson and Applebee, 1999). It argues that policy creation is in fact a more diffuse process than the government model and in the absence of an agreed and accepted concept of 'modernisation' has led to its compromise. Reform of the public services is an issue to which New Labour returns and has become both its aim and its justification in government in its second and third terms. In this way the study is of relevance to the study of political as well as educational development in the new millennium.

The Context of the Research

'Modernisation' has been the characterising description and justification for the reform of public services by New Labour. The term has been self-ascribed by government to its policies and largely accepted as descriptive by those affected by it. Claiming through the electoral mandate to reflect the views of the nation, national government has deemed public services, with the explicit inclusion of education, to be in need of improvement. A range of performance measures and indicators have been devised by government agencies, and information collected to populate them, demonstrating the need for change against criteria and performance targets developed by government agencies and commissions. This has included extensive inspection of public education services, including schools and local education authorities, by the Office for Standards in Education (OFSTED). This change which government has sought to induce has been described as 'modernising' (Blair, 1997). The dissertation provides a critical description of the characteristic gestures and actions of modernisation and relates them to their philosophical and political roots.

Fundamentally, the study examines the degree to which 'modernisation' is a 'rebranding exercise' (Taylor, 2002) or whether it consists of a coherent set of new and contemporary intentions translated into initiatives leading to discernible outcomes which in turn reflect policy intention.

In order to explore the concepts and processes which the term has absorbed, education policy is examined in two contexts. One places the reforms in their historical framework, tracing continuities and discontinuities from earlier attempts to change the organisational and political framework of public education. In addition to this, through an illustrative example of the outsourcing of the services of a local education authority, educational reform is placed within the context of personal history and testimony of those enacting modernisation so as to assess to what degree its reach is beyond legislation and enforcement into areas of culture and personal values.

For this to be undertaken, attention is given to the theoretical underpinnings of modernisation, in particular the 'third way' theorising of Giddens (1998) and others. This critical analysis is drawn from the developing literature which traces the relationship between descriptions of modernisation and what Ball and others have characterised as 'performativity' (Ball, 1998: Broadfoot, 2001). Consideration of the continuing elision of notions of the 'modern' with definitions of 'effectiveness' in government pronouncements, justified by a rhetoric of 'accountability', are central to the description.

Fundamental to the development of modernisation has been the movement of power and responsibility within the education system. This has been broadly at three levels – national, local and institutional, with a more recent emphasis on the level of the individual learner through

notions of the 'personalisation' of learning. The process of modernisation has involved the relocation of key elements of the educational delivery, management and planning processes within and between the main actors, along with relocations of accountability. This has contributed to the creation of an unstable set of relationships between those groupings, mirroring the underlying tensions between democratic accountability and market competitiveness. The redefinition of the nature and activity of schools, LEAs and government continues to be the product of attempts to reconcile these tensions. The government's intention that the concept of 'modernisation' will prove an integrative and justifying principle, resolving conflict through adherence to a shared commitment to improvement, is tested.

This process has involved reconsidering issues of democratic legitimacy alongside the claimed operational effectiveness of different forms of service delivery. The search for school improvement has involved a relocation of the sources of professional insight and a shift in the political accountability for the education service between central and local government and teachers themselves. The thesis refers to the development of performance management as a method of control and direction for the education service, drawing together the multiple strands of performance management, at school and LEA level, creating a powerful methodology to ensure compliance. This is evidenced by the involvement of private sector organisations in the delivery of services which were once more or less exclusively provided directly by local

government. As government has harnessed performance, accountability and compliance to form a means of controlling the delivery and development of the service, I argue that it has produced a definition of 'modernity' at some variance from its claimed liberal heritage within the 'third way' renewal advocated by Giddens, (Giddens, 1998), more concerned with serving the supposed needs of the economy than advances in modern citizenship.

The thesis therefore deals with a range of complex and competing concepts subsumed within the notion of 'modernisation'. These include the shifts in power and influence between central and local government and other institutions including schools; the development of performance measures and inspection as means of ensuring compliance with policy direction in the absence of professional assent; the tension between market based reforms and a new developing rhetoric around partnership and collaboration (Bridges and Husbands, 1996); and an underlying theoretical position based on a supposed liberal and inclusive approach to social reform and political renewal which requires authoritarian and interventionist structures to accomplish its ends. It describes the 'policy story' of the outsourcing of a local authority's education services from the perspectives of those closely involved in the process and reflects on its characteristics.

The meanings of 'modernisation'

The ambition to 'modernise' the education service has been at the heart of government policy since its election in 1997 (Blair, 1997, 1998). This ambition formed part of the perceived need to reform local government generally and related as much to issues of culture and values as it did to issues of structure. The government's vision included local government alongside other public services as in need of reform. Those reforms were linked to earlier changes, initiated by the preceding Conservative administration, and formed part of a continuous set of responses which preceded even that. This debate has its roots in the attempts to resolve the tensions and uncertainties within national government regarding the purpose, structure and organisation of the nation's education service which found voice in the late 1960's and early 1970's. Although a new set of terminology is being created to describe this process, which describes the creation of a 'knowledge economy' (Leadbeater, (1998) p. 11), and notions of a 'preventive, holistic and culture – changing government' (Perri, (1998) p.62), the essential concepts and definitions of the issues to be addressed have remained persistently consistent.

Outline of material

The study is largely qualitative, containing a critical description of key events and chronologies to underpin the analysis. It involves the study of source material from central government, as well as current literature on the subject. Close attention is given to text and the comparison of policy over time and between documents. Textual study is complemented by

material gained from interviews with those engaged, in different roles, in the formulation and implementation of government education policy in a particular LEA. This evidence is compared and contrasted to investigate to what degree the 'surface' of policy is consistent with its underpinning concepts and values and of those engaged in its enactment.

A focus of the interview material is a 'case in point' or illustrative example of an LEA subject to intervention by the Department for Education and Skills (DfES). A consistent feature of the 'modernised' way of working under New Labour has been the involvement of private sector providers in the delivery of public services. At the extreme of such policies has been the compulsory involvement of a private provider in the provision of all or some of a LEA's functions following 'failure' under inspection. In that process, some key characteristics of modernisation become apparent. These include increased emphasis on performance management, competition as a driver for improvement and the introduction of management or quasi-governance bodies alongside or in place of local democratic structures.

Such an illustrative example enables a practical analysis to be made of the use made by New Labour of the means of enforcement of national policy at local level which it inherited from the previous government through the inspection of public services and of those it created to ensure that the change it required in an LEA was made. This is set within an analysis of the changing frameworks for inspection (Ofsted, 1999, 2001, 2002, 2004)

and their outcomes in terms of judgement and action. Within the detail of that study, the continuities and discontinuities of perception of those involved in the enactment of policy are revealed and tentative conclusions reached as to the degree to which generalisation can be made on the evidence presented.

This example, and other evidence, illustrates the developing relationship between the public and private sectors in relation to the provision of educational services. The arguments made in favour of the use of the private sector by government are contrasted with their mode of operation and impact on performance. An examination is made of the degree to which the myths and reality of modernisation are reflected in the rhetoric and performance of other agencies which are its practical embodiment.

This is an area of study in which the work of a number of commentators on the implications of markets in education (for example Bridges and Husbands, 1996) can be evidenced.

Fundamental issues such as values and democratic accountability are explored within that analysis. This is of current interest, given the continuing and developing scope of intervention within Councils and the relationship of judgements on performance within the education and more recently children's service to the judgements on the performance of the Council as a whole through the comprehensive performance assessment (CPA) of council effectiveness by the Audit Commission. This provides an insight into the breadth of the scope of modernisation and the degree to

which it creates democratic renewal or offers ideological responses to questions which are essentially managerial.

Key issues and research questions

The aims of the study are to provide critical insights into the development of government policy in relation to the education service and in particular in relation to schools. This is important as a major government priority and focus for government activity. As such it is impacting on every young person and family in England. The dissertation seeks to get beyond the surface of policy - as recognisable in, for example, policy statements and legislation - to see what is really at play in terms of definitions, values and priorities.

The dissertation takes pronouncements and decisions by government and places them within the framework outlined by government as justification for the changes to structure, responsibility and process within the system it is promoting. It subjects that justification to an analysis of its internal consistency and roots within earlier policy. This involves the forming of judgements on the extent to which the policies and initiatives offer genuinely new aims and seek new means of achieving them or whether what is offered is different in presentation but not in substance. A number of other perspectives, drawn from other commentators, are employed to test the strength and consistency of the government project.

The study offers a view of the likely consequences of reform and its

possible future developments. It will have as its focus education at the local level. The role and position of LEAs, Children's Services Authorities (CSAs), and their relationship to schools and with central government and its agencies are therefore closely examined. This leads to reflections on the relationship of modernisation to notions of democracy.

The objectives of the study therefore flow from the aims. They are to offer a detailed description of policy development, as well as a critical overview of other research and commentary along with the description of an illustrative example of intervention (as an exemplar of modernisation in its most extreme manifestation). In this instance, the intervention presented involves the progressive outsourcing of a local authority's education service following adverse judgements by external inspection. It shows the coming together of a number of policy streams. These include performance management through inspection, definition of improvement through target setting, the priority given to supposed operational effectiveness over democratic legitimacy and the preference for market solutions over co-operative ones. This provides opportunity for a critical consideration of the nature of policy and its study.

Through this, the key questions surrounding the definition of the nature of modernisation can be explored. These questions are:

- whether modernisation is a new set of intentions and actions or a representation of earlier ones;

- whether modernisation exists as a coherent policy beyond its rhetoric and, if so, what are its instruments of operation;
- whether modernisation has the capacity to produce transformation within the public provision of an education service; and
- whether modernisation is active as a concept in the beliefs and actions of those performing within the framework it creates.

This provides for an assessment of the degree to which the values and intentions of those implementing policy have a crucial and controlling impact on those outcomes. The degree to which there is dissonance between the values and aims of policy may control the success or otherwise of the policy intervention. It is key within this analysis to assess whether policy constitutes, in reality, the sum actions of individuals resolving conflicts of ideology, expectation and personal values at specific times.

Chapter Two

Research strategy and methodology

In this chapter I outline the approach I have taken to this study, relating the research questions I have formulated to the strategies I have taken to find answers to them. These involve the consideration of policy documents, the work of other researchers and commentators and first hand study through the interviewing of a number of individuals involved in the outsourcing of the educational service of a local education authority. I describe the use I have made of research techniques, in particular triangulation, and the potential impact on the study of the engagement of the researcher.

The premise of the methodology for this study is that there is no single academic discipline appropriate for the study of education policy. Rather it is an area where a number of disciplines can find areas of common interest and indeed that this interrelationship is necessary in order to develop a grounded understanding of policy making and its implementation. This approach reflects the position explored by Young (1999) who describes a 'crisis in the sociology of education' stemming from a realisation that 'sociology of education reflected an out-of-date view of the specialisation of knowledge in education studies' (p.35). He goes on to argue for a '*connective* rather than *insular* specialisation as the basis for educational studies' (p.35). Within this area of connected study he reflects on the relationship between research and policy:

'While making and implementing policy is clearly a distinct activity from research and analysis and no positive purpose is served by trying to conflate them, they are not unrelated.....education is inescapably a practical activity and that therefore there can be no such thing as research geared solely to understanding; ultimately research can only have meaning if it contributes to changing practice. It follows that critique cannot be entirely separate from policy or practice; research depends on policy and practice for its topic'.

(Young, 1999, p.36).

In making his own linkages between research, policy and implementation, Young is extending his connective specialisation beyond the set of academic disciplines to allow for the inclusion of other sets of experience and understanding drawn from the inescapably practical activity of implementing education policy itself. However, such an inclusive approach brings with it its own disciplines and in itself does not negate the value of individual methods of study. He comments:

'education research has certainly got to ask some hard questions about its methodology, concepts and priorities and....its links with teachers and policy makers..' (p.31).

The 'hard questions' have prompted a number of formulations about the stance of researchers towards the subject matter of policy. For example, Whitty claims:

'contemporary sociology of education can still make a useful contribution to understanding and developing education policy.'(Whitty, 2002, p.26)

Raab, on the other hand, saw his study of the sociology of education policy as at

'the intersection of political science and educational studies in the formation of perspectives upon education policy...' (Raab, in Halpin and Troyna, (ed), 1994, p.17)

Halpin himself argues that,

'empirical approaches to the study of education policy do not have to be explicitly sociological before they can be either insightful or informative..' (Halpin, in Halpin and Troyna, (ed), 1994, p.200).

The common ground here is the absence of any discipline having hegemony over the area of study. For Whitty, sociology of education is making a 'useful contribution; for Raab 'intersection' was important; for Halpin the key was the degree to which approaches were 'insightful or informative'.

However, although the acknowledgement that the study of policy was one where different approaches could find their place was welcome, the danger of study without a clear discipline or method is lack of focus or outcome. In this context I wanted to produce a piece of work which was not simply descriptive, (a policy history approach), or one which sought to

place education policy wholly within other policy or political fields, (a policy science approach), nor indeed one which sought to regard education policy simply as a field in which larger issues of class and power are disputed, (a quasi Marxist approach). Rather I wished to be able to draw on those approaches without being exclusively contained within any. The intention is a paper which is conscious of theory without in itself being theoretical.

This leads to a research strategy which seeks to draw on a range of different sources: other published policy scholarship, government documents in the form of Green and White Papers , including DfES publications between 1997 and 2005, and Acts of Parliament regarding education and local government more generally, including DETR guidance on the Local Government Act 1999 (DETR 1999), policy pamphlets and speeches by politicians, with particular reference to Callaghan and Blair, Ofsted inspection reports, other reports in the name of Her Majesty's Chief Inspector of Schools in England, advice from mentors and data collected from those involved, one way or another, in enacting policy, through interview.

This information is necessarily diffuse and differentiated. The process of study sought to draw that together around key themes, primarily that of 'modernisation' but also its related issues of performance, governance and the intersection of the public and private domains in the education enterprise. In drawing that information together, a range of perspectives

and insights would emerge, giving a grounded 'real world' account of some aspects of education policy under New Labour.

Rationale for the illustrative example and its construction

The place of the illustrative example of modernisation in action is central to the study for a number of reasons.

First, in the absence of any explicit definition of 'modernisation' in government literature, but the frequent use of 'modernising' as a descriptor, an attempt to understand its nature needs to look at one of its most visible aspects – the delivery of complex public services by private contractors at the direction of central government. The outsourcing event forms the intersection of a number of strands of government policy. These are: the strand of published inspection reports on LEAs, itself part of a larger stream of activity aimed at developing public or 'consumer' awareness of the quality of public services and, through 'naming and shaming', improving them; the strand of local government reform, leading to a pressure on councils to see themselves as less about the direct delivery of services and more about their procurement on behalf of the community; the strand of increasing emphasis on performance and outcomes leading to a belief that the aims of an education service can be specified in attainment outcomes and hence be made the subject of contract; and also the desire by Government never to be seen to be powerless, always to have an executive action available to it, at least in

relation to local government. At the source of such concern is the institutional memory within government of earlier difficulties with localities, including both local authorities and schools. These include difficulties for Callaghan's Labour government regarding a London primary school, William Tyndale, in which, it was claimed, discipline had collapsed because of adherence by the teachers to 'progressive' teaching methods (Gretton and Jackson, (1976)) and persistent difficulties for the Thatcher government with the Labour controlled Greater London Council. The study of intervention and outsourcing therefore can help to illumine the measures taken by central government to create sufficient means to limit the local electoral mandate and create 'powers of intervention to secure the national will.

Second, a feature of New Labour's educational preoccupation has been its rediscovery of the importance of urban education. This has been manifest in a number of schemes and projects, including Education Action Zones, Excellence in Cities programmes, and the establishment of Sure Start programmes in deprived wards as well as wider programmes such as New Deal for Communities. The intervention in LEAs can be seen in this context: all of the outsourced LEAs are metropolitan cities or boroughs, or inner or outer London boroughs. Intervention then is part of wider social and educational intentions regarding urban life.

Third, while much of the study of policy concerned the 'big picture' of education policy, the case in point offered a chance to look at the 'little

picture' – the view of policy from the perspective of those who, by choice or otherwise, were enacting it. Since modernisation has cultural dimensions – it seeks to change values as well as behaviour – the 'little picture' could give insights into the degree to which a 'modern' professional sensibility was being created through new relationships and structures in a new sphere which was neither wholly private nor wholly public.

Fourth, if 'policy' is theorised as process rather than document or substance, then the study of the 'arbitration of practice' (Raab, 1994) within the outsourced LEA may well be a contribution to the development of new policy thinking, in so far as the arbitration of policy creates it in new and localised forms. Raab notes:

'the policy process in education embraces a vast range of sites of action and discourse, from central-government machinery through to places where practice is arbitrated.....Whether in its political or its educational culture, none of the points on the chain is a clone of any other at the same level.'

(Raab, in Halpin and Troyna, (ed),1994, pp.24 -5)

Fifth, the issue was one of immediate personal and professional interest. I have worked in LEAs since the election of the first Thatcher government in 1979 and since 1988 in senior positions in an economically deprived urban authority in the West Midlands. For eleven years I have had the job title, variously, of Director of Education, Co-ordinating Director of Lifelong

Learning and, since April 2005, Director for Children and Young People. During that time, two of my children have made their way through the comprehensive school system, higher education and into work. My third child entered a specialist sports college in September 2005. The policy developments in education since 1979 have been part of my personal, family and professional life. Having felt their impact, I wanted to understand them better.

Further, given the underlying policy of Government, by one means or another, to introduce private contractors into most aspects of LEA operations, I was curious to know what it was like, how it felt, how it was different. Of particular interest was the client/contractor relationship and within that the place of a contract or other mechanism for engagement. Taking on the role of researcher into policy, rather than executive or saboteur, would offer a different line of sight, a set of new understandings of the professional and personal world I inhabit.

In addition, as I read in and around the field, it became clear that while research had closely followed the government focus on the individual institution as the point of development, relatively little had been written about the consequent changes of culture and practice within LEAs. There was an apparent gap in the research literature. Since working in that area had been a large part of my professional life, the process would enable me to use my own experience as both subject and, to a degree, as object of the research.

It would be too ambitious to compare this approach too closely with the 'vulture's eye' metaphor, used by Whitty to characterise a distinctively sociological way of looking at educational issues:

'Apparently a vulture is able always to keep the background landscape in view while enlarging its object of immediate interest.
(Whitty, in Power and others, 2003, p.4)

However, the study seeks to use personal experience and 'the case in point' to link the 'little picture' of personal biographies, motivation and hope to the 'big picture' of national policy. Through doing this, an additional perspective on the modernisation of the education service would be described.

Collection of data

The case in point, a study of outsourcing in a metropolitan LEA, takes into account information from a variety of sources. Central to that was the series of published inspection reports from OFSTED which were key events in the transfer of authority from the local council to a private contractor. These reports are publicly available on the OFSTED website.

However, as part of the negotiation with potential interviewees, I offered to conceal the name of the LEA, calling it, for the purpose of the illustrative

example, 'Coketown'. Coketown is the fictional setting for Charles Dickens' novel *Hard Times*:

'a town of red brick, or of brick that would have been red if the smoke and ashes had allowed it....a town of machinery and tall chimneys..'. (Dickens, 1854, p.65)

The novel begins in a primary classroom and has, as one of its preoccupations, a discussion of the purpose of education and conflict in Victorian educational theory. In the terms of the novel, it is between those utilitarians who believed education should concern itself with 'facts' and those, like Dickens, who believed that such an approach was 'annihilating the flowers of existence' (p.245). As an industrial town, and also as the setting for an examination of the effects of extreme performance management on individuals within the education service, it seemed appropriate.

However, this anonymity, clearly, will make it impossible for any reader to check independently the use made of the inspection reports in the paper. This limitation in the accessibility of the source material has to be seen against the potential benefits that the offer of anonymity brought. That offer of anonymity was made in order to encourage frankness and also to safeguard individuals if, by whatever route, elements of the paper ever became public. Given that key interviewees are all in mid-career, discretion can cause genuinely felt views to be modified or even concealed if they could be perceived as too critical if they became public and could

be attributable to individuals. I knew most of the interviewees before this project, through professional dealings. This made ensuring their trust in the process important since it was likely to form part of an ongoing professional relationship.

The interviewees were:

- the Chair of the Coketown Education Board;
- the statutory Chief Education Officer;
- the Contract Manager;
- a Primary Headteacher;
- the Diocesan Education Officer for the relevant Church of England Diocese;
- the Diocesan Education Officer for the relevant Catholic Diocese (who had taken on that role following retirement from Coketown LEA where he had a number of senior roles, latterly as Chief Education Officer a little before intervention); and
- the DfES Advisor for Coketown LEA:

The testimony was collected in broadly similar ways from each participant: their agreement was reached either by phone or by letter; the interview was recorded on a small digital recorder and then transcribed. At the beginning of the interview, the interviewees were given a copy of the research questions, framing the direction of the discussion. The form of the interview was conversational, with the interviewer having a set of prompts to steer the discussion broadly in the areas of the research

questions. Alongside the recording, the researcher took notes of the interviews in long hand.

In practice, the interviewees were willing and co-operative. This in itself caused some technical difficulties since some interviews exceeded the memory of the recorder. In other cases, words or phrases were unclear to the transcriber. In those cases, the contemporaneous notes were used to supplement the recorded interview. However, one feature of this method is that subsequent interviews were recorded over earlier ones, so the source interviews now only exist in transcribed or note form, their voice original having been lost.

The interviews took place in locations convenient to the interviewee. These were generally their offices except in the case of the Diocesan Education Officers where the interviews were in a room in a Teachers' Centre following a business meeting. In the case of the DfES official, the interview took place at a corner table of the canteen at Sanctuary Buildings, which in practice meant that one of the most interesting interviews was the hardest to transcribe.

Efforts were made to interview a Downing Street Policy Advisor, who after initially agreeing, became unavailable because of other duties connected to the general election. To a degree, this may be seen to shorten the policy chain, at least as described through personal account, and therefore lead to the loss of one potential perspective. Of course, other interviewees

could have been sought – elected members for example – but issues of practicality, integrating study into working life made that unattainable. Because of these limitations, the example does not claim to be a ‘Case Study’, but rather an illustrative account of an event with policy significance.

Issues of veracity and reliability

For the purpose of the study, it has been taken for granted that, for example, those being interviewed offered their honest opinion and that policy documents mean what they say. Where a document may have had intentions to persuade rather than explain, the study tries to account for that. To that degree, the study is transparent.

However, on another level, the issue of reliability needs to be examined. For example, it is clear that only one outsourced LEA was studied. In another case, that of Southwark, the Borough’s contract with Atkins Education was terminated, apparently through mutual agreement, after two years and four months. A set of interviews from those closely involved in those events may have produced a different account of public/private collaboration than that evident in Coketown. However, the purpose of the illustrative example, although interesting to the researcher in its own right, was essentially to consider the impact of inspection and the potential for the development of new forms of intermediate governance in modernised councils. As such, the issue of the typicality, rather than the reliability, of the case in point is less of an issue.

The use of triangulation

The technique employed to focus the range of information and data is a form of triangulation. As Gorard and Taylor have shown, 'triangulation' although widely used as a term within research, can have range of understandings, related to its visualisation as a metaphor. They describe this as 'generally the source of considerable confusion' (Gorard and Taylor, 2004, p.7) and offer accounts of researchers, variously, indicating that triangulation requires data from three different vantage points, or three different kinds of data, or that only a minimum of two vantage points or data sets are necessary. The difficulty of the metaphor, which is taken from surveying, is that in its original sense it was a means of locating a third, unknown, point by the use of lines of sight and geometry from two known ones. As such, it has limited use in policy research, unless the policy is in some way hidden and therefore can only be identified from other evidence. However, Gorard and Taylor offer a useful interpretation of triangulation which is helpful in the use of material which is varied in nature for studies which are both qualitative and quantitative. They offer the idea of a 'complementary notion of triangulation' (Gorard and Taylor, p.9). In circumstances where neither a quantitative nor a qualitative approach could, alone, give a complete picture but within which both can be valuable, they create a model in which each approach explains what it can

best, recognising that in some areas of the study, one approach can directly reinforce the other.

It is broadly in this sense that the data has been used, revealing as it does the underlying consistency of policy across governments since the 1970s while recognising the differences of emphasis and false starts or abortive initiatives which the surface of policy description reveals.

As such, the study is mainly qualitative, although quantitative methods are used in the discussion of the success of outsourcing LEA services. One methodological challenge therefore in such a study is the range and diversity of the information available, or potentially available, to the researcher. These include the kinds of factual information to be gained from recounting the events and legislative measures during the period of study, compared and contrasted to the reflective, nuanced and personal accounts of those whose personal histories converged with issues of policy at national and local level. At one level, such information is potentially limitless and issues of practicality become the contingent factor, leaving any account necessarily partial. However, the inclusion of a case in point gives opportunity for such accounts to be explored and argues for the capacity of the 'little picture' of the particular event to illumine the 'big picture' of national policy. The reader however needs to bear in mind another set of issues beyond those of methodology. They reflect the personal stance of the researcher, since through undertaking the study,

and inviting those engaged in the local process to reflect upon it, the researcher becomes part of the process and to a degree influences it.

The engagement of the researcher

In undertaking the study, one of the challenges was that of personal stance. The attraction of the topic came from two perspectives – first, its intersection with my professional responsibilities within a local authority and, second, from a curiosity about why a political party should promote policies so much at variance with its apparent core values. As such, both these considerations brought with them challenges to the ‘neutrality’ of the research and began to question the distinctions between description of policy, its evaluation and political critique. All I can say is that, in undertaking the first two of those tasks, I have tried to guard against the third.

Chapter Three

From tradition to transformation

In this chapter, I consider the development of educational policy, essentially in relation to schools, since the middle of the last century. In particular I outline the importance of the policy issues of standards, choice, control and freedom which have preoccupied policy makers for much of that period. In relation to modernisation, I consider the license in relation to policy which espousing the thinking characterised as 'Third Way' has made available to New Labour. Within that analysis, I am seeking an understanding of the degree to which modernisation has changed the terms of educational policy debate or has formed a set of variations within it, whether it provides a new set of intentions or actions or a representations of earlier ones.

In order to assess the degree to which modernisation, the suite of changes introduced by the New Labour government following its election in 1997, were innovative departures from previous policies or were adaptations of them, it is necessary to examine changes in relation to educational policy over a preceding period of years. To a degree, any initial point could be described as artificial, but for the purpose of this study, the 1944 Education Act has been taken as a starting point but with more detailed attention given to the issues which gained prominence following the publication of the so-called Black Papers, starting in 1969. It is not the intention in this chapter to give a detailed description of all the legislation passed by succeeding governments in relation to education since the middle of the

last century. Rather, it is intended to look at a number of key events which signal the emergence of policy issues and their legislative responses which form the context within which an assessment of New Labour policy can be made. This document and literature analysis was a necessary part of the whole study, giving the broader context to issues explored at the local level within the illustrative example, so that points of connection and dissociation could be explored as tests of the authenticity of the modernising project.

‘Promoting the Education of the People....’

The history of the education service since the second world war has been one of change and renewal. To that degree, notions of ‘modernisation’ could be a general description of fifty years of change, rather than being exclusively used to describe activity in the last eight. The context for much of that time was the 1944 Education Act (the Butler Act) which set the framework for educational policy until it was substantially restructured by the 1988 Education Reform Act. The 1944 Act created a framework which recognised, significantly, the roles of central and local government and of teachers in the provision of the education service and the promotion of the education of the people of England and Wales (The Education Act, 1944, s.1) It created:

‘an administrative system that distributed powers in such a way that the two main partners were able to contribute: to the Secretary of State was assigned the duty determine and promote national policy

and to Local education Authorities the opportunity to plan and develop their system at all levels.'

(Taylor and Saunders, 1976, p.3)

Within its broad framework, curriculum development was seen as a matter for the teaching profession, responsibility for the school's curriculum resting with the governing body under paragraph 18 of the Principles of Government in Maintained Secondary Schools established within section 17 of the Act. Headteachers, who were responsible to the governing body for the internal organisation, management and discipline of the school, effectively oversaw what was taught. Attempts to establish national bodies to regulate the curriculum were resisted by both teachers and local authorities (see Taylor and Saunders 1976, pp. 6 - 7 on the Curriculum Study Group and the Schools Council). Within these arrangements, children were to be educated in accordance with their parents' wishes (Education Act 1944, section 76) without that implying any detailed involvement by parents in either the content or manner of instruction.

This separation of powers owed much to its wartime creation during conflict with totalitarian regimes. It permitted the development of arrangements which led to innovation in both the organisation and practice of education and significant differentiation between local areas and between schools in localities. Issues such as selection by ability at 11 or comprehensive provision, or the ages of transfer between phases of education, or classroom practice within schools were decided at different

locations within the system, beyond the control of the national government. By deliberate and democratic will, power and influence were dispersed within the system.

So, for example, as this researcher discovered in his first administrative post, when the Royal County of Berkshire was created as an LEA in 1974 following the 1972 Local Government Act, it contained, from the previous LEAs which were amalgamated within it, arrangements for the transfer of children between schools at 9 and 13 in Windsor, at 8 and 12 in Slough and at 7 and 11 in Reading and Newbury. It also contained a wholly selective system with single-sex grammar schools in Slough, partial selection in Reading and comprehensive provision in Maidenhead and Newbury. Within this pattern, schools decided what they taught although the necessity of testing for selection purposes created pressures in selective areas to 'teach to the tests' and prepare children for what they would meet as part of the LEA's selection process.

In this way, unintentionally, many of the features necessary for a market approach to the provision of education services, particularly the creation of differentiation between systems and between institutions, could be, and had been, created within the framework of the Butler Act. Crucially missing from the framework of distributed power, however, was that of parental preference (beyond the weak notion of education being provided 'in accordance with their wishes') or consumer choice. 'Consumers' in this context includes not just families and children, as 'consumers' of the

educational process, but also industry and commerce as 'consumers' of its output. The underlying assumption of the Butler Act was that state provision, professionally designed, delivered and monitored, received by families almost uncritically, would provide citizens suited to the post-war economic and social environment. This has been described as a 'consensus' between relatively autonomous educational institutions and organisations, based upon an assumed shared social democratic commitment to equality of opportunity (Phillips, 2001, p.13).

The Black Papers and their influence

Nevertheless, this consensus was unstable. Commentators from beyond the 'charmed circle' of government, teachers and LEAs, were introducing critical commentaries on the nation's educational affairs. The self styled 'Black Papers' (Cox and Dyson, (ed), 1969, 1969, 1970, 1971, Cox and Boyson, (ed), 1977), named to contrast them to official 'White Papers' produced by government, and through their title, cleverly announcing their alternative analysis, helped to provoke and fuel public interest in the condition of state education. This helped to create a level of public interest in which the apparent breakdown in discipline in William Tyndale, a London primary school, could become the subject of a special publication by Penguin Books in 1976 (Gretton and Jackson, 1976). Issues such as these created a political climate in which the action or inaction of government became identified with educational crises and the dispersal of power left government unable to intervene to forestall criticism.

The essential thrust of the Black Papers was that standards in schools were unsatisfactory and indeed falling. A key and central cause of that at primary level was so called 'child centred teaching', flowing from the 1967 Central Advisory Council for Education (England) Report, 'Children and their Primary Schools' (The Plowden Report) , proposing, as it was titled, that children had some ownership of their education and that primary schools were in some way 'theirs'. At secondary level, the reduction in selection at 11 and the spread of comprehensive education were at the centre of the malaise. When applied to higher education, and the development of more universities and institutions of higher education, was encapsulated in Kingsley Amis's observation, 'more has meant worse' (Amis, 1971, p.172). Teaching methods which gave inadequate emphasis to 'the basics' of reading, writing and arithmetic, secondary schools which diluted academic excellence by admitting pupils who had not demonstrated their suitability through verbal reasoning or other tests, and the expansion of universities to offer higher education to a greater proportion of the age cohort, were all, it was said, contributing to a decline in standards in schools and, as part of the social changes of the 1960s, across society as a whole. The perceived and accepted hierarchies of schools and of universities, created through tradition and carefully managed meritocracy, were collapsing amid social and cultural permissiveness.

The political danger of apparent powerlessness, and the government's perception that a popular view, that standards were indeed unsatisfactory,

was forming, left government with little option but to find a means of acting. 'Modernisation' fits within a long tradition of attempts by government to manage the political implications of heightened public interest in the educational world. That political challenge, rather than attempts to reach professional consensus, has given momentum to educational reform since the mid 1970s.

The issues to which Callaghan was responding were as much political as educational. Having become Prime Minister in April 1976, in September he replaced Fred Mulley, who had proved powerless to deal with the William Tyndale affair, with Shirley Williams as Secretary of State for Education and Science. On 18 October 1976, Callaghan gave what became known as the Ruskin College Speech and initiated what was characterised as the 'Great Debate' about the purpose and direction of educational policy. The political significance of the prime minister seeking personal engagement with educational matters was great. It indicated a change in the concept of the state's stake within the provision and management of the education service. Callaghan, in calling for a debate, was positioning the central state to have that debate on its terms, having effectively placed other players as part of the problem rather than of its solution. In his speech he identified himself with those who had 'concerns', taking on the 'consumer' interest rather than that of the 'producer':

'I am concerned on my journeys to find complaints from industry that new recruits from schools sometimes do not have the basic tools to do the job that is required.'

There isunease felt by parents and others about the new informal methods of teaching, which seem to produce excellent results when they are in well-qualified hands but are much more dubious when they are not.

To the teachers I would say that you must satisfy the parents and industry that what you are doing meets their requirements and the needs of our children. For if the public is not convinced then the profession will be laying up trouble for itself in the future.

The goals of our education....are to equip children to the best of their ability for a lively, constructive place in society and also to fit them to do a job of work. Not one or the other but both....there is no virtue in producing socially well-adjusted members of society who are unemployed because they do not have the skills.

In today's world higher standards are demanded than were required yesterday and there are simply fewer jobs for those without skill.

Therefore we demand more from our schools than did our grandparents.'

(Callaghan, 1976)

In a newspaper article written to commemorate the twenty-fifth anniversary of the speech (in itself an indication of the longevity of its impact), Will Woodward commented:

'His argument, were it to be repeated today by Tony Blair, would seem in many ways unexceptional. But at the time it was revolutionary.'

(Woodward, 2001)

Callaghan's speech introduces into the educational discussion the voices which would increase in volume and influence over the ensuing years. He characterises them as 'industry' and 'parents'. The apparent consensus, tested by the Black Papers' critique, was undermined further by the claim of one of the partners, central government, to speak for the national interest on behalf of those excluded from the partnership. As Callaghan made clear:

'I take it that no one claims exclusive rights in this field. Public interest is strong and legitimate and will be satisfied. We spend £6 billion a year on education. So there will be discussion....parents, teachers, learned and professional bodies, representatives of higher education and both sides of industry, together with the Government, all have an important part to play in formulating and expressing the purpose of education and the standards that we need.'

(Callaghan, 1976)

As Phillips (2001) has pointed out, Callaghan showed a degree of sensitivity to the position of teachers in those debates and made reference

to their skills. Nevertheless, the way forward was different from the status quo. There existed a series of issues which demanded attention:

‘Let me repeat some of the fields that need study because they cause concern. These are the methods and aims of informal instruction; the strong case for the so-called ‘core curriculum’ of basic knowledge; next what is the proper way of monitoring the use of resources in order to maintain a proper national standard of performance; then there is the role of the inspectorate in relation to national standards; and there is the need to improve relations between industry and education.’

(Callaghan, 1976)

In setting the terms of debate, identifying the questions to be debated and resolved, Callaghan effectively took political, rather than professional, control of the unravelling consensus. The issues he identified have their roots in his contemporary political agenda (primary standards and methods as flowing from the Tyndale controversy, standards and employability spotlighted in the Black Papers). As issues they outlived his premiership and effectively became the agenda for the education service in England for the remainder of the century.

The policy responses to those issues reflected the concerns as outlined by the Black Paper contributors. In an obituary on A. E. Dyson, who died in 2002, Wendy Berliner, *The Guardian’s* education correspondent, pointed

out the degree to which education policy had taken on the characteristics he had helped to promote, in particular:

- a definite end to 'progressive', child-centred learning in the primary school;
 - the drive to improve standards in schools dominated by tests and targets; and
 - a reversal of official government support for the comprehensive school.
- (cited by Chitty, 2002)

The legacy of the Labour Party's political response to the Black Papers formed the terms of the debate which New Labour's 'modernisation' sought to resolve.

Leisurely Reform – the early Thatcher years

The Labour Party's engagement with these issues from a position of government was interrupted by its defeat in the 1979 general election and the election of Margaret Thatcher's Conservative administration.

The political inheritance led to an apparent acceptance that change was needed. The manner in which the Conservative government took forward the debate about education has led to arguments that Callaghan's speech led more or less directly to the Thatcherite reforms of the 1980s and 1990s (Simon, 1991). This is to a degree unfair. The contribution which Callaghan made was the identification of the education service as a

common territory for debate and dispute about the limits of government, which conceded legitimacy to voices beyond the professional or conventionally political. Into this new and larger arena, issues of industry and utility, alongside parental choice and markets could be readily introduced. As Whitty has commented:

'Thatcherism in education, as elsewhere, was partly successful because whole constituencies felt excluded from the social democratic settlement of the post war era. Indeed, it appealed to them over the heads of 'bureau professionals' who were characterised as having got fat by controlling other people's lives in the name of rationality and progress. Through its policies of 'devolution', Mrs Thatcher's government was able to characterise itself as democratic and the liberal educational establishment as elitist and engaged in restrictive practices behind closed doors.'

(Whitty, 2002, p.19)

This appeal over the heads of the 'bureau professionals' had been a tactic employed by Callaghan. The Thatcher reforms utilised and perfected that technique and made it a normal part of the political arguments for reform or modernity in ways that can be recognised today.

Nevertheless, it would be a mistake to view the 1979 election victory as presenting in itself the 'turning point' in education policy between the 1944 Act inspired consensus and the changed reality of a market driven education system. Just as during the Labour administration, central

government was moving away from its traditional partners, so during the early Thatcher years that movement continued at a fairly leisurely pace.

Chitty points out

‘the arrival of a new Thatcher administration in 1979 did not bring about the educational reforms hoped for by right-wing pressure groups. For at least the first seven years of its existence, the new Government was prepared to operate largely within the terms of the educational consensus constructed by the Labour leadership in 1976. Education was accorded comparatively little space in the 1979 and 1983 Conservative election manifestos and on each occasion the programme outlined was modest and unexceptional.’

(Chitty, in Rattansi and Reeder (1992), p.37)

It is possible therefore to see the Thatcher market experiment as having two distinct but related phases, with the 1988 Education Reform Act as its defining moment and the formulating principle for all subsequent change.

Nevertheless, the early Thatcher years contain some important developments which, when viewed from a perspective within the current phase of ‘modernism’, have some ambiguity. Firstly, in 1979 the government repealed the 1976 Education Act which had sought to abolish selection by ability at secondary level. This was essentially a restraining act. It did not in itself promote new or innovative forms of organisation. It simply ceased to require LEAs to bring forward comprehensive reorganisation plans. As such, it can be seen as classically conservative.

By contrast, the Education Act 1980 held much more radical intent and has interesting links between the Black Paper issues and the current government's 'modernising'. The Act sought to extend and deepen the operation of what was described as parental choice but in reality, in the terms of the act, was parental preference. This was along two axis. Firstly, the Assisted Places scheme was introduced, which, subject to the means testing of parents and acceptance by a participating independent school, was intended to give access to independent secondary education to young people who otherwise would have been unable to afford it. This responded directly to the defence in the Black Papers of the direct grant and independent schools as upholders of academic, moral and cultural values which exercised a benign influence across the whole system. The writers had, in 1969, argued, that 'the need for the times is to extend the possibility of private education to more and more people by making loans and grants available to those who qualify for entrance but cannot afford the fees' (Cox and Dyson, 1969, p.14).

Second, this development was introduced alongside the requirement for secondary admission procedures to include processes for parents to express preferences for schools and for those preferences to be met unless certain restraints made them inconsistent with the effective use of resources. This development was a crucial staging post in the development of 'choice' based approaches to the management of the education system.

It fell short, however, of the advocacy of educational vouchers contained in editorial introduction to Black Paper 1977, which required that, 'The possibilities for parental choice of secondary (and primary) schools should be improved via the introduction of the educational voucher or some other method. Schools which few wish to attend should be closed and their staff dispersed' (Cox and Boyson, 1977, p.9) It left untouched therefore the role of LEAs in the planning of school places and the mechanisms for the distribution of resources thus putting those issues beyond the significant influence of the market.

However, in embryo, the 1980 Act contained two of the ingredients of the second phase of the Conservative reforms and also of some elements of modernisation. Firstly, by increasing access to independent schools there is clear encouragement to that sector to increase its provision and thereby extend opportunities beyond the maintained system as it was then understood. The division between private and public education would become more porous, particularly for apparently more able children from poorer families. Elements of the private sector would be part of the state's provision and the state would therefore make a more diverse offer to the population.

Secondly, parental preference would drive school admissions, rather than planned catchment areas or other expressions of the bureaucratic desire to have comprehensive admissions to comprehensive schools or to see

schools as essentially 'local'. It would no longer be enough for a school simply to see itself as providing for the children in an area. Because an act of 'choosing' was available to parents, schools would from that point have to seek to influence that choice and begin to develop different behaviours and different relationships between each other and with parents collectively and individually. This sponsorship by legislation of both choice and diversity has become an integral element of both market driven and third way reforms.

These two developments, both expressions of a desire to make the system more responsive to the parental voice, demonstrate the political recognition of, and response to, the unease which Callaghan articulated. In themselves though, they do not respond to the other axis of concern, that of business and commerce. It is also interesting, however, when seen from a perspective within 'modernisation', that these two related developments were seen as separable within the first phase of the Labour education project. Just as the newly elected Thatcher government halted the development of comprehensive proposals, so the first education act of the newly elected Blair government in 1997 (1997 Education (Schools) Act) called a halt to new assisted places. Although existing offers to children would be allowed to run their course, the resources released by the discontinuance of the overall scheme were to be deployed to help limit the size of infant classes.

The response to the other key element of the Callaghan analysis, the significance of what had been described as the 'wide gap between the world of education and the world of work' (DES, 1977, cited by Chitty 1992, p.32) was taken up in other ways. Of most significance was the development of the Technical and Vocational Educational Initiative (TVEI). This was launched, personally by the Prime Minister in 1983 and, as has been pointed out by Dale (1989), appeared apparently without prior consultation with DES, LEAs, teacher groups or HMI. The precedence given to an agency such as the Manpower Services Commission,(MSC) led by David (later Lord) Young, who was perceived by the Prime Minister to be a successful entrepreneur, was a further indication of the increasing pluralism of the educational policy and implementation world. The MSC was established under the Employment and Training Act of 1973 and was responsible to the Department of Employment rather than to the DES. The involvement of agencies, created and appointed by government, as part of the creation and implementation of education policy, has been described as 'a third tier of governance' (Phillips 2001, p.17), seen at this time at the point of its emergence. The focus of TVEI on piloting technical education for 14 to 18 year olds points to the increasing emphasis on the utility of the educational process, the degree to which it can be seen as preparing young people for 'the world of work', a world apparently so distinct from that of education that it needed a new agency to develop it.

In that more traditional world of education, the historic diffidence of government to engage directly with that which was taught continued, a

legacy of the eroding understanding that the relationship of a democracy to the instruction of its young needed to be indirect. This absence of central regulation of the curriculum was seen as a distinctive feature of an English tradition that was unlike that of other cultures and nations: indeed as

‘the characteristic English contribution – to concentrate attention on the teacher, his (*sic*) role as a professional who must be directly implicated in the business of curriculum renewal; not as a mere purveyor of other people’s bright ideas, but as an innovator himself’.

(Schools Council, 1968, q. McCulloch, in Phillips and Furlong (ed) 2001 pp.104 - 5).

For these reasons, the period of the Conservative administration between 1979 and 1988 can be seen in terms of continuity and development with the latter years of the previous Labour administration. The issues to be addressed had been established and many of the boundaries of the debate remained in place. Nevertheless, at this time the emphasis on loosening the apparent grip on provision of producer interests (seen as organised teachers, LEAs and to a degree HMI) can be discerned, along with the willingness to place significant resources under the control of bodies apparently at some distance from government, or, more properly, at some distance from parliamentary scrutiny, was emerging. These trends become more apparent in the 1988 Education Reform Act and the long shadow it casts.

The market solution – the Education Reform Act and the road to the Third Way

The Education Reform Act of 1988 reveals the increased impact upon education policy making of a belief in the effectiveness of markets in achieving improvement and the desire by government to secure increased control over elements of an increasingly deregulated system. In that, it is apparently ambiguous, matching reduced controls with more regulation. This ambiguity, however, its means of apparently reconciling opposing principles, is one of its main legacies within modernisation. As Chitty has argued:

‘The central purpose of the 1988 Act is that power should be gathered to the centre and at the same time, devolved on to schools and parents, both processes being at the expense of the local education authorities. With the increased responsibilities to be shouldered by individual schools go the demands made by greater public accountability. It will no longer be possible for local authorities to protect schools from the effects of parental dissatisfaction with standards and performance, even where it can be shown that the disquiet is unjustified. A combination of parental choice, open enrolment and *per capita* funding ensures that unpopular schools will be allowed to wither away and die.’

(Chitty, in Rattansi and Reader,(ed) 1992, pp.40 - 1)

In this analysis, the virtuous effect of school vouchers, advocated within the Black Papers, of unpopular schools ‘being closed and their staff

dispersed', would be achieved without vouchers but through parental choice. Rather than seeking to create a new or more inclusive consensus, replacing that of 1944 onwards which had essentially three partners, with one in which parents and industry were joined, the act deliberately created a system on inherent instability. Within the new disposition of power, authority and account, only one of the historic partners was secure – central government. All others had uncertain accounts to render to multiple partners – schools to individual parents as well as to the 'parental voice' through governing bodies, local authorities to schools for their distribution of resources and to electorates for their gathering of them. For schools, mishandling this new regime could be lethal, for reducing pupil numbers inevitably led to reducing revenue.

The main architecture of the 1988 Act contains the establishment of a national curriculum, the creation of a national assessment system to cover the ten years of compulsory schooling and increasing the operational autonomy of schools through devolution of resources, substantially on a per capita basis. It is significant that, under this act, the traditional post 1944 'home' of different policy areas has shifted. Control of what is taught, the curriculum, has moved from teachers and schools to the central government, whereas resource decisions, such as how many staff an individual school needed, have moved from local authorities to individual schools.

The 1988 Act took forward many of the initiatives necessary for the operation of a market – these are currency, choice, initiative and information.

Through more open enrolment procedures, it created currency in the form of parental preferences for school places. These preferences were to be competed for by schools because if successfully secured they carried real currency with them upon admission.

It created choice between types of institution by establishing new types of school. These were city technology colleges and grant maintained schools. City Technology Colleges (CTCs) were radically new in the sense that no pre-existent school could become one and that they had no formal relationship with the local authority in whose area they were established. They were to be created through an agreement between the Secretary of State and one or more persons, in order to establish and maintain an independent school, part of the cost to be met from public funds. Such schools were to admit the full ability range, cater for pupils ages 11 – 19, be in an urban area and follow a broad curriculum with an emphasis on science and technology.

They represent a coming together of a number of policy strands, traceable to Callaghan and beyond. First, the policy emphasises utility: schools specialising in curricular areas relevant to post - industrial Britain such as science and technology. Second, their placement within urban areas

relates to the concern about the prospects for bright working class young people no longer able to transform their prospects by attending a grammar school. Third, their direct relationship with government and with private sponsors creates a new set of partnership arrangements, for the first time excluding the LEAs and teachers. Indeed, finding new ways of working beyond the nationally agreed terms and conditions of work for teachers was to be one of the CTCs' main innovations.

Grant Maintained schools, in contrast, could be created from existing schools maintained by LEAs. What was needed was a parental ballot in favour of a change of status, the act providing for either the governing body of the school, or a sufficient number of parents, to trigger such a ballot. The outcome would be reported to the Secretary of State who would determine the outcome. The resulting school, in its new grant maintained status, would receive resources directly from government (or later through another element of the third tier of governance, the Funding Agency for Schools); its governing body would have corporate status, control of their admissions and be free of any direction or control by the LEA for the area in which they exist.

In structural terms, then, an enhanced choice of schools could be available within a local area: schools maintained by an LEA, church schools with voluntary aided or controlled status but historically maintaining close links with the local authority, and new CTCs and Grant Maintained schools, established without relationship to LEAs or indeed in any formal sense to

other schools. Alongside that, assisted places were available to offer limited access to wholly private sector provision. The pattern was intentionally unstable; no single body had any overall planning authority (although LEAs retained responsibilities for sufficiency of places in their areas). Developments within the local pattern were driven at school level, by governors and parents, or at national level through discussions between politicians, officials and potential sponsors.

Relationships between schools were to be conducted within a competitive framework, the competition driven, in Darwinian mode, by the survival of the fittest, or at least the most popular. It was anticipated that these mechanisms would lead to 'the better management' of schools (Nick Stuart, formerly Deputy Secretary at the DES, q. Chitty, in Rattansi and Reeder, 1992, p.41). In a contemporary commentary on the Act, written for headteachers, it was observed that

'the real significance of the changes goes far beyond just financial matters...: a new approach is required to school management as a whole.'

(Leonard, 1988, p.56)

This new approach was, in part, to give clear privilege to the interests of the institution in the new market place and to encourage institutional initiative. Writing at the time, and from a standpoint which is aiming at impartial advice to schools about how to approach the new arrangements, Leonard advises:

‘A school’s long term interests are best served by striving for quality, in competition with its neighbours but in a professional manner, but not in a cut-throat fashion. If competition degenerates into unrestricted poaching, numbers may grow too fast for good management, bringing accommodation problems which the LEA is unlikely to solve in the time available. Closure of a neighbouring school will probably mean a further influx of pupils, and may generate much ill feeling, in the displaced teachers and pupils themselves and also among the families and the teachers of the whole area’

(Leonard, 1988, p.53)

As a contemporary commentator, Leonard is attempting to mitigate one potential, indeed intended, outcome of the Act by trying to enlighten the self interest encouraged by it within institutions. Nevertheless, he acknowledges that competition will occur and will need to be approached with the long term interests of the school (not, significantly, in this analysis, those of the community or indeed of pupils) in mind. Even in this early engagement with the world created by the act, some of the distinctions and ambiguities created by the market can be perceived – the absence of correlation between the interests of parents as a group and those of individual schools and the need for modified behaviour within the new relationships.

The fourth element of the conditions required for the creation of a market is that of information to inform choice. The Act introduced a comprehensive suite of pupil assessments:

'The introduction of the National Curriculum was complemented by provision for a standard and comprehensive assessment system. This national system was designed not only to measure the performance of pupils at the end of the four Key Stages (Years 1-2, 3-6, 7-10 and 11-12), but also to make it possible for market forces to operate by providing a currency of information which would fuel competition between schools'

(Broadfoot, in Phillips and Furlong, (ed), 2001, p.142)

As Broadfoot goes on to assert, the combination of a testing system which enabled apparent comparison to be made between outcomes in one school with another, and also national and local averages to be calculated, created powerful incentives for change. In such circumstances, 'it became virtually impossible for schools to avoid focusing their efforts on the immediate goal of 'getting the scores up'' (Broadfoot, in Phillips and Furlong, (ed), 2001, p143).

It should not be doubted that the primary intention of the Reform Act, in the minds of its authors and sponsors, was educational improvement. Its method – the creation of a market – was consistent with other aspects of the government's ideology which challenged apparent monopolies or special interest groups. It was the same ideology which sought to

introduce competition into the provision of such public utilities as the gas and electricity industries and require councils to introduce schemes to sell council houses to their tenants. Nevertheless, education was in some distinct way different as an undertaking, with habits and traditions of its own, not immediately susceptible to competitive pressure.

As a contemporary commentator observed:

'The market is formally neutral but substantively interested. Individuals come together in competitive exchange to acquire possession of scarce goods and services. Within the market place all are free and equal; only differentiated by their capacity to calculate their self interest. Yet, of course the market masks its social bias. It elides, but reproduces, the inequalities which consumers bring to the market place. Under the guise of neutrality, the institution of the market actively confirms and reinforces the pre-existing social order of wealth and privilege. The market is a crude mechanism of social selection. It can provide a more effective social engineering than anything we have previously witnessed in the post-war period.'

(Ranson, cited by Chitty, in Rattansi, A. and Reeder, D. (ed) (1992). p.42)

The intention of the reforms within the Reform Act was to liberate the education process from the self serving influence of local authorities and to

give incentives to individual schools to behave in a competitive fashion. Through this process, they would improve outcomes for all and become more responsive to their 'customers', the children and parents. Local Authorities would be the conduit of resources to some of the schools. Others would receive resources more directly from government. The instability, the dynamism within the process would create its own momentum. After taking the decisive step of creating this new framework, central government could allow market opportunities to drive improvement.

One feature of the development of the market approach to the provision of schooling has been its international perspective, the degree to which innovations in educational policy across national boundaries had shared characteristics. Alongside the development of reform in England and Wales, related initiatives were being taken elsewhere.

In 1994, the Organisation for Economic Co-operation and Development (OECD) published the first in a series of studies by the Centre for Educational Research and Innovation (CERI), under the general heading 'What Works in Innovation'. It provided an overview of the development of school choice policies in a number of OECD countries, including England.

The OECD report traces the appearance of related policy initiatives in different countries to both political movements and to social ones. Its political roots are seen in the increasing influence the neo-liberal approach:

'In its crude form, this approach advocates a reliance on free markets rather than public planning to manage publicly financed services. In education this means making schools dependent for their resources on the decisions by 'customers' to attend them..... The idea of making the market the driving discipline of education has been advocated in particular by American theorists, as far apart chronologically as Milton Friedman in 1962 and Chubb and Moe in 1990'

(OECD, 1994, p.12)

The OECD report looks at school choice mechanisms in Australia, England, Netherlands, New Zealand, Sweden and the United States. As the report notes:

'whereas no country, least of all the United States, has come close to implementing such ideas in their pure form, the language of the market has entered the education debate and influenced educational policy making, to varying degrees, in a wide range of OECD countries.'

(OECD, 1994, p.12)

It could be argued however that Chubb and Moe's work has had particular influence on policy making in England, and continues to do so, profoundly influencing modernisation under New Labour. Chubb and Moe's 1990 book, *Politics, Markets and America's Schools* offers clear parallels between the American and the English experience. Chubb and Moe's

description of the one best system of American School Boards as the prime suspect of the causes of educational failure reflects precisely the efforts by the Conservative Government to create other providers and sponsors of local schools, in addition to or in place of LEAs.

They offer seductively simple conclusions regarding educational improvement, basing their approach on their views of the conditions necessary to secure improvement at the level of the individual institution, promoting effectiveness through the organisational characteristics of clear goals, an ambitious academic programme, strong educational leadership and teacher professionalism. These characteristics are nurtured by a culture of school autonomy, particularly free from the external bureaucratic influence of local democratic institutions. They go on to advocate a system based upon school autonomy and parent/ student choice rather than direct democratic control (Chubb and Moe, 1990).

The possibility of direct comparison between the American and the English system is clear. Where Chubb and Moe write of the characteristics of effective schools, the English example would be schools made free of bureaucratic control by local management, and moved to develop the characteristics of effective schools by competitive pressure heightened by external testing of pupils and publication of aggregate outcomes. Where they write of the importance of autonomy from external bureaucratic influence, English examples would be CTCs and Grant Maintained schools, existing outside of the local framework. Where they write of the natural function of democratic institutions to limit and undermine school

autonomy, they open the way for a reconsideration of the role and function of LEAs to ensure they are unable to exercise that power. The relationships between these autonomous institutions were to be characterised by competition, even though in 1992, the CERI concluded:

‘There is no evidence that this competition improves school performance....there is strong evidence in a number of countries that choice can increase social segregation...’

(OECD, 1994, p.7)

To a degree however such conclusions became largely superfluous. In the same way that other Thatcherite policies achieved their momentum through popularity, so education policies which offered increased power to schools were always likely to be popular with headteachers. Their reception with LEA members and officers would always be moderated through the political control of the Council.

The 1988 Reform Act created a structure for the education service intended to empower competition. None of its major provisions – a national curriculum, national and reported testing, local management of schools and more open enrolment encouraging individual school expansion, and variety in the types of school – have been repealed or substantially amended. It has formed all later thinking. A ‘third way’ has been found, if at all, within its boundaries.

The Third Way and its grammar

It is within this framework that, in opposition, the Labour Party sought to construct an educational programme and indeed an approach to government. For those for whom party political life is of little interest, and indeed for those for whom it is an interesting distraction, it is very difficult to imagine the cumulative effect of the electoral defeats, beginning in 1979 and not ending until 1997, on those for whom party political life is a mission or indeed a profession. In *The Third Way: The Renewal of Social Democracy*, Anthony Giddens asserts an association of the 'third way' with Tony Blair and New Labour. Giddens uses the phrase to refer to 'social democratic renewal'. This is seen as necessary in Britain following the lengthy period of 'neoliberal government'. Giddens notes:

'Whatever else Thatcherism may or may not have done, it certainly shook up British society....she attacked established institutions and elites, while her policies lent further force to changes already sweeping through society at large. The Labour Party and its intellectual sympathisers first of all responded largely by reaffirming old left views. The electoral setbacks the party suffered by so doing, however, necessarily stimulated a new orientation.'

(Giddens, 1998, p.ix).

This 'new orientation' is identified as a 'third way', offering an ideological framework for social democracy. This is needed, at least in Britain, because, Giddens argues:

‘In the UK...theory lags behind practice. Bereft of the old certainties, governments claiming to represent the left are creating policy on the hoof. Theoretical flesh needs to be put on the skeleton of their policy-making, but to provide politics with a greater sense of direction and purpose.’

(Giddens, 1998, p.2)

In relation to education, the policy memory of the discomfort of its last government and of Callaghan’s tactic to resolve it clearly remained within the party consciousness. Acknowledgement of the continuity between the issues to be addressed by an incoming Labour Government with those left unresolved when its predecessor lost power in 1979 is contained in a speech given by Tony Blair, then Leader of the Opposition, at Ruskin College, Oxford on 16 December 1996. The political symbolism of such an event was clear and intentional. In choosing such a venue for a speech which followed his Labour Party Conference pledge to make ‘education, education, and education’ the three priorities for an incoming Labour government, a reengagement with issues identified twenty years earlier was to be a major priority.

In his speech, Tony Blair said:

‘A new Labour government will focus on standards, especially in the basics of literacy and numeracy, in all our schools. We will expect education – and other public services – to be held accountable for their performance; we will urge teachers to work in partnership with parents, business and the community; and we will balance parents’

rights with a recognition of their responsibilities.....I believe there is the chance to forge a new consensus on educational policy. It will be practical not ideological. And it will put behind us the political and ideological debates that have dominated the last thirty years. The foundations of the consensus are clear.'

(Blair, 1996)

By setting the timescale of the political and ideological debates which the new policy would supersede at 'thirty years', Blair takes into his argument issues which preceded Callaghan's speech and to which he in turn saw himself responding. Thus the key educational commitments, formulated in opposition by the Labour party, sought a reengagement with the issues which had continued to exercise the outgoing Labour Government in 1979.

In his speech at Ruskin College in 1996, Blair makes no reference to the third way, although, speaking at an academic institution, references to theory and a framework for policy might have been expected. Indeed early in 1998, after the party was returned to power in 1997, an on-line debate was arranged by NEXUS, which described itself as 'a relatively new addition to the world of think tanks'. NEXUS was 'delighted to run such a prestigious debate and to have the active participation of the Downing Street Policy Unit' (Halpern and Mikosz, 1998). Its purpose was to use an internet mailing list to 'bring together academics and other interested parties to discuss the nature of the Third Way'. The summary (Halpern and Mikosz, (ed), 1998) is introduced by a quotation from David Milliband, then Director of Policy at the Downing Street Policy Unit:

'Political economy for the twenty-first century must combine dynamism and equity, defining a Third Way between old Left and New Right. I welcome and encourage this timely NEXUS-hosted discussion'

Halpern and Mikosz provide a conclusion to the debate:

'The NEXUS discussion made clear that the term the 'Third Way' does not yet have a universally accepted definition. For some, this lack of clarity was a source of concern. Unease was expressed by some that the term might become used, whether intentionally or otherwise, to 'dump' much that was of value in older social democratic tradition into an implied second way that was then abandoned. For others, however, the use of the term offered an important opportunity to re-evaluate, and where necessary update, such tradition in the context of the challenges facing us today.'

One strand of the discussion, which we have termed the 'practical approach', involved examining the key-note policies that are becoming identified with the Third Way and inferring from those the objectives and principles of the Third Way. Such key-note policies were seen as being employment-centred social policy: the re-positioning of the state as a guarantor but not necessarily provider, of public services; a receptivity to new forms of mutualism; and a general deepening of democracy and accountability.'

Julian Le Grand used this approach to conclude that the main ideas and values that lay behind the Third Way and the NEXUS debate were,

‘community, opportunity, responsibility and accountability. To this

list we might add that the Third Way is itself strongly policy driven. It

has a pragmatic, bottom-up orientation – ‘what’s best is what works’

(Julian Le Grand, in Halpern and Mikosz (ed), 1998)

In a number of ways, this encapsulates the policy dilemma around the study of New Labour education policy, especially in attempts to see it as distinct from policy in the years that immediately preceded it. First, chronologically, the Downing Street Policy Unit is sponsoring the discussion after the election, that is, after manifestos have been written and pledge cards drafted and votes cast. Second, the debate is inconclusive. Although within it, reference is made to the connectivity between New Labour and the American Democrats - President Clinton is quoted as saying, ‘We have moved past the sterile debate between those who say Government is the enemy and those who say Government is the answer. My fellow Americans, we have found a Third Way’ - it is apparent that it is not yet clear on this side of the Atlantic what it might be. Third, it has an ambiguous relationship to action. Halpern, Mikosz and Le Grand’s idea, that a definition of ‘the way’ might be deduced from the actions of those who claim to be following it, offers little help in using its principles to guide future policy. The term becomes an act of categorisation or justification rather than a set of principles and values. If, as Le Grand

indicates, 'what's best is what works', it is also important to know what matters, what the intentions of actions are, before rather than after the event.

Giddens - called by Will Hutton on the cover of *The Third Way*, 'allegedly Tony Blair's favourite intellectual' - makes a number of references to education.

'Education and training have become the new mantra for social democratic politicians. Tony Blair famously describes his three main priorities in government as 'education, education, education'. The need for improved education skills and skills training is apparent in most industrial societies, particularly as far as poorer groups are concerned. Who would gainsay that a well-educated population is desirable for any society? Investment in education is an imperative of government today, a key basis of the redistribution of possibilities'.

(Giddens, 1998, p.109)

The rhetorical question is significant. Giving priority to education is not, in these terms, a political choice. It is a point of consensus. It gives no clue as to direction or intention. The 'redistribution of possibilities' was a Black Paper aim, a justification for the retention of grammar schools, it was a neo-liberal aim leading to for example, the assisted places scheme. On the face of it, using Le Grand's approach, it is difficult to identify many initiatives which could not be classified, after the event, as 'third way'.

Nevertheless, the intellectual attachment between New Labour and the Third Way is strong and enduring. In 2003, Blair wrote an article for the Policy Network on 'Where the Third Way Goes from Here'. In it he argues for a renewal of the Third Way. It needs renewal for a number of reasons. He describes attacks on it by the left as a 'smokescreen for social democratic conservatism' and argues for its place in the Labour modernising tradition and the liberal tradition. He thinks it needs more connection with those intellectuals and academics who were sympathetic to the political approach but sceptical about the existence of a radical agenda. Third, he argues that the third way's success requires a new phase to reenergise it and, fourth, that the world has changed post - September 11, weakening governments of the left. His way forward, as regards public services, is:

'On public services, we need to explore the usefulness of choice and contestability to extend opportunity and equalise life chances. Social democrats must reconcile both the claims of choice and equity. We must develop an acceptance of more market-orientated incentives with a modern, reinvigorated, ethos of public service. We should be far more radical about the role of the state as regulator rather than provider, opening up healthcare for example to a mixed economy under the NHS umbrella, and adopting radical approaches to self-health. We should also stimulate new entrants to the schools market, and be willing to experiment with new forms of co-payment in the public sector'

(Blair, 2003)

Elsewhere in the piece, he argues that these ideas have enabled 'us', presumably government,

'to espouse positions that in the past the Left had wrongly regarded as impossible to reconcile: patriotism *and* internationalism, rights *and* responsibilities, the promotion of enterprise *and* the attack on poverty and social justice. This is not to say there are no hard choices to be made in public policy, but that we need to move beyond rigid ideas and old attitudes.'

(Blair, 2003)

The italics are there in the original, and they embody the key contribution of third way thinking to New Labour policy making - and it is essentially grammatical. By changing the conjunctions within sentences, by replacing 'or' with 'and', new policy possibilities emerge, at least at the rhetorical level. Along with such changes, the third way method of ascribing intention after action, so that value follows outcome, opens up previously alien territory to Labour's political armoury. Indeed, elsewhere in the article Blair writes of 'humanitarian military intervention'. So the provision of public education can become 'the schools market', to which 'new entrants' are to be 'stimulated' (Blair, 2003).

The elevation of administrative efficiency

A key element within the 'third way' analysis is a re-evaluation of the state and its purpose. As western societies change their priorities, particularly in

relation to issues of foreign policy and civil liberties, in response to the terrorist attack on the World Trade Centre in New York in September 2001, and the subsequent terrorist bombing in Madrid and, most recently, London, Giddens' description of the challenges of 1998 seems curiously one dimensional. He describes it as a time when:

'With the passing of the bipolar era, most states have no clear cut enemies. States facing dangers rather than enemies have to look for sources of legitimacy different from those of the past.'

(Giddens, 1998, p.71)

In his analysis, this leads Giddens to assert that:

'To retain or regain legitimacy, states without enemies have to elevate their administrative efficiency. Government at all levels is mistrusted partly because it is cumbersome and ineffective... After all, the term 'bureaucracy', with its attendant connotations of red tape, was invented to refer to government.... Social democrats must respond to the criticism that, lacking market discipline, state institutions become lazy and the services they deliver shoddy..... Reinventing government certainly means adopting market-based solutions. But it also should mean reasserting the effectiveness of government in the face of markets.'

(Giddens, 1998, pp.74 - 5)

This notion of 'efficiency' has been at the heart of local government reform, its modernisation, during the Blair government. Indeed as part of that search for efficiency, issues of governance and accountability have had reducing significance at the level of the local authority. Instead, performance and delivered value, measured and assessed through a number of processes, have become the goal of the intermediate tier of governance and administration.

This has led, in a path stretching back to the MSC and the start of the 'third tier of governance', to the creation of a range of agencies and appointed bodies which have taken on roles and responsibilities formerly undertaken by elected local government. These agencies, typically, report to central government departments and hence to ministers, although some have appointed local, intermediary bodies themselves. These agencies have included some which have found their usefulness overtaken by other events. The Funding Agency for Schools, established in 1994 and ambitiously titled, since it was responsible solely for the funding of grant maintained schools, was disbanded when the sector was reorganised following the School Standards and Framework Act (1998) and its functions returned to the LEAs. The Further Education Funding Council, established in 1992 to fund and regulate the F.E. sector after it was removed from the local authorities as part of the financial arrangements which became necessary to fund local government after the abandonment of the poll tax, was disbanded following the Learning and Skills Act 2000 and its functions this time vested with another agency, the Learning and Skills Council. This body has a regional structure, involving local 'councils',

none of them elected. Currently, personal advice, guidance and careers advice to young people between the ages of 14 and 19 is provided by Connexions Services on a sub-regional basis. Careers services were previously provided by local authorities. They are now provided, largely, by private sector organisations working on a contract basis to Connexions Partnerships. These partnerships themselves may relate to local government through the involvement of local government officers in their boards, but not through locally elected councillors or council structures. Government is in the process of reviewing the arrangements made for young people as part of a Green Paper on Youth Matters (Cm 6629 July 2005) and it is widely expected to require changes to the Connexions concept itself.

The history of these organisations is interesting from two standpoints. First, their relatively short lifespan and the absence of controversy over their closure, can be seen as an indication of their shallow roots in local communities. Second, they appear to support Giddens' point about the need for flexibility in the delivery of services. As these organisations become dysfunctional they can be readily disbanded. Arrangements for dealing with perceived under-performance in democratically based organisations are much more difficult for central government to deal with, as the illustrative example of outsourcing will demonstrate.

Alongside the creation of more diverse and more centrally focused means of account through these agencies, central government is increasingly

explicit about its expectations of local government. Its core purposes are identified as:

‘Being effective community leaders, developing sustainable communities.

Procuring or delivering customer-focused, continuously improving and efficient services’.

(ODPM, 2005, pp. 5 - 6)

This is described, politically, by the current Local Government Minister as

‘Local government must provide community leadership and improved services within carefully controlled budgets. Customers demand greater choice in services and provisions for all.

Transforming the way local government works is critical to that success’.

(ODPM, 2005, reverse of front cover)

Through this process, a different relationship with the market will be forged – one which sees market flexibilities harnessed to public value, in the third way grammar an ‘and’ not an ‘or’.

This pressure to achieve effectiveness has been carried forward consistently by Labour. Under the Local Government Act 1999, all councils were required to conduct their affairs in such a way as to secure best value, pursuing their roles in the most economic, efficient and effective manner. This has been supplemented subsequently by large scale

inspections of the work of councils under the comprehensive performance assessment process and their public classification as between 'weak' and 'excellent', a process which is now under review but which will be repeated, with revised criteria.

These policy intentions were set within a developing performance framework for councils instituted by the previous government. If councils had not been asked to 'modernise' by the Conservative administration, they had certainly been asked to change and to engage differently with the private sector through the compulsory competitive tendering of specified council services. There had also been introduced, under Section 38 of the Education Act 1997, (the last education act of the soon to be defeated Conservative administration) provision for the inspection of the effectiveness of local education authorities' work to support school improvement. These inspections were to be undertaken by OFSTED and the reports made public.

OFSTED had been itself established under the 1992 Education (Schools) Act, a process through which, Husbands observed, 'The privatisation of school inspection transferred to private inspection teams formal responsibility for the regulation of quality' (Husbands, in Bridges and Husbands (ed). 1996, p.12). That body now had responsibility for the regulation of quality in organisations which were not agencies but democratically elected (since, formally, the local education authority is the council, not its education committee nor indeed its chief education officer). This added a further dimension to an already complex set of

accountabilities since an agency would report to the Secretary of State on the effectiveness of a local authority and the Secretary of State would have powers to intervene, a power created through the School Standards and Framework Act 1998. Government would not find itself facing, at the level of a local authority, the remembered powerless embarrassment of the William Tyndale affair.

In the next chapter, I consider the framework of inspection which was created to assess performance and the mechanisms of intervention which were created to empower central government to direct changes to the operation and governance of a Local Education Authority.

Chapter Four

'Coketown'- a case in point

In this chapter, I relate the modernising project to the inspection and subsequent intervention in a metropolitan LEA, 'Coketown', treated as a case in point, an illustrative example which permits consideration of issues broader than itself. This involves a consideration of the developing inspection framework for LEAs and the place of self regulation within that. I also look at the 'evidence' of inspection, its findings, as indicative of issues of governance and effectiveness for LEAs in the set of relationships flowing from the Education Reform Act 1988 and at the particular structures within which intervention is conducted. The chapter is introduced by a consideration of the value and limitations of such a case in point as means of illuminating the question of whether modernisation has the capacity to transform the public provision of an education service.

Introduction to illustrative example

The illustrative example is a study of the OFSTED inspection of a metropolitan LEA, called in this account 'Coketown', and its aftermath in terms of intervention by the Secretary of State to remedy what were seen as the LEA's failings. It is seen as illustrative of a number of the elements and issues which surround a study of the modernising and transformational project which New Labour claims to have for public services and in this case education in particular. These elements include the role of external inspection in service assessment and the power and value assertions which are contained in the relationships of the inspectors

and the inspected. It will also include the role of 'audience', those not within the process itself but witnessing and on occasion influencing its process without having responsibility for it or having a clear account to render for their actions. It will be argued that there is a degree of uniqueness in the individual account, which leads to me describing it as an 'illustrative example', intended to offer insights rather than claim a whole explanation which might be expected from a 'case study'. It is this degree of particularity which makes generalisation about the policy itself or its implementation upon this evidence tentative.

Although the information for the study was not collected from politicians or agents at the highest levels of government, the issues which Ball alludes to in his work on researching inside the state still apply. On a range of interviews he undertook with national politicians and others, he comments:

'This is data as indicative of structural and relational constraints and influences which play in and upon policy making....This is the 'because' of policy.....accordingly, no one interpretational mode or set of theoretical tools or interpretational stance is adequate or exhaustive of the analytical possibilities of policy analysis.....By engaging with 'direct evidence' in this way we are also confronted directly with complexity, unable to gloss over contradictions, and must face up to incoherence.'

(Ball, in Halpin and Troyna, (ed),1994, p.109).

These are the kind of issues faced by someone seeking insights into a particular set of circumstances and seeking to relate them to wider concerns or to derive more general truths from them.

At a level of broad abstraction the task appears easy. Such a high level study would say something like:

‘Coketown LEA was inspected by OFSTED and found to be unsatisfactory. The Secretary of State used her powers of intervention and a contract to deliver a range of educational services on behalf of the council was let to a private contractor. This indicates that the power was available to central government and that it was deployed.’

This account would have the appearance of factual neutrality, and could make a quantitative contribution to an understanding to the policy issues around performance improvement within the context of inspection: clearly at least one LEA had been subject to intervention. However, beyond whatever interest that generated, little of worth would have been shared.

At a level beyond that, the illustration could look at more detail in the findings of the inspection and the consequences in terms of the delivery of services. For example, were all services outsourced or just some? What arrangements did the contractor make to take on the new responsibilities? Such an account, in seeking to be a record rather than an interpretation of the events, also cannot transcend the particular.

It is only by going beyond the neutral account that insight can be obtained and by going beyond the neutral voice, by engaging in a qualitative analysis of the events, or at least some of them (since not all will be available for discussion), that potentially generic information on the 'because' of the policy can be brought out. But that in itself is partial.

Halpin warns:

'qualitative approaches to the investigation of education policy need to avoid the risk of only telling us a great deal about the assumptive worlds of policy makers and the contexts in which their policies are implemented and very little about the effects that certain policies have in terms of improving or making things worse'.

(Halpin, in Halpin and Troyna, (ed), 1994, pp. 198 - 9).

Along with work to look at the 'because' of policy, there also need to be efforts to look at the 'so whats', to seek a view on impact and outcome.

One difficulty here relates to issues of theory. The study of education policy is not a discreet discipline, with its own rules and conventions, its own method of enquiry. It is a territory in which a number of sociologists seem to have camped. Halpin and Troyna 'took it mostly for granted' that 'the study of education policy is simply a branch of the sociology of education' (1994 p.200). However, students with other disciplines have legitimate interests. These can include historians, political scientists, psychologists and others or indeed those without clear disciplines, such as educational administrators, who become engaged in the process,

implementation and outcome of policy and are curious to know more about, and understand better, its dynamic.

For the purposes of this illustrative study therefore, I am seeking to get beyond the neutral, factual account and approach the activity which Whitty calls

‘understanding the intersection between biography and history, between identity and structure and between personal troubles and public issues – what C. Wright Mills (1961) termed the exercise of the ‘sociological imagination’

(Whitty, 2002 p.15)

The form of the account will therefore offer a description of process and outcome, drawn from the published reports and other available data, on the engagement by the inspectorate with Coketown LEA. This will be largely ‘the facts of the case’. Set alongside this will be the evidence drawn from a set of illuminative interviews, with a number of those involved in the process. By setting these kinds of information alongside each other, material for policy analysis will be produced. At one level, this can be the personal account, the ‘what was it like for you?’ question, but beyond that it can generate a ‘policy story’, in which the generality of policy becomes shaped and formed by real world issues. The theoretical position therefore reflects that of Bowe, Ball and Gold, as described by Scott (Scott, 2000, p.41) that policy is changed at different sites in the policy relay and therefore does not emerge in the form intended by policy makers. The

'policy story' itself will form the basis for some tentative conclusions about the nature of modernising at the level of an LEA.

The facts of the case: the inspections of Coketown and their methods

Coketown was first inspected by OFSTED in 1999. It formed part a programme of inspections, coordinated by OFSTED but delivered in conjunction with the Audit Commission, following the Education Act 1997 section 38 which had given OFSTED the power to inspect and report on LEAs. The Act had been one of the last passed by the outgoing government. The new government had not repealed it.

Ofsted managed the process of inspecting LEAs by establishing an annual programme of inspections for batches of authorities, drawing together teams led by HMI but also involving representatives of the Audit Commission and others. Teams were not fixed; rather they were drawn together for particular inspections and then disbanded. Contracts were not offered to private contractors to undertake this work as was the case for school inspection. The agencies of government - Ofsted and the Audit Commission - were to undertake this directly.

The framework for inspection (Ofsted, 1999) directed inspectors to focus on the effectiveness of LEA work to support school improvement. In practice, this was seen as a very broad remit, since arguably any aspect of an LEA's work could have some impact, however indirect, on school improvement. The reports, when published, described themselves, on their

cover, as 'INSPECTION OF XXXX LOCAL EDUCATION AUTHORITY' without any indication of possible limited remit. This focus was mentioned in the Introduction, which dealt largely with methodology. The reports were from the 'OFFICE OF HER MAJESTY'S CHIEF INSPECTOR OF SCHOOLS in conjunction with the AUDIT COMMISSION', (capitals in original), also bearing the Ofsted logo. Published, starkly, in black and white, the reports had all the trappings of authority.

In common with others, the Introduction to the report on Coketown describes the method of inspection. It is:

'partly based on data, some of which was provided by the LEA, on school inspection information and audit reports, on documentation and on discussion with Council members and officers and representatives of the LEA's partners. In addition, a questionnaire seeking views of aspects of the LEA's work was circulated to (a large majority) of the schools. In Coketown's case the 'response rate was 83%'.

The method also involved visits to a limited number of schools (in this case just short of 18%) to:

'test the views of governors, headteachers and other staff on the key aspects of the LEA strategy. The visits also considered whether the support which is provided by the LEA contributes, where appropriate, to the discharge of the LEA's statutory duties, is

effective in contributing to improvements in the school, and provides value for money.'

The method clearly has some of the elements of classic academic enquiry, using data to generate hypotheses and triangulation to test them out. The sources of information here are 'data', 'some' of which was provided by the LEA, 'discussion' with members and officers, a 'questionnaire' and 'visits to test views'. However, it is not explained in the document how the information obtained from these sources is verified or synthesised, whether the method of enquiry looks for consistency (and accepts that as true) or inconsistency (and then has a process for reconciling difference). It is even opaque on the nature of the data – what information, other than that provided by the LEA, was taken into account? How were the 'discussions' recorded and evaluated? How were 'views' tested – through relatively open discussion, or through focused discussion which sought views on preformed hypotheses? How are issues such as 'value for money' defined – against what standard and whose standard? These issues are not addressed in the document. Rather, a description of an apparently valid method is offered to indicate impartiality and open enquiry, to reassure that the conclusions are trustworthy. However, unlike academic enquiry, the whole evidence base is not available to an independent reviewer, nor to those inspected. In such circumstances, a report which claims objectivity, a quantitative status, is qualitative and unverifiable.

Coketown was inspected again in 2002, following the partial outsourcing of its education functions to a private contractor. The legal framework under the 1997 Act remained in force, although the 'Framework for the Inspection of Local Education Authorities (December 2001)' had been revised and was in the public domain. The focus remained on effectiveness in relation to supporting school improvement but there were additional reference to the Local Government Act 1999, with its best value requirements. Perhaps as a consequence, the Audit Commission logo had equal prominence with Ofsted's on the cover of the report. The other significant presentational difference is the identification by name of the Lead Inspector, an HMI. Authority was assuming a human face.

The method again involved 'a range of material', similar to the previous range but given in more detail to include 'focus groups of headteachers and governors, staff in other departments of the local authority and diocesan representatives'. In addition the team had the previous report available to them. On this occasion, in Coketown, the questionnaire went to all schools, with a response rate of 65%. Visits were undertaken to 4.6% of the schools to test the views of governors, headteachers and other staff.

The commentary on the inspection method made earlier is still substantially valid, although a published framework and more transparency about whose views were sought gives more information and reassurance about the reliability of the conclusions.

There is however a significant new element within the process. A 'self evaluation', produced by the LEA, was required by the new framework. It is relevant at this point to refer to the work of Foucault. In his study on Foucault and Marxism, Smart comments on issues of discipline and social regulation, 'The development of discipline signified the emergence of a new form of power...' which would be 'spectacular, ritualistic, visible and manifestly violent; (Smart, 1983, p.109). Within the context of local government, public reporting of inspection reports and their treatment in the local press, and the outsourcing or dismissal of staff as a consequence might be described in those terms. Smart goes on to describe Foucault's analysis that:

'the new tactics of power defined by discipline were qualitatively different.....the exercise of power was to be obtained at the lowest possible cost....in political terms it meant that power was to be exercised discreetly in order to reduce the likelihood that resistance would be aroused'

(Smart, 1983, p.109).

This would lead to 'the formation of a disciplinary society' (p.110) since, 'discipline is a power which infiltrates the very body and psyche of the individual, which, in this instance, transforms the life and time of the individual into labour-power' (p.113).

The discreet requirement under the new framework for self evaluation was part of a developing scheme of surveillance, through which the

inspected are engaged in the process of their own inspection and take on the perspectives of inspectors on their own performance, thereby, in Foucault's term 'individualising techniques of power' (cited in Smart, 1983, p.122). If inspection does not in itself lead to improvement, it is a powerful tool of compliance.

Coketown was inspected by Ofsted for the third time in the autumn of 2004. Given the LEA's difficulties, it is difficult not to believe that the intention of government was that its inspection agency be one of its means of effecting change rather than a neutral reporting mechanism. By inspecting repeatedly, the pressure to change and conform is maintained. The framework for inspection, still within the context of the Education Act 1997, had changed a third time (Ofsted, 2004), although one of the three 'overall judgements' which are made within the new framework relates to progress since the last inspection. Given the framework and judgement changes, strictly, like is not being compared with like.

This is further evidenced by the overall structure of the process and the report. The revised inspection framework groups its judgements into five areas: Corporate leadership of education; Strategy for education and its implementation, Support to improve education in schools, Support for special educational needs; and Support for social inclusion. There is evidence here of a broader range of inspection. It is no longer focused upon the LEA and school improvement. Rather, it seeks to examine other areas of LEA responsibility around the education of the more vulnerable.

This developing interest in these areas from an inspection point of view can be seen alongside other developments of government policy in relation to exclusions and behaviour and special needs and statements. The relationship between inspection and the implementation of policy, rather than the pursuit of a judgment on a notion of 'quality', is becoming more sophisticated. A public service version of 'compliance testing' is in development.

There are two further significant developments within the third framework which are of importance here.

First, the balance between self evaluation and external inspection has shifted. The third inspection framework requires the production of a self evaluation by the LEA which precisely matches the inspection template used by the inspectorate, including supporting evidence. This template, referred to as Judgement Recording Statements, forms the basis for inspection activity and for the subsequent report. The initial part of the inspecting process is a review, by the inspecting team, of the self evaluation. This offers the inspectorate the opportunity to accept, or 'sign off', elements of the self evaluation before the team arrive in the authority for what is described as 'fieldwork'.

In this way, a number of complex incentives are introduced into the inspection process from the perspective of the inspected. Given the burden that inspection is found to be (since the normal business of the

organisation needs to be maintained during the process), having elements of evaluation 'signed off' is likely to be welcome. It produces an incentive within the self evaluation to reach a self judgement which is likely to be acceptable to the enquirers, further, in Foucault's term, 'individualising' the 'techniques of power' (Smart 1983). Indeed, the form of the final report indicates which areas of enquiry were subject to fieldwork and which were not. Mention is sometimes made in the Summary of the Main Findings about the degree of consistency between the self evaluation and the judgements made by the external inspectors. Praise is implied if there is a close correlation - if the organisation has perceived itself as inspectors would see it. The hegemony of values, implicit in the primacy of inspection as a means of control, is underlined as organisations become 'disciplined' to accept and mimic them.

The second significant change is the prevalence of the numerical 'scoring' of performance within the inspection report. The self evaluation requires the LEA to give itself a score, on a seven point scale, against each of the areas upon which inspection judgements are to be made.

In the report itself, there is provided a 'Summary Table of Judgements' at the beginning of each Section. These are in horizontal bar graph form, the vertical axis showing the area of judgement (for example, 'The effectiveness of educational planning for children and young people') and along the horizontal axis the numbers 1 -7, 7 being at the right hand side. The information presented has not just the bar itself, shaded, but also a

small triangle, a vertical line and a diamond. Below the summary table, there is an explanation:

‘The bar represents the grade awarded to the LEA, the triangle represents the LEA’s self-evaluation grade, the vertical line represents the LEA’s previous grade and the diamond represents the average grade of all LEAs inspected in the last year. 1 = Very Good , 2 = Good, 3 = Highly Satisfactory, 4 = Satisfactory, 5 = Unsatisfactory, 6 = Poor, 7 = Very Poor.’

The Appendix A of a Report gives a summary of all grades, including what are described as ‘Overall judgements’ on the ‘Progress made by the LEA overall’, the ‘Overall effectiveness of the LEA’ and ‘The LEA’s capacity for further improvement and to address the recommendations of the inspection’. Each of these is given its own numerical judgement, although the self evaluation grade is not shown. Appendix B explains, ‘The numerical grades awarded for the judgements made in this inspection are to be found in Appendix A. These numerical grades must be considered in the light of the full report. Some of the grades are used in the Comprehensive Performance Assessment profile for the education service’.

In presentational terms, giving precedence to the table of numerical judgements provides an incentive to busy readers not to proceed to the text. The injunction to consider these numerical judgments in the light of the text is given in an Appendix, where a busy reader is less likely to visit.

There is a developing tendency to rank LEAs by reference to the single 'Overall effectiveness' judgement which informs the text of the initial sentence of the Summary, in this case, 'Coketown local education authority (LEA) is now highly satisfactory'. The busy reader therefore need not venture beyond the first sentence of the summary to know, literally, 'the score'. The reason for this development is given in the reference to CPA in Appendix B. The purpose of inspection, increasingly, is to provide numerical information for other aspects of assessment in a developing hierarchy, each with a powerful reductionist methodology. Thus a seven point scale for LEAs becomes a five point scale for Councils overall and hence to a number of asterisks, or 'stars', similar to those 'awarded' to hotels or restaurants in commercially produced guides. The use of term 'awarded' in Appendix B may be coincidental but may also reveal a similar 'consumer focus' in a process which is itself part of the 'market' Blair described in his Third Way article described earlier.

Much of the government's approach to the management of the education system, beginning with schools in the publication of so called 'league tables', the praising of individual schools in HMCI's Annual Reports and now proceeding in relation to LEAs and hence to Councils, is about the identification and classification of elites. The Black Paper charge of lowering standards, of 'more' becoming 'worse', has been answered through an elaborate categorisation of assessed 'quality', publicly reported and simplified in order to provide apparently objective information and thereby shape perception.

What is the problem to which this is the answer? Issues of performance and governance

The 1999 report on Coketown makes a number of judgements on the performance of the LEA. For ease of reference they are contained in a 'Commentary' near the beginning of the report. Although acknowledging that some schools perform very well and most are improving, the report concludes that:

'The LEA has been able to contribute little to improvement in school performance in recent years. For much of the 1990s, political instability, evidenced in successive administrations and culminating at one stage in the virtual paralysis of the decision-making process, has handicapped practical action on education.'

The report shows some signs of optimism: 'the climate is now a good deal more constructive, and there is a commitment to doing better by (the) schools' and 'adequate administrative systems are now in place in most areas'. However, progress is 'too slow' and, 'The LEA remains well off the pace of developments required by government and evident elsewhere.'

A list of more detailed judgements is given on those aspects of performance which are performed inadequately and a (shorter) list of those which are good features.

The key judgements are that the LEA, 'is not adequately discharging two general responsibilities: - to exercise its functions with a view to raising

standards in schools, and to use resources efficiently'. In the core business of both the inspection agents, Ofsted for issues of standards and the Audit Commission in relation to resources, the performance was unsatisfactory. That leads on the central observation in this report: 'There are three features of the LEA which cast doubt on its capacity to make the improvements needed at a sufficient pace'. The three features, in summary, are: historic slowness to respond to national changes: a management structure which confuses strategic direction with operational control; and, third, a poor relationship with schools inconsistent with the expectations of the government's Code of Practice on LEA-School Relations. (This document (DfES 1999, revised 2001) had been produced by DfES to regulate relationships between LEAs and schools following the abolition of GM status).

In terms of the future prospects for the authority, it is the 'capacity to make the improvements needed' judgement which is decisive. Yet of all the judgements made within the document, that is probably the least defined. Essentially, it rests upon a belief that the past is likely to replicate itself into the future; that because historically the LEA and its schools behaved in particular ways, without intervention they will continue to do so. The evidence in the report, of improving schools, of adequate administration, of new commitment to do better is outweighed by the historic failure to achieve the pace 'required by government'.

It is worth noting that the issues within Coketown are not ones, solely, of officer management or competence. The report is critical of governance, of the priorities of democratically elected members when set alongside the priorities of government. This is not to argue a case in support of the behaviour of Coketown members. The point is to look at the relationship between local and national government and the degree to which, within that, the national schemes of inspection serve to enforce political ends and ensure the translation of national priorities into local action.

The recommendations within the report do not in themselves specify outsourcing aspects of the service. In terms of officer management, they call for simplification of the structure; in terms of member oversight they look to a more efficient focus by the Education Committee or whatever replaces it; in terms of school relations, they seek better communication.

The 1999 report led to significant changes in the management of the education service. In May 2000, the creation of a private sector strategic partnership for school improvement and associated strategic management functions was agreed between government ministers and senior elected local government members. The services of a contractor were obtained from July 2001 under a direction from the Secretary of State for Education and Skills. This led to a 'mixed economy' of services, some being provided by a contractor on behalf of the council, others provided directly by the council itself, all under the leadership of the chief education officer.

This can be seen as an attempt to deal with issues of both performance and governance. The involvement of ministers with senior members acknowledges the disposition of responsibilities between local and central government. The identification of a private contractor brings, in theory, more available capacity to bear upon the areas for improvement. The central role of the CEO ensures coherence and also compliance with the Education Act 1996, which requires LEAs to appoint a 'fit person' to be responsible to elected members for the strategic management of the education service within the LEA.

The inspection of Coketown LEA in 2002 was outside the normal timetable because of the degree of concern and the intervention of the Secretary of State. As before, its main points are contained in a Commentary near the beginning of the document. The report notes the restructuring which has occurred and is complimentary regarding the progress of the contractor in relation to school improvement and associated strategic management. It is critical however of the engagement of elected members in offering strategic direction and in monitoring performance. 'In short,' the commentary concludes, 'the LEA is still not exercising all its relevant functions effectively in order to raise standards in schools'. The crucial judgement on 'capacity' is that 'the LEA's overall capacity and capability for further improvement are poor'. There follows a list of reasons relating to leadership of elected members, record of improvement to date, newness of senior management team and lack of an embedded system for budget

management and evaluation. Future progress would be dependent on 'the extensive package of support now in place'.

The report indicates therefore persistent issues regarding governance and performance which the limited intervention had not in itself addressed. The response by government was to increase the scope of the direction and remove further functions from the direct control of the authority. The response of the Council was to change its CEO, and of the contractor to replace its senior manager responsible within Coketown for the contract. In terms of performance and governance it required the creation of new structures to manage the new arrangements.

Intervention in practice: structures of operation, management and accountability

New structures were established to manage the new division of responsibilities between a private sector contractor and an LEA with statutory responsibilities which over time had been judged unable to discharge them adequately. During the period of intervention, political control of the council had changed, with consequent changes to political management alongside changes to officer personnel. The Council had been further criticised following a comprehensive performance assessment and the formal involvement of the Office of the Deputy Prime Minister followed. Thus, two government departments were involved in improvement initiatives within the council simultaneously, looking respectively at corporate and education service improvement.

The ODPM commissioned a national firm of management consultants to make recommendations and proposals were made for the establishment of a Coketown Education Board with an independent chair, appointed after national advertisement. The appointment was made by the senior elected members of the council in consultation with the DfES, the ODPM and a representative of the contractor. The period of appointment of the chair matched the length of the new contract. The Board composition sought to draw together relevant local partners including the Chief Executive of the local Learning and Skills Council, Headteacher representation from neighbouring boroughs, a position for the CEO from another authority, a representative of the DfES, the Principal of a local FE college, a representative from the local university, a representative of the church authorities, representatives of the teacher trade unions and elected members including the portfolio holder for education and representatives from other parties.

The purposes of the board were to be the main source of advice to the Council on the strategic direction of education services in Coketown. This included advising the Council on its vision for education and helping it to engage key stakeholders in developing and delivering strategies for improvement; the preparation, implementation and evaluation of the post-OFSTED action plan; the development of strategic education policy; and the effective targeting of resources to provide schools with efficient and effective services. The Board was to have no statutory authority although its recommendations were to provide the main basis for decision making

on any educational matters by the Council. It would have the right to refer an issue to the Secretary of State for Education and Skills in the event of the Council not following its recommendations.

At a time when the pressure upon local government was to move away from committee structures, and 'modernise' around the principal of individual member responsibilities and therefore clearer accountability, it may seem that what was created to manage the service after intervention was something which resembled a pre-modernisation education committee. In this case however, its duties were to recommend to the Council, with the reserve power to refer matters to government if its recommendations were not accepted. In terms of accountability, the arrangements appeared to leave the Council with its responsibilities but dependent in its capacity to fulfil them on an ad hoc body.

This high level overview of the relationship is underpinned by other processes. There are meetings on a weekly basis between the CEO and the contractor to check progress in terms of the objectives that have been set. That is supplemented by telephone conversations at least once a day with the managing director. On a formal basis, once a month a report to the Cabinet member is prepared by the Contractor. This has been discussed with and agreed by the statutory CEO the week before its submission. That report is the formal monitoring mechanism for the performance of the contractor.

This is seen by the statutory CEO as providing a framework to performance manage the contractor. The relationship which is being created is described by the statutory officer as aiming to be more that of the 'critical friend' than that of the 'contractor monitor'.

Alongside this set of internal relationships between the contractor, the specially created Coketown Education Board, the statutory officer and the responsible elected member, there is a parallel accountability within the management arrangements of the contractor. The Coketown contract is held by an international service company with a wide spread of undertakings beyond the education service. The manager of the Coketown contract reports directly to a Board Member of the parent company responsible for the learning related undertakings of the company. These learning related activities are themselves part of a larger grouping described as 'government services'. There are twice yearly conferences for contract managers and the contract manager describes weekly conversations with the board member who in turn attends a contract board meeting roughly every six months. Financial monitoring forms part of this process but is not described by the contract manager as central to the visit.

The contract arrangements provide for core costs and a bonus element based upon performance. The profit element of the core contract is not described as being dependent on performance bonuses. In practice, within the operation of the contract, a performance penalty levied upon the

contractor in one year of the contract was reinvested by the Council in ICT equipment in schools. Similarly, a small performance bonus in another year was reinvested in local services rather than returned to the parent company. Within the scale of the contract, the precise costs of which are commercially sensitive, the penalty and bonus elements appear to be relatively small. On this basis, once the terms of the contract are agreed, financial matters do not appear to be central to its operation. The parent company is described as having a strategy of seeking modest returns from a wide and diversified range of undertakings rather than seeking maximum profitability from a few.

This strategic view, arguably influential in terms of the impact of the contract, is of necessity beyond the governance reach of the Coketown Education Board and of the Council. It rests within the governance of the service provider and operationally within the contracting approach taken by the service provider.

However, issues of operational strategy and governance exist within a context of day to day interactions of those working within the LEA. I go on to examine the degree to which the transformational project for the organisation is also transforming those who work there.

Chapter Five

'Coketown' voices

In Chapter Four, I have considered the formalities of outsourcing, its background in the particular case of Coketown and the relationship of that process to changes in the framework for inspection and the development of self-regulation. These are parts of the instruments of operation of modernisation. In this Chapter, however, I seek to assess to what degree modernisation is active as a concept in the beliefs and actions of those performing within the framework it creates. This is done through reflecting on focused interviews of those engaged in the process. Given the public face of inspection and intervention (Power, 1997, describes the audit process as 'dramaturgical'), I have adopted theatrical metaphors to describe those engaged at the local level, the 'script' being the process in which they are engaged, their roles perhaps allowing more scope to ad-lib than in some theatrical productions.

The cast: description of 'actors' and 'witnesses'

The evidence for the illustrative example of Coketown is drawn from a number of sources. They include the published inspection reports from OFSTED but also conversations and interviews with a number of individuals who were engaged in the authority, either throughout the period of intervention or for different periods within it. Interviews were undertaken with the Chair of the Coketown Education Board, the statutory Chief Education Officer, the intervention Contract Manager, a Primary Headteacher in Coketown who was a member of the Education Board,

representatives of the Diocesan Boards of Education for the Roman Catholic and Church of England authorities and the DfES Advisor for the Authority.

In each case, with the exception of the diocesan representatives, the interviews were undertaken in the interviewee's normal place of work, during normal working time. For reasons of convenience, the diocesan officers were interviewed together in a venue outside of Coketown. The form of the interview was semi-structured, the researcher both recording the interview and taking notes. Interviewees were encouraged to follow their train of thought, rather than answer a set of questions, although a common set of questions was used to prompt reflection and discussion, they were not asked in necessarily the same order or with identical phrasing or voice tone. The intention was to uncover the personal narrative of individuals closely concerned with a unique process. This sought to reveal both their own description of their role, as an 'actor' in the process, but also their reflections on the process itself and where that was apparent on the roles and actions of others as 'witnesses' to the process.

Ball (1994) describes the data which comes from such interviews as 'polyvocal', indicating it can be understood and interpreted in at least three different ways:

'First, as 'real stories'; as accounts of what happened, who said what, whose voices were important. What is of interest here are the descriptions of events, the account of character and key figures,

moments and debates 'inside' policy. This is the 'how' of policy, the practicalities.

Second, as discourse; as ways of talking about and conceptualising policy, the discourses which speak policy and speak the actors (rather than the reverse). The assertions, judgements, axioms and interpretations of actors are central here. The reiteration of basic principles in and between interviews is important. This, in a sense, is the 'why' of policy; the 'types of knowledge' which provide justification and explanations for certain policy solutions and exclude others.

Third, as interest representation (but not in any simple pluralist sense). This is data as indicative of structural and relational constraints and influences which play in and upon policy making. In particular, the ways in which policy making within the State is related to the 'needs' of capital and civil society or the technical problems of the State itself. This is the 'because' of policy.

Thus, any one 'slice of data' can be 'heard' via one or more mode of epistemological vocality and different modes let us say different things about policy...By engaging with 'direct evidence' in this way

we are also confronted directly with complexity, unable to gloss over contradictions, and must face up to incoherence.'

(Ball, in Halpin and Troyna, (ed), 1994, p.109).

As indicated in his title ('Researching Inside the State: Interviewing the Education Policy Elite'), Ball's interviewees (Keith Joseph, Rhodes Boyson, Alan Ainsworth, Chairman of the FEU, Philip Merridale, former Chairman of the Council of Local Education Authorities, Chairman of the ACC Education Committee and leader of the employers negotiating body, the Burnham Committee) were 'elite' in education policy fields at the time of his work (1988). Their position, contacts and interests place them close to the 'because' of policy. The interviewees in this illustrative example, although distinguished in their own areas, are not close to the 'because' of intervention at the kind of level that the contemporary equivalents of Ball's interviewees would be. Their relationship to it is in the area of 'why' and 'how' – 'why' intervention in this case took the form it did, and the felt experience of its operation, the relationships it engenders, the 'how' of the process, its 'real story'.

From this perspective, it may be necessary to have more context to the 'actors' and 'witnesses' than simply a job title or description of role. Ball recognises 'character' as influential in accounts of policy within this methodology and clearly this carries significant issues for researchers. Individual biography will influence personal testimony and account. Issues of status and position can influence description and allocation of influence.

Memory can shift even over relatively short periods of time. The focus of the example however is not the revelation of personal story and motivation but rather the rounded description of intervention in action leading to tentative generalisation. This forces judgements to be made about the relevance of details of personal biography and, possibly arbitrary or misleading, connections to be implied between a known fact concerning an individual and an element of, or emphasis within, their account. In order to reduce such possibility, the interviewees are identified by a letter and only brief context given.

Thus 'A', the Chair of the Coketown Education Board, is currently a senior academic in a local university, following headship in a secondary school in a neighbouring authority. His school teaching career has been within the sub regional area.

'B', the statutory Chief Education Officer was appointed, following the second inspection of Coketown, from a senior position in an LEA in a different part of England. That LEA had not been subject to intervention and the Council had been rated as 'excellent' under the Comprehensive Performance Assessment.

'C', the contract manager, was appointed following the second inspection of Coketown from a chief officer position within an LEA in a different area of England. That Council had been rated as 'fair' under the CPA and was

about to reorganise its structure so as to bring together education with children's social services functions.

'D', the primary headteacher, had spent his entire teaching career with Coketown, having trained at the local college. He was in his second headship with the authority and was the elected chair of a voluntary association of a cluster of nursery, primary and special school headteachers.

'E', the Diocesan Education Officer for the relevant Church of England Diocese had been in post for a number of years before intervention and through his role had insights into other LEAs within the area.

'F', the Diocesan Education Officer for the relevant Catholic Diocese had taken on that role following retirement from Coketown LEA where he had a number of senior roles, latterly as Chief Education Officer a little before intervention.

'G', the DfES Advisor, also served in that role in relation to a number of authorities within the area and also beyond. She was in post before and during intervention.

From a positional perspective therefore, the range of interviews could produce data with different lines of sight on the history, governance and operation of the new management arrangements in Coketown. These will

incorporate the institutional, the Council, the national and those of engaged local agencies. They will reveal distinct but related 'real stories', 'discourses' and representations of interest.

Coketown before inspection

Given his length of time as a headteacher in Coketown, D can provide a perspective over a number of years of the characteristics of Coketown as an authority in which to seek to lead a school.

'RL: Give me a picture how, as a Head Teacher who has been through the system, what are your perceptions of the local authority.

D: I had got very good perceptions of the Local Authority at that point (the initial headship in the late 1970's)... come through the ranks when X was Director who was very hands on. People like Y as Assistant CEO so there were a lot of people within the authority that I had a lot of trust in and I felt were doing good jobs.

Decline in the Local Authority when the then director left, it coincided at the time when there was a lack of investment in education. 'Coketown' is also typified that it swings from one local election to the other regarding control. A lot of political interference in education not in the micro detail but more in the macro issues. Once the Director had gone it then became a different matter.... initially not replaced then, later, replaced by a Chief Education Officer who was an absolute disaster.

This is when the personal relationship started to fray. He/she went nowhere near the schools. Beginning to see the unravelling of the Local Authority as a Local Education Authority and so it went on. Y was there as acting for a while then chief for a while. I felt he did quite a good job. But by this time the politicians had found their feet and my recollection is that his time in office was at a time when it was moving into very left wing control.

A senior politician at that time saw little value in education, very derogatory about schools and education. He saw schools as being a means of political change, not in terms of education having a value. That didn't help, it would be easy to blame the faults on this politician and that has been the case even now. That would be unfair. The unravelling was going on beforehand. He just accelerated it because he saw a vacuum and moved into it.

He was the first Leader of the Council and the lead for education to come and speak with headteachers which is why I am a little cautious in saying everything was bad. There were some good things there that could have been capitalised on. Perhaps with more Chief Officer experience.... might have been able to control things a little better.

It was not easy for the CEO because schools at that point were encouraged to be independent. There was a message coming through don't expect things from the centre because they are

rubbish, develop yourselves, be in competition, the successful school will get more resources, the weaker ones will wither away. A lot of GM schools at the time were successful financially and a number of schools withered. It left a bad taste in a lot of people's mouths. I could not see the justification for it personally.

At the time GM status meant you were beyond the pale, you weren't invited to things, even things like the local consortium of schools froze you out and that again wasn't helpful and this led to fragmentation and other labels being added to other schools.

Coketown had a very strong cluster system which fell apart. Some areas didn't.'

D's account is interesting from a number of perspectives. Firstly, it sets the difficulties of Coketown within a particular context of developments in national educational policy. He relates local developments to the reductions in local authority expenditure during the Thatcher administrations and also to the impact of the market based reforms which supported the Grant Maintained schools initiative. His description of the local impact of these developments is largely negative – local cluster arrangements were disrupted, reductions in central expenditure meant a lowering of expectations about the nature of support available to schools from the LEA, perceptions of unfairness about resource allocation 'left a bad taste in a lot of people's mouths'. The latter remark rests upon a perception of values being subverted and a kind of retaliation taking place

through schools being excluded from the benefits of local networks, in a kind of attempt to reduce the advantage gained from the resource improvements. D's knowledge leads to an informed discourse which places local events within an understanding of policy beyond the local.

His observations are also of use in their perceptions of the interaction of local and national politics. He describes his perception of a part of the local 'elite', in this case a senior local politician, both seeking direct contact with headteachers and also being perceived as denying the validity of education as a public good. Two issues are at play here: first, a move to bypass the traditional means of communication within Coketown of a 'hands on' Chief Education Officer, a skilled professional relating directly with schools on behalf of the Council, by creating arenas in which lay members addressed them directly and, second, an affront to the established value system obtaining within the service. In this case, a perception of a 'left wing' councillor seeing schools as about 'a means of political change' rather than 'having value', was part of a dislocation locally engineered, given more power by its distance from the national agenda of competition reinforcing rather than challenging social hierarchies. In this way, schools are described as subject to contrary pressures from local and national agendas.

Third, he describes changes to the officer group leading to a position where 'the personal relationship started to fray'. Perceptions of officer

inexperience or incompetence leads to a deterioration in 'trust' and an 'unravelling'.

What is being described is a coming together of local and national policy at a time of uncertain professional and personal relationship. D has a particular kind of knowledge of this, gained from insight but also longitudinally, his years of service giving a weight to his perception that a newly arrived analyst could not match. The perceived value of his views, the degree to which they were acknowledged as grounded and local became in itself a factor in the development of education in Coketown.

These perceptions are largely echoed in F's account of the same chronological period. He describes, 'One of the big problems of the Council.' as being 'its politics'.

'Winning political battles became the aim. They lost sight of service delivery. It had nothing to do with service delivery. Both Labour and Conservatives were divided internally. It was internecine warfare – coming out in the Council Chamber. Nothing was decided. They had one year without a Director of Education. The failure to decide took one year. Things started to drift.'

F went on to talk about the relationship between members and officers:

'There was a deliberate desire to remove people who had been there a long time. They wanted completely new blood. The package was good.'

This analysis offers insights into the difficulties of governance which the authority was creating. In a system in which, by D's account, continuity of personal relationships and perceptions of competence were important, the Council, as an act of policy, was seeking to make radical change in the officer cadre, effectively to politicise the administration.

It could be argued that the Council was seeking its own understanding of 'modernisation'. The changes it made at the same time included establishing neighbourhood committees and seeking to delegate resources to them alongside creating a more 'strategic', less service based, organisational structure. However, the initiative taken at the 'site of action and discourse' (Raab, in Halpin and Troyna, (ed), 1994, p.24) which the Council represents is disengaging with the discourse at other sites, at the institutional level, through an absence of communication and explanation.

Inspection and its aftermath

The initial 1999 inspection judged:

'The LEA has been able to contribute little to improvement in school performance in recent years. For much of the 1990s, political instability, evidenced in successive administrations and culminating at one stage in the virtual paralysis of the decision-making process, has handicapped practical action on education'.

It went on:

'This LEA is not adequately discharging two general responsibilities:- to exercise its functions with a view to raising standards in schools, and to use its resources efficiently.'

There was doubt regarding its capacity to make the improvements needed at a sufficient pace. The local reaction to that judgement gives further weight to the discontinuity between the sites of action and discourse in the authority.

D recalls:

'The first OFSTED inspection occurred. The Chief Inspector at that time had the makings of a good chief inspector but never got the opportunity to develop that role because suddenly he was made acting Chief Education Officer. Then suddenly we have an OFSTED Inspection - so was it any wonder that things fell apart? I can remember the Acting CEO talking to heads, giving the news that the Local Authority had come out extremely badly but that the inspectors decided that schools were not part of the problem and would be looking for their support in the next 12 months. The feeling of headteachers was that it served them right because the Local Authority had not given any support to schools when they had bad inspections now they would know what it felt like. I commented at the meeting that the Local Authority is in a mess and OFSTED has

shown that and that we have got to be part of the solution. We have got to work with the LA and the headteachers agreed to (do so).'

The initial reaction of the Local Authority was to seek to recall an earlier style of relationship – looking to the ‘support’ of schools. Given the perception of a deliberate fracturing of old relationships by the Local Authority, a local version of ‘modernisation’, it is perhaps predictable that there were mixed views among headteachers. D’s view, based upon a value set which prioritises locality, apparently attracted some support.

D’s account of the next stage is as follows:

‘What then happened was the Chief Executive and the Chair of Education wanted to move things forward, working with OFSTED. [A firm of accountants and management consultants] was brought in. The Local Authority decided to set up a stakeholder forum as part of their response and that consisted of a number key stakeholders, headteacher representatives, diocesan representatives, political representatives, chaired by the Chair of Education. It had a very vague brief at that early stage.

The politicians were fighting with Whitehall to keep education. DfES wanted to remove control completely. In the end because of all sorts of issues a compromise deal was reached where education control would not be taken away but it would be dealt with

differently. This is what [the consultants] came up with - the suggestion it would be done with a private contractor.'

On this account, the key decision to outsource, the 'because' of this policy initiative, was a compromise between the Council's desire to retain control of its education functions and the DfES view that they should be removed.

The account of the DfES officer has important differences:

RL: I'm trying to get different perspectives on this. What is your perspective of the vision following the first inspection of 99 and the decision to go for intervention. Do you have a sense of how that was reached?

G :We did not see any alternative. There were beginning to be several models by that stage....In Coketown, there was such denial at all levels - elected members and senior officers - that there was anything wrong that we couldn't see how we could move forward without looking totally differently. There wasn't any awareness, there was complete and utter disbelief;

RL: They didn't accept the OFSTED judgement?

G: Neither did they accept the [consultant] judgement. So all you would hear was, 'We can do it, we know what is best for Coketown,' when all of the evidence was saying that they were not managing it

in an effective way and were not addressing the needs. At that stage they had been completely and utterly deserted by their schools as well. So you have got denial at council level, denial at senior officer level and complete rejection of the LEA by the schools.'

There are some differences of detail in the accounts – G suggesting no support for the LEA from its schools, D suggesting there was some support remaining - but that is not in itself of real significance. What is revealing is the consistency of perception between the school site of discourse and that of national government. In both arenas, outsourcing was essentially perceived as a pragmatic action, related to a particular set of circumstances, a fix. In third way terms, something 'that works'.

G describes the process between the initial inspection and the initial outsourcing involving a firm of consultants:

G: We had the OFSTED report, which was the worst OFSTED report that we had had, but we find that the advisory team are not aware of this because they have been advised that it is one of the best. Then we put in [consultants] to test this out. I was trying to provide triangulation on the ground. We had an intervention team and I had a team leader attached to me who was liaising with me and operating in house as well. We were having a series of meetings with Chief Executive, other officers, elected members, [consultants], schools and teachers, to formulate a picture of where

we were. We then got to a position where a recommendation had to be made. [The consultants] recommendation was made - which was complete outsourcing at that point. That was not the final decision'.

Again, at this point, what Ball described as the difficulties of dealing with 'direct evidence', its complexity, contradictions and incoherence, are apparent. Within the framework of a 'modernising' government, a report from the national inspectorate doubting capacity and a report from a consultant recommending outsourcing, it seems perverse that at this stage it was not 'the final decision'. G describes the 'real story' of political compromise:'

G [The process] was highly confidential. There was nowhere we could go because local politicians had asked that we hold it [the consultant's report] until after the local elections. As it happened there was a change in control. This was in May 2000/01. It returned as a hung council, where we had an 'issue by issue' agreement between the Conservatives and Liberal Democrats. It was not a coalition and again we had people in denial. You can direct but you can't make people do things, so in the end we felt the best thing to do was to compromise. What do you do if politicians and officers are potentially working against everything you are trying to do all the way through, frustrating and [tape unclear], and in a way it was seen as a compromise gesture. So what happened, even though we had the ...report that says 'outsource the lot', the two party

leads were brought down to London and there was a meeting between ...our own ministers, social services and it was possible that the ODPM were going to be involved. It was finally determined we would partially outsource and they would retain part of it - to show us what they could do. And then we went through the procurement process.

Coming out of that meeting they still felt they had education and at the same time we still felt we had taken sufficient away for it to be moved forward.'

At play in this meeting were a number of issues and a reading of G's account, analysing its 'epistemological vocality', provides insights into them.

At the level of personal testimony, there is the sense of the impatience of the professional officer, with a commission to undertake, being frustrated by the lack of cooperation of those with whom they must work to accomplish it. There is also, though understated here, the sense of professional mission to make something defective operational again, despite potential personal discomfort. There is also the sense of 'team', both accounting to the individual, and a wider team of which the individual forms a part. In studies of policy, this personal element, of an individual determined to see something through, may be missing from accounts, particularly those of difficult policy areas. It is difficult to see which study discipline could most readily accommodate and value such evidence.

As G speaks however she is also conceptualising the policy as one of compromise, prioritising what would work, what could be agreed ahead of what was apparently right upon the basis of the evidence available to policy makers. It was axiomatic that something 'sufficient...for it to be moved forward' was the aim of bringing parties together rather than the simple exercise of power. There is also the sense of the coming together within this event of other policy streams from beyond support for school improvement, which was the focus of the 1999 Ofsted framework, with wider government agendas. These are personified on this stage as ministers for local government, 'our own' ministers from DfES, alongside social services and others from ODPM. In G's phrasing, 'we' would partially outsource, while 'they' would retain part of it. The 'we' of this process engages the many facets of government but not, in this analysis, the local authority. The 'they', the local authority, are conceptualised as distinct from 'us', the ministers and officials of the central state.

There is also here a sense of the creation point of 'real world policy', the point at which the theorising about the flexibilities of the market, the analysis of options, the creation of powers of intervention and direction through parliament and the assessment of inspection reports meets the other reality of local electoral mandate and personal agenda. In Ball's phrase, these are the 'structural and relational' constraints of interest representation as they grind out compromise. As G remarked elsewhere:

'We worried whether it would stick.'

Her comment, 'You can direct, but you can't make people do things' goes to the heart of real world policy. Structural power, gained from statute and the power to write and pass legislation, has, ultimately, limited impact in a pluralist state. The degree to which the intentions of legislators can induce change depends on the cooperation and collaboration of intermediary bodies. Each of these centres of change or disruption contains within it its own elites, its own discourses of policy, its own individual stories, all combining to change or amend the intentions of policy makers. Elsewhere, G talks about the degree to which, at DfES level, at the time of this intervention, there was: 'a wedded view that there had to be a middle tier, and that actually acted as a translator of our policy and quality assurance.'

That 'wedding' however was not necessarily with a local authority, particularly if it proved incapable of translating 'our' policy and quality assurance into effective activity at the local level. G describes the local interpretation by a senior local member of the compromise of partial outsourcing to be 'We've won.' Given the observation of F about the degree to which within the local political culture the 'winning of battles' had become the aim, divorced from service delivery, it seems likely that there were a number of interpretations by the compromise achieved through the meeting G describes. As a basis for the operation of a wholly new relationship between central government, Coketown and a yet to be identified third partner, hindsight would suggest that the compromise had glossed over rather than resolved the underlying tensions within the service.

Indeed, the instability of this arrangement could be seen as contributing directly to the findings of the 2002 inspection and the further outsourcing that followed. G has an interesting insight into this process, believing that although the further outsourcing would require change on the part of the authority:

‘(We) also had to change [the contractor]. We couldn’t just extend the contract with that team.’

This process was described as ‘prodding the supplier’ and in the event led to a change by the contractor in the senior management of the Coketown contract. It was not thought necessary to re-tender or in other ways change the contractor. The necessary changes were ‘possible from the first agreement’.

The new manager of the contract, interviewee C, was an appointment of the contractor, involving the Stakeholder Board in the assessment.

Following the critical OFSTED report, the Council also changed its Chief Education Officer, appointing interviewee B, at this time then to have the role of CEO in an authority whose main functions were to be delivered under contract by an outside contractor. For these individuals, the new relationships created by the performance culture of modernisation, with matters of contract at their centre, were an option of choice, not imposition.

Both came to their roles directly from senior positions within local education authorities. To paraphrase Whitty, their testimony relates, therefore, to the point at which their own personal biographies begin to

intersect with the history of policy. It speaks of the uncertainty of new professionalisms, of the continuation of habits of mind and the ensuing codes of conduct, of the stubborn persistence of the public service within the modernised relationship between the Council and its agent.

Life under intervention: contracts and values

The rhetoric of intervention speaks of the importance of contract and the clarity it brings to relationships, the clear focus it provides on outcomes. In G's retelling, a firm of accountants were engaged to advise the Council on the contractual elements of the process:

'We were looking for a whole new language. We wanted quality assurance, performance indicators, penalty mechanisms, attainment targets, penalty clauses.. we had quite a degree of autonomy. We wanted something concise, which had sharpness and clarity, something which enabled, not constricted....It was not to cost a fortune. We would pay for transition costs.....The contracts were tailored to context. None of them are the same. We were learning.'

G is describing a key feature of the modernising process, the central place of performativity. In a study of assessment policy in the late twentieth century. Broadfoot characterises performativity as:

'Rooted in a rationalistic assumption that it is possible – and, indeed, desirable - to 'measure' performance, whether this be of the individual pupil or of the institution as a whole, the concept of

'performativity' arguably represents one of the clearest expressions of modernist thinking.'

(Broadfoot in Phillips and Furlong, (ed), 2001, pp.136 - 7)

The 'whole new language' G describes is the language of modernism applied at the level of the LEA. The effort of assessment at pupil level, connected to apparent assessment at institutional level through league tables of school 'performance', (actually pupil performance in standardised tests and public examinations), would be connected through contract to the payment of a private sector organisation managing a public education service. The process seeks to take out or limit some of the variables, for example cost (it was 'not to cost a fortune'), but would provide new information on methods of delivery of services. The 'rational assumption' here is that the activity of an LEA can be related directly to the performance of children and young people in public assessments and that payment to a contractor will provide incentive to the contractor to increase that measured performance. It is also assumed that such a relationship can be captured in and expressed through a contractual document which will be central to the activity of the contractor and provide the context for the activity of the client. In this case the 'client' would be the Local Authority, holding the contractor to account on behalf of the local community.

In the case of Coketown, the interface between the democratically accountable body (the LEA) and the contractor is through an appointed

Board with an appointed and paid chair. The chair of the Coketown education Board, A, describes the relationship in these terms:

RL As a board what is their role? Is it about management or governance, or both or neither

A It has a direct role in monitoring the contract. If all else stops, that is what it does and as such is expected to offer appropriate challenge to the contractor or to the LEA. The contract is interesting in the way it is constructed, the majority of the targets in the contract would fall to Education Coketown, but to achieve this they would have to work in partnership with the LEA through [the statutory Chief Education Officer]. So what has become apparent, as this has grown, is it is too simplistic to think you are just monitoring activities of Education Coketown. If you can imagine within its own role it is almost an artificial division, well that is where the contractor stopped and where people from the LEA started. I don't think that was fully understood at the start of its conception. To discharge that role the board has to work in with the type of other committee structures that would be found in other Local Authorities' context - that is scrutiny - and do that through the interface of elected members and officers who attend the Board. They [the officers of the contractor] don't directly attend any of the other council committees quite deliberately.'

A is outlining an interesting set of relationships of account in his description of the governance of education in Coketown. The body charged with monitoring the contractual relationship between the LEA and the contractor has enacted that role in such a way as to create a relationship of account between the LEA and the Board. However, rather than describing this relationship in terms which indicate its difference from other models, its 'modernism', A chooses a comparator from within the governance of the public sector. Local authorities have engaged in the creation of internal relationships of account through the creation of scrutiny boards and panels as part of their response to local government reform more widely. The model created in Coketown, although seen as unique, nevertheless is consistent with more general local government practice at the end of the twentieth and start of the twenty first century. Its modernism is moderated by convention.

Within the framework of governance created by the Board, the key professional relationship is that between the statutory chief officer and the manager of the Education Coketown contract. The statutory officer describes the role of the contract within that relationship in these terms:

B There is very little relationship to job description or person spec. that I came with except in so far that clearly the basis for the arrangements here is a contract between ourselves and a private sector partner. I have to say that the contact itself is slightly better than useless. The important thing for me is that the contract doesn't

capture the essence of what we are trying to achieve. I have got a strong view that there was an expectation when I arrived in the way that the interim had performed the role, that the role would be a contract monitor to be the client of the contract and within that being very picky. Making sure the details of contract were being delivered and to establish a client team to support me to rigorously monitor, scrutinise and to hold to account the performance of the contract.

I decided very quickly having read the contract that I needed to step back and ask myself what were the local authority and other partners trying to achieve when it signed up to that set of arrangements and to what extent did the contract itself get in the way of some of those things and therefore to try and focus on the relationship with the partner. People had used the words 'strategic partner' so I saw my role being what is the Local Authority side of being a strategic partner.

So from that point of view I saw myself doing two main things.

Firstly, ensuring that the strategic partner we were working with offered real value to the council in terms of impact to schools and educational standards in the borough and, secondly, making sure that the strategic partner was also part of the wider ambitions of transforming the borough that we had.

From the strategic partner's point of view what I was trying to do as well was to make sure that the rest of the council could be aligned as far as it could be to support the objectives of raising educational standards. So I am really at the interface of the two strategic partners and I see my role very much as mediating the relationship, making sure it is an effective and strong relationship and that's been a challenge.'

In his description of his role, B wants to make a clear distinction between the role apparently assigned to him within the formal structure of intervention and the lived experience of that role. Rather than becoming an enactor of performativity, B sets out to create a different role within this framework, starting from a different set of inherent principles and values than those underpinning the nature of contract. In asking himself these questions and proceeding to enact his answers within the context of this new relationship, B is creating a localised modernism of his own, rooted in 'mediation' rather than enforcement.

When describing the other pole of this relationship, the contract manager describes a similar relationship with the central formal feature of the modernised operation, the contract:

C: Indeed in many ways B and I will throw the contract in the bin because sometimes it may be that if you followed it to the letter it would be bad practice (i.e. statementing) The contract focuses very

much on year 6 or GCSE year 9. Again this would not be in the best interest for Coketown. For me that key is that education ought to be the route of local democracy but that is a government issue not a management issue. So B and I will go together to see the cabinet member to talk through an issue. Once they have said that is what they wanted we will come back, consult and go through the process and then go back and say we think this is the way we ought to go. So the professional decision is left entirely up to us and the political context and the leadership and vision come from members. B has been brilliant, although we don't always agree. Whereas his predecessor had spent his time setting traps to see if you would fall into them.'

The experience here provides insight into one possible outcome of the modernised relationship for new professional practice, the notion of contract monitoring through the 'setting' of 'traps'. C describes a different outcome:

C: What I am doing is improving the education service: what B is doing is making this work at the other side which is almost unique. Because of the way we are having to work together the politicians are more sold on it. They have recognised that they have still got the power. The person it has been hardest for is the Chief Executive because it is government not management.

Here, C demonstrates an interest by elected members in governance ('government' in the transcript but the sense is clear) as distinct from management as the key to the operation of local democracy within the framework created by the Local Government Act 2000. This new framework for the delivery of the service is seen as capable of delivering that distinction – members assent to a degree of management freedom comes from a recognition that in other ways they still have 'the power'.

Elsewhere, 'C' describes the difficulty the local authority apparently previously had in recognising that distinction:

C: [T]his is where I think the modern agenda can pay off. Even the best authorities find it hard to separate government and management and they find it very hard and challenging at times to keep their hands away from things they should not be touching. This was never more true than any where than Coketown, it was famous for it. When I first arrived, Councillors would phone and say, 'My next door neighbour's child needs a statement and we want them to go to an independent school,' and ask me to sort it out..

There was also the issue that if you are a Chief Officer and you end up upsetting a Councillor because you don't do what they want because you see it as being improper, the next time that you see them they may be listening to a grievance against you from a member of staff. They don't have this power over me. That separation in a place like Coketown was absolutely essential.'

C is describing a confusion regarding the nature of the role of the elected member in the changing sets of relationships created by the 1988 Education Reform Act and subsequently developed. In their 1996 study of the 'state of play' in LEAs, Radnor and Ball observe:

'LEAs are now operating in a kind of organisational and political twilight world where issues of accountability and democratic politics are often obscured in deep shadow. Being accountable for stewardship, in Simey's terms, is no longer clear cut and therefore open to a variety of interpretations arising out of different LEA cultures.'

(Radnor and Ball, 1996, p.52)

C describes the intervention by an elected member in relation to the supposed special needs of the child of a constituent as inherently inappropriate, part of a failure to distinguish between governance and management. This is related to asserted potential difficulties in relation to personnel and disciplinary procedures, a circumstance in which the power of elected members may be used to 'pay back' an officer for a reluctance to cooperate in an area where an officer has delegated authority in an area where decision making power rests with elected members. The new relationship of 'the modern agenda' is described in terms of a new description of power at the operational level. Although authority is drawn from the elected body, operational decision is effectively distanced from the source of power.

However, given the reference by Radnor and Ball to the existence of different LEA 'cultures', what in effect is being described is a structural response to an issue of organisational culture, a particular response to a culture seen at its most extreme in Coketown ('it was famous for it') rather than an inevitable consequence of the earlier political and service delivery arrangements. What is being described here are changes in the organisational and political culture of the Authority, stemming from the drama of intervention.

B describes the place in this new culture of the formal complaint relationship:

RL: Can I tease out a couple of elements? Where, within this, the nature of the contract sits? Is it actually on the shelf?

B: The three large boxes at the end are the contract. When I arrived I read them religiously and I read them before I was interviewed. So one of the things I noticed there were significant gaps and, as always, they captured arrangement at a point in time. What they didn't do, they didn't appreciate significantly the intangibles that you need to actually improve education in the borough and if you go into it as a contractual relationship and just that, I think all of the important intangibles don't happen.

One example, which I think is the key turning point. When I arrived somebody had spent a huge amount [of time] negotiating the level of performance they would expect and the DfES had been involved.

What level of performance would we expect for KS3 5 A - Cs? And then for each one they had identified a band with penalties and bonuses. So the contract negotiations were really about what the relative level of bonuses and incentives might be. So the performance measurement was very much, 'Here is a set of points you have to reach, and if you don't you get a penalty, and if you over-shoot you get a bonus.' Although there was a cap put on the bonus, so the incentive was to improve performance so far but no further.

I got the Cabinet to agree that any penalties that we'd be eligible for, as a result of underperforming that summer, we would reinvest in school budgets the following autumn - the reason being, it just seemed a little bit absurd that, if there was contract underperformance, it would mean that pupils had not reached levels across the borough... I then went back to [the contractor] and said, 'What about you and your bonuses?' - because actually, there is something amiss if they are going to take bonuses for driving up standards and what I wanted to do was get it recognised that there is an important element that, if you're providing a service, you should get a management fee for providing that service... It is actually hard to have a relationship when we are trying to agree performance objectives for the year that has got financial implication for both of us, as opposed to a partnership, where it stays within a pot of money that has been allocated to education. In

effect what happens is, where there is a penalty or bonus we then, as partners, agree to use it to fund key priority programmes. For example, the penalties from my year 1 were used to set up nursery centres in our primary schools and also an ICT programme.'

In reflecting on the purpose of intervention, rather than its manifestation in terms of contract and finance, B creates a different set of drivers for change. The recognition that a contract including capped bonuses for improved performance could act as an incentive to limit performance improvement and that penalties for underperformance could lead to reduced rather than sustained investment by the Council in its education service go to the heart of the contradictions inherent in the contracting culture. Rather than producing a clear focus upon outcomes, the relationship in practice produces other priorities: 'It is actually hard to have a relationship when we are trying to agree performance objectives for the year that has got financial implications for both of us'. Such discussions may lead to questions from the Council's side such as, 'How much improvement can the Council afford?' or, from the contractor's perspective, 'How modest can we make the improvements before we start earning bonuses?'

In Coketown they have achieved a local resolution to this dilemma by talking in terms of 'partnership' rather than client and contractor, and putting aside the key element of bonus as part of the performance framework and agreeing to a process of joint investment. Clearly, for this

to be supportable commercially, the contractor must recognise the 'flat fee' as attractive in itself. As C describes it:

'The profit issue was negotiated as part of the contract negotiation and I have given them some of it but not all. They have been happy with that.'

In describing the treatment of bonus C indicates;

'It is not a huge amount and what [B] and I have both committed to was who ever put the money in it would stay in education services.'

In terms of the distinct culture being created within this intervention, it is interesting that the parent company of the local contractor is described as 'them' and 'they', whereas the local investment in looked - after children was something 'we' undertook. This is pointing to the creation of a local culture within the framework of the commercial and public service interface. The perspective of the primary headteacher, long serving in Coketown and a member of the Coketown Education Board reflects this:

RL: Why has it worked here?.

D: I think it has worked because people have made it work. We have been taken to the edge of the precipice and it has worked because there was a feeling that, if we could control the contract, education would stay locally. It took me a while to get my head around a private contractor managing such a large part of the LEA service. I got around it because we felt that we could control things

as long as there was the contract and openness and transparency and that things were getting into schools and that tangible improvements were being seen by the public and the politicians. And we were committed to making [the Coketown Education Board] work and schools were committed to making the new situation work.

One of the things that had come through the first of the contracts was that the Local Authority was way behind other authorities....So there was great concern in schools that this second opportunity be one that was capitalised on as much as possible....We felt involved, we became part of the contract, we bought into it emotionally and philosophically'.

Significantly, D does not engage with the assumption within the question that intervention has 'worked'. The reply sits within a view that improvements have been achieved, that it has helped the Authority become contemporary, and that it is no longer 'way behind other authorities'. The characteristics of this improvement stem from the drama of intervention – 'We have been taken to the edge of the precipice' – and the desire that 'education would stay locally'. Rather than being perceived as outsourcing, the contractual procurement of services from a private company, the intervention was perceived as an opportunity for more local involvement. In 'D's telling phrase, 'we became part of the contract'. The contract which is implicit here is not necessarily the one between

Coketown and its contractor; it is rather the notion of a local civil contract involving public agencies, based on values of openness and partnership. As the contract manager indicates, 'it is odd that after many years of public service you still have the same set of values.'

The contracting process has not transformed or replaced what might be described as 'public service values'. Rather it has created an environment within Coketown in which they can be rediscovered from the confusion of the Council's difficulties in 'the organisational and political twilight' it was in following the legislative changes of the late 1980s and 1990s.

This conclusion is important in terms of the potential of the modernising project to transform local authorities and schools and also with regard to the next stages of the reform programme for local authorities, schools and other services for children. These will be considered in the next chapter.

Chapter Six

Towards an understanding of 'modernisation'

In this chapter, I draw upon the analysis developed in Chapter Three of the issues which have driven educational reform since the middle of the last century, and the insights into the performance and inspection framework developed around Local Education Authorities, along the analysis of their practical expression given in Chapters Four and Five, in order to develop a rounded account of the current state of the modernising project. In this, I consider, in particular, its relationship to workforce reform, the DfES Five Year Strategy, (DfES, 2004), an analysis of the overall effectiveness of outsourcing and the potential implications of the Children Act 2004. From this, I outline the likely next steps in the reform of schools and local authorities and their implications for local governance. Within this, I am seeking a response to the research question about the capacity of modernisation to transform the public provision of an education service.

The 'moving target'

'Modernisation' has been used as a consistent description of its policy intentions by the Labour Government. As a descriptor, it continues to require investigation to explain its meaning and its characteristics. In the education service, those meanings relate to an education system characterised by an emphasis on measured performance and audited practice, given incentive to perform in ways approved by government by the possibility of intervention in the event of failure. In relation to local authorities, modernisation implies an encouragement to place operational

matters in the hands of private sector companies and through that place themselves in the role of consumer rather than provider of services in their areas.

The idea of a 'modernising' government is central to the government's sense of its own identity and purpose. On 30 September 1997, the newly elected Prime Minister, Tony Blair, addressed the Labour Party's annual Conference. He said:

'The size of our victory imposes a very special responsibility on us. To be a government of high ideals and hard choices. Not popular for one time but remembered for all time. Not just a better government than the Tories but one of the great, radical, reforming Governments of our history. To modernise Britain as we modernised the Labour Party...

Our goal: to make Britain the best educated and skilled country in the world; a nation not of the few talents, but of all the talents. And every single part of our schools system must be modernised to achieve it.'

(Blair, 1997)

At the beginning therefore of the new government's term of office, a concept of 'modernisation' was being attached to its programme of change in the schools system, and, through the reference to skills, to the education service more generally. This is described as part of a process of

modernisation, begun with the Labour Party in opposition, exemplified by the revision to Clause 4 of the Party's constitution, which withdrew from its historic commitment to public ownership. This modernisation is now to be applied to the nation more generally. Implicit here is the recognition that a 'modernised' society would require 'modernised' schools and also that the process of modernising schools would itself be part of the modernising of Britain. The rhetorical tone implies that this will be a process of 'reform' and 'radical' in its sweep.

Clearly on an occasion such as that, it would not be appropriate to anticipate a detailed set of policy descriptions. At a party conference, 'modernisation' could be a term of aspiration, to be interpreted by listeners largely in their own way. In government, however, definitions would need to be provided. Whitty characterises the approach of the Labour government in this way:

'The new language was to be that of 'partnership', partnership between schools, partnership between schools and parents, partnership between schools and their LEAs, and even partnership between the public and the private sectors.'

(Whitty, 2002, p.127)

Certainly set against the most recent approach by central government to educational reform, characterised by competition and choice, collaborative approaches would be distinct. In reality, however, modernisation could not be characterised as a process of negotiation and

collaborative endeavour. Rather, indeed, evidence of modernisation in action points to more areas of continuity rather than departure from with the policy position inherited by Labour in 1997. These elements can be captured in the decision of government to carry forward its programme of reform largely within the distribution of powers and responsibilities set out in the 1988 Education Reform Act, passed by the Conservative administration, and intended through the devolution of resources to institutional level, and the reduction of the role of local authorities as planning organisations, to allow for the development of overtly competitive relationships between schools.

In such a way it would be tempting to regard 'modernisation' as a solely rhetorical device, used to give an impression of radical departure, rather than its substance. However, this would be to undervalue the significance of the term, both to the receivers of policy and to its authors. Nevertheless, the term requires analysis to explore its meaning in the language of New Labour.

Speaking in 2002, Matthew Taylor, Director of Policy for the Labour Party in 1997 and latterly Director of the Institute of Public Policy and Research, said:

'Modernisation was called a rebranding exercise; it also helped to reinforce the public's view of the Tories as being clapped out. And as the defenders of the strategy could point out, modernisation has always been central to the progressive message..... New Labour

can be applauded for reminding us of this, after much of the 80s when much of the left Labour discourse had the subtext, 'Stop the modern world, I want to get off.'And modernisation also appears to be good politics, if you can persuade people that the world is changing and that you are the only party prepared for that change, well you have what looks like an open and shut case'.

(Taylor, 2002)

This indicates the approach needed to discuss modernisation in this context. It will be a term that resists definition, which is unregulated by ideology, which is capable of describing opposing and contradictory events. Elsewhere in his lecture, Taylor says:

'One of the reasons I contend it is so hard to analyse New Labour is that we are shooting at a moving target'.

(Taylor, 2002)

That 'moving target', that absence of a fixed or ideological position, allows the party, politically, to ally itself to people's perceptions of change in their own lives and gives a sense of control over that change. It has been central to the retention of office by New Labour. It has provided a contrast of perception with a party describing itself as 'Conservative', and therefore fixed in relation to social change in an apparent stance of opposition. It has provided a transcending description of policy, beyond 'left' and 'right', at once flexible and uplifting. It is its own justification, creates its own criteria,

and measures its own success. It has harnessed change as a political resource rather than as a series of problems to be overcome.

However, in a way consistent with the method of the on-line third way debate, by examining some of the characteristics of 'modernisation' in action, it will be possible to define its characteristics through analysing its practice rather than expecting an inclusive ideological source.

Education and the state

First, modernisation accepts that responsibility for the school system rests with government. In its ambition to modernise 'every single part of the schools system', the government's reforms would affect teachers, schools and local authorities in relation to their school responsibilities. This places the modernising agenda at some distance from that advocated by other commentators with a similar interest in reform.

Tooley, for example, argues:

'The fundamental question of education policy is what role there should be for the state in education. This book sets out why I believe there is no justified role'.

(Tooley, 2000, p.23)

Following Chubb and Moe (1990, 1992), Tooley goes beyond the debate about the relationship of schools to LEAs in order to look at the underlying issue of whether schools need a relationship with any of the direct arms of elected bodies, local or national. He examines arguments on relation to

state provision of education, and discards them in favour of what he sees as genuinely market-based alternatives. He argues that despite market-like reforms being introduced into the education system in England, (such as those following the 1988 Education Act, described by Chubb and Moe, from an American perspective as, potentially, 'the most significant educational development in either country during the post war era' (Chubb and Moe, 1992, p.50)), those reforms have fallen a long way short of the creation of an authentic market. Such a purer system would recognise that education need have no relationship with the state and could be provided by competing educational enterprises, with choice being exercised by 'consumers' using vouchers or learning accounts to provide resources to make competition worthwhile. He argues that accountability can be exercised within markets, and ultimately through the courts, without recourse to political systems. Indeed, he argues that accountability based in the market is more genuine in that it offers recourse (or refund) rather than what he characterises as the self serving of a cumbersome, opaque and ineffective political accountability (Tooley, 2000).

In this analysis, he accepts the Chubb and Moe prescription regarding schools as autonomous (Chubb and Moe, 1990). However, he assumes that the market systems within which schools will exist will be more conducive to autonomy than local democratic ones. This analysis is consistent with the underpinning philosophy of the Education Reform Act and forms an alternative way forward for a new government. However, such a deregulated approach is difficult to reconcile politically for a

government which claims that education is its 'top priority'. An administration, which had to subject itself to re-election, could not describe as a 'top priority' something for which it accepted responsibility but over which it had no control. New Labour's approach has been to accept responsibility for the issue and set out a programme of intended improvement. Through this decision, the improvement of individual schools has become a responsibility of the state. Pupil performance has gained democratic value.

Giddens locates this thinking within the third way programme:

'To retain or regain legitimacy, states without enemies have to elevate their administrative efficiency... Most governments still have a good deal to learn from business best practice – for instance, target controls, effective auditing, flexible decision structures and increased employee participation – the last of these being a factor in democratisation. Social democrats must respond to the criticism that, lacking market discipline, state institutions become lazy and the services they deliver shoddy'.

(Giddens, 1998, pp.74 - 5)

The elements which Giddens identifies with the best practice of business can be 'read across' into New Labour's programme for educational reform. 'Target controls', in the form of performance targets and indicators, have become a central feature of educational planning, with performance targets being set at government, local authority and school

level. 'Auditing', through the analysis of performance information by the Audit Commission, DfES and other bodies, has become an increasing feature of the relationship between public authorities at local level and central government, allied to inspection at institutional and LEA level.

'Flexible structures' are being developed beyond local authorities through the creation of agencies to manage programmes and the introduction of private sector operations into local authorities. Through these characteristics, intervention in LEAs sits securely within the modernising framework.

A further characteristic of 'modernisation' therefore is a preoccupation with a version of efficiency taken from the private sector and expressed through employment and monitoring structures. These can be seen in the approach taken to modernising both the teaching profession and local authorities.

The reinvention of teacher professionalism

In relation to teachers and other staff in school, the 'democratisation'

Giddens perceives in effective business practice - relating to increased participation by employees – might be seen as only partially achieved, at

least in some key areas. It might be argued that efforts to secure

increased employment flexibilities at school level through the Workforce

Agreement, (DfES 2003) form part of a process of democratisation. Such

an agreement was intended to be signed by representatives of central

government, local authorities as 'employers' and representatives of all the

teacher trade unions. It enables teachers to decline participation in a variety of activities within schools which are not directly related to the teaching activity in exchange for enlarged rolls in schools for workers with other skills. In effect, this attempt to engage teachers in the programme of reform was only partially successful since one large teacher organisation (the National Union of Teachers) declined to sign it and another (the National Association of Head Teachers) subsequently withdrew its support. Nevertheless it can be seen within a process of redefinition of teacher professionalism within a modernising framework. McCulloch comments:

‘Just as it (the New Labour government) aspired to ‘modernise’ other established features of the education system such as comprehensive schools (DfEE 1997), so it attempted to reinvent and re-position the ideal of teacher professionalism. No longer related principally to the curriculum domain or based on notions of autonomy and discretion, teacher professionalism was redefined in terms of improving the status, conditions and financial rewards of the more successful teachers in a more competitive environment’

(McCulloch, in Phillips and Furlong, (ed), 2001, p.112 - 3)

This analysis reflects the Prime Minister’s speech to the NAHT Annual Conference in Cardiff in June 1999:

‘The Government’s objective is simple but highly ambitious. It is to restore teaching to its rightful place as one of Britain’s foremost

professions....recognising the need for a step-change in the reputation, rewards and image of teaching, raising it to the status of other professions such as medicine and law, which are natural choices for our most able graduates.'

(Blair, 1999)

McCulloch describes a 'modernised' professionalism in these terms. This professionalism would be:

'very different from the past. It would make teachers responsible for improving standards for pupils, including those in socially disadvantaged areas. It would provide successful teachers with greater status and the most successful with higher salaries than they had received in the past. But it would bring penalties for those teachers and school principals who were unable or unwilling to rise to the challenge of raising standards as judged by examination results'.

(McCulloch in Phillips and Furlong, (ed), 2001, p.113)

The delivery of perceived, audited, improved performance would be the signature of the new professional teacher. Just as in its reforms of the secondary school system, Government had aimed at differentiation between schools and the creation of elites, so in reforms of the teaching profession it aimed at the creation of elite teachers.

The DfES 'Five Year Strategy for Children and Learners' (DfES, 2004(b))

describes 'A New Teacher Professionalism',

'in which career progression and financial rewards will go to those who are making the biggest contributions to improving pupil attainment, those who are continually developing their own expertise, and those who help to develop expertise in other teachers'.

(DfES 2004(b), p66)

On this 'career ladder', there are four main stages: teachers on the main pay scale; teachers who have crossed the pay 'threshold' by getting Senior Teacher status (within which there is also an upper pay scale). Excellent Teacher status; and beyond that Advanced Skills Teacher posts. Progression is not by service years. 'Some teachers will progress more quickly than others up this career ladder' (DfES, 2004(b), p.66). Given that there are only limited places on the higher rungs of this ladder, some will not 'progress' at all.

Although technically employed by schools and Local Authorities, the underlying sense was of the creation of a national workforce. This was underpinned by the establishment of a national regulatory body, The General Teaching Council for England, by the establishment of a National College for School Leadership, and by the establishment of a national body to co-ordinate recruitment, the Teacher Training Agency. Alongside this, public recognition of perceived success through national awards for successful teachers and the use of the honours system to

knight headteachers for their transformational work in schools were part of a deliberate attempt to create a different professional culture, using public recognition focused upon outcomes as key to securing assent rather than participation:

‘A decisive system-wide advance’

(DfES, 2004(b), p.44)

A modernised teaching profession would be teaching in a modernised system of schools, particularly at secondary level. DfES describes the ‘development of independent specialist schools in place of the traditional comprehensive’ as a ‘decisive system-wide advance’. In addition, the ‘modernising of every single part of the schools system’ encompasses the abolition of nursery vouchers and the expansion of nursery education along with the establishment of Sure Start programmes for pre school children in deprived urban areas. This programme commenced in 1998 and, by 2004, 524 local programmes had been established. (DfES 2004(b) p20)

Alongside, and in contrast to that inclusive agenda with the youngest children, can be cited the rapid expansion of specialist secondary schools and City Academies, the multiplication of admission authorities alongside a rhetoric of parental choice, and the reform of league tables of school performance by creating more of them, including measures of ‘value added’.

At one level, these initiatives can be seen as contradictory in ideology, without a consistent positioning on the policy continuum which could be constructed between approaches based on collaboration or competition, between planned or choice based approaches to the design of delivery. Their unifying principle, however, is their intentional diversity, their absence of a fixed position on those issues. In this way, 'independent' schools can be described as 'within a specialist system', the conceptual and grammatical possibilities drawn from third way thinking being utilised within the DfES policy description.

Modernising the Local Authority role in education

Just as 'modernisation' has sought to change the teaching profession and schools, so has it sought to reform local education authorities. The commitment to reform local government and the mechanisms for doing so were outlined early in the life of the incoming Labour Government. In 1998, the Institute for Public Policy Research (IPPR) published a pamphlet, *Leading the Way - A new vision for local government* by Rt. Hon. Tony Blair MP (Blair 1998). This was an early marker of government intentions, published in advance of formal consultative documents. This enabled the wider policy context to be laid out in a language which is more rhetorical than the formality of green or white papers and therefore more reflective of the political drive behind them.

Blair argues that local government needs to modernise. The definition of the concept of 'modern' is not offered for debate in the pamphlet. What is

clear, however, is that the new government did not regard the structure and operation of local government as 'modern'. Those arrangements, however, were themselves the products of recent reform, both operationally as a consequence of the compulsory competitive tendering of certain services and structurally, most noticeably the creation of Unitary Authorities with education responsibilities. What is described in the pamphlet, however, are a number of areas in which local government is seriously defective, in the eyes of government. In responding to these defects in a way in which the government approves, local government will modernise itself and be allowed to claim ongoing legitimacy as a (junior) partner in the New Labour project. This change will however be subject to inspection and review by government agencies. Its success therefore will be at least as much defined by managerial tests as by democratic ones.

Such an approach is clearly influenced by Giddens' analysis of the way forward for social democracies. In *The Third Way* he discusses 'The death of socialism' (Giddens, 1998, pp.3 – 8), so-called, 'Old style social democracy' (pp8-11) and the rise of neo-liberalism, before offering an analysis of the 'third way programme' (p.70)

'The restructuring of government should follow the ecological principle of 'getting more for less', understood not as downsizing but as improving delivered value'.

(Giddens, 1998, p.74)

The key elements of New Labour's approach to the reform of local governance can be discerned here - the contrast of immobile bureaucracy with the flexibility of the private sector, the need for the improvement of delivered value, (a phrase caught in the process of evolution into 'best value'), and the relationship of legitimacy to efficiency.

The Executive Summary of the IPPR pamphlet opens with the statement:

'The government was elected with a bold mandate to modernise Britain and build a fairer, more decent society. To do that and to deliver its key pledges it needs the support of local government. Many Councils understand this and are working with local partners to place young people in jobs, raise standards in schools and cut crime. At its best local government is brilliant and cannot be bettered. But to play its full part in modernising Britain, local government itself needs to modernise.'

(Blair, 1998, p.1).

Even allowing for the condensed nature of an executive summary, the nature of this analysis as the foundation upon which to base a programme of reform is worth analysis since it starts to firm up the notion of modernisation in the developing thinking of New Labour in relation to local government.

First, although the pamphlet appears to assume it as a fact, it is not self-evident that the purpose of local government is to support central government. The notion of the local democratic mandate is part of the pluralist nature of British political life and the boundaries of power and influence between the central and various local government bodies are subject to constant renegotiation, particularly following a general election. However, the actions of some councils which laid heavy emphasis on the legitimacy of the local mandate as the basis for radical action, such as Liverpool City Council and the Greater London Council, had either embarrassed or enraged both major political parties during the Conservative administration. The role of local government therefore is to be 'supportive'. The modern Council is compliant and its aims are to be largely determined by the national mandate.

Second, the examples which are cited, and therefore given approval, of successful working by councils are to a significant degree areas in which councils do not act alone or are not the lead body.

The third example is that of raising standards in schools. The period since the 1988 Education Reform Act had been one of consistent reduction of the involvement of LEAs in the issue of quality. The definition of a core role for LEAs in that context had essentially related to those functions such as planning school places or organising school transport in which the interests of, or expertise in, the individual school would make it inappropriate for it to be done at school level. The inclusion in this

pamphlet of positive comment about the involvement of LEAs in quality issues relating to schools is significant. It begins to suggest the potential of a role for LEAs in school improvement, rather than in issues of sufficiency of places and transport. It signals an early perception that the existing strategies of school inspection and market style competition between institutions were unlikely to achieve, unaided, the policy aspirations of the new government and that the support of local government would be a potential contribution to their fulfilment. The modern council therefore may need to be skilled in acting in partnership with others and may have a role in fixing things locally if other processes have proved unsuccessful.

The paper goes on to offer an analysis of why modernisation is needed:

‘Localities lack a clear sense of direction; most people have a sense of pride in where they live. They want to see everyone working together to make their town, estate or village a better place to live. But with so many agencies, businesses, groups and organisations now playing a part in local issues, it is often difficult to get everybody working to a common agenda. Localities deserve clearer vision and leadership.

There is a lack of coherence and cohesion in delivering local services; the fragmentation of responsibilities between so many public agencies also affects the services local people receive. Sometimes these agencies work well together as a team. But sometimes co-operation gives way to conflict and local people

lose out. And even where the council runs the services, co-ordination between departments often leaves a lot to be desired.

The quality of local services is too variable; the best of the public sector is excellent but too many public bodies are content with the mediocre. And sometimes things are so bad that the government has to intervene.'

(Blair, 1998, p.6).

From this analysis, the nature of the modern local authority is derived, that Councils should focus on their role as leaders of local communities by developing a clear vision for their locality, organising and supporting partnerships and guaranteeing quality services for all.

As a definition of role, it is as significant for it omits as for what it includes. Fundamentally, what is being described is a role in which the direct delivery of a service or services to local communities is not central to the purpose of the local authority. Rather, the key words are about 'vision', 'partnership' and the 'guarantee of quality'. The 'modern' local authority can be described separately from the services it historically provided. Their direct provision is therefore an optional activity.

The nature of leadership which is prescribed does not rest in the pamphlet upon an explicit analysis of the relationship of leadership and authority. It does not explain the way in which a vision for the locality

largely divorced from the means of achieving it can have legitimacy. This leads to a characteristic gesture of modernisation regarding the notion of leadership. Blair looks to a vision of efficient, modernised councils, acting in support of national priorities to common quality standards. The vision of leadership is one that reflects priorities determined by national leaders, towards which local authorities help to lead their areas.

However, other commentators advance different analyses of the nature of civic leadership. For example, Heifetz observes:

‘ in a crisis we tend to look for the wrong kind of leadership. We call for someone with answers, decision, strength, and a map of the future, someone who knows where we ought to be going - in short someone who can make hard problems simple .’

(Heifetz ,1994, p.2).

He argues, however, that a desire for such leadership is misplaced. After describing a number of profoundly difficult social and economic issues, including in his American context poor public education, he observes that:

‘to meet challenges such as these, we need a different idea of leadership and a new social contract that promote our adaptive capacities, rather than inappropriate expectations of authority. We need to reconceive and revitalise our civic life and the meaning of citizenship’.

(Heifeitz, 1994, p.2).

The Blair pamphlet does not deal with the notions of adaptive citizenship. In laying out a role for the local authority in community leadership which is conditional - both in its legitimacy and on judgements of its adequacy upon central government, rather than upon the judgements of local voters - the role for local government outlined in the pamphlet presents both an opportunity and a threat to local governance. The kind of role which is outlined seeks to reconcile the need the government perceives for a strong centre of local renewal, with the distrust of the local authority as a provider of services, and potential source of dissent. It follows therefore that leadership can only be demonstrated through partnership, rather than direct action. Quality of provision, rather than active, adaptive, citizenship, is to be the goal.

Historically, however councils had seen service provision as their core function and had organised their political and management structures around such concerns, with Committees, for example, Housing, Social Services, Direct Labour (such as waste disposal) and Education. These have existed with their associate chairmanships, vice chairmanships, opposition spokespersons and officers, many reflecting local political standing and the creation of traditions of service. What was being proposed was not only a different operational future but also one with cultural values about what was important within an organisation rather different from that which largely existed.

Just as modernising the teaching profession required cultural change, with adherence to the values of performance rather than professional independence, so the modernising of local governance required cultural change, encouraging adherence to priorities of a central government. As the illustrative example of Coketown indicates, such cultural change was, for some authorities, impossible to achieve.

The development of more sophisticated techniques of inspection and audit would underpin cultural change and reward adherence. Giddens indicated that effective auditing was a characteristic of effective business practice. (Giddens, 1998, p.74 -75). This notion of the prevalence of audit, within both private and public spheres, was commented on by Power. He describes audit as a 'ritual of verification'. In this sense,

'auditing is not merely a collection of technical tasks but also a programmatic idea circulating in organisational environments, an idea which promises a certain kind of control and organisational transparency'.

(Power, 1997, p.122).

The effectiveness of the process of audit to achieve both transparency and control has been central to its place within the performance management of local authorities by central government. Power goes on, his language describing this process using theatrical metaphors:

‘Auditing has the character of a certain kind of organisational script whose dramaturgical essence is the production of comfort’.

(Power, 1997, p.123)

He makes distinctions between auditing and inspection, investigating the degree to which audit, like inspection, is essentially adversarial and exposes the tension between ‘comforting’ and ‘criticising’ in a way which has implications for the role of auditing and inspection as a basis for public policy:

‘The notion of inspection is ambiguous and slippery precisely because it may (and usually does) involve a mix of methods and styles; the pure or ideal inspectorate, which automatically enforces a set of norms or benchmarks, exists only in the textbooks’.

(Power, 1997, p.129).

From this, Power identifies the significance of the development of self assessment as part of both audit and inspection processes:

‘ pressures for voluntary service improvement rather than external sanction have emerged as the primary corrective tool. Even though inspection practices may adopt more of this audit style in their mode of operation and may start to trust more in the self regulating capability of self regulating organisations, it is the existence of formal possibilities for *independent escalation* which marks an operational boundary between audit and inspection’.

(Power, 1997, p.132 italics in original)

The process of 'independent escalation', decided by central government, as well as forming the 'operational boundary between audit and inspection', also defines the capacity of the performance culture to change local government in general and, in its application through outsourcing, to change Local Education Authorities in particular. This possibility of independent escalation is a further characteristic of modernisation. Just as new ways to provide schooling were explored - through academies replacing failing schools, or performance management exposing the limitations of teachers - so inspection and intervention by government would be the incentive for voluntary improvement in local authorities. Such intervention would carry authorities closer to the role of enabler rather than provider of services in their localities. The drama of such activity, its public nature and the theatricality of intervention, form part of its power to enforce change.

The business of education improvement

Within a context in which the delivery of services has been established as an optional activity for local councils and replaced by options of procurement or brokering, and a system in which rituals for the verification of performance had been created, then the effectiveness of a Council's arrangements become the key criteria for judgements upon it. The decision on whether to deliver public services through directly employed public servants or through other means is one for local authorities to take, although there is some evidence that private sector provision may be seen

as in some ways preferable, or at least more 'modern', by central government.

As the DfES Five Year Strategy indicates:

'At all levels – under fives, primary, secondary and post-16 – Local Authorities should recast themselves as the commissioner and quality assurer of educational services, not the direct supplier, a role which enables them to promote the interests of parents and pupils far more confidently and powerfully than the old days of the Local Authority as direct manager of the local schools and colleges.'

(DfES, 2004(b), para 48, p.55)

This 'commissioning' role is a description of the relationship between a council and a contractor in an outsourced LEA. Its advocacy by DfES can be perceived in the actions of government. On 8 March 2005, the Chief Executives of Councils which are LEAs were invited by the Confederation for British Industry to a seminar on education issues. The keynote speech was by Stephen Twigg, then Minister of State for School Standards. The purpose of the event was 'to reflect on government policy on LEA market management and consider what lessons can be learnt for future policy' (letter of 8 March 2005 from Marie de Guzman, Head of Marketing, CBI Public Services Directorate).

Sitting behind the invitation, and attached to the letter, was an unsigned

report, 'The business of education improvement: Raising LEA performance through competition' (Copyright CBI 2005). This report claimed to discern improvement in pupil performance as measured by Key Performance Indicators (KPIs) in the nine private sector outsourced LEAs in which there had been intervention, compared to control groups of all LEAs, eleven non-outsourced failing LEAs, a control group of LEAs that had similar education attainment levels in 2000 and a control group of LEAs that had 'similar levels of attainment and organisational dysfunction in 2000' (CBI, 2005, p.25).

The Executive Summary indicates that:

- the nine private sector-outsourced LEAs improved more than the average of all LEAs in England;
- the performance of the nine private sector-outsourced LEAs improved more than the average performance of the 11 failing non-outsourced LEAs:
 - the nine private sector outsourced LEAs improved more than LEAs that had similar low levels of educational attainment in 2000
 - the nine private sector-outsourced LEAs improved more than LEAs that had similarly low levels of educational attainment in 2000 and were failing as organisations.

The one KPI where private sector interventions did less well than comparator groups was the number of pupils gaining one or more GCSE at A* to G. But the difference between comparator performances in every

case was less than one percentage point (CBI, 2005, p.5)

The KPIs chosen for the research were:

- Maths and English at Key Stage 2;
- Maths, English and Science at Key Stage 3;
- Pupils gaining five or more GCSEs at A* to C and
- Pupils gaining one or more GCSE at A* to G.

The report justifies this choice 'because they were the educational outcomes of most concern to the users of education services' CBI 2005 p5) (although no evidence is given as to who these 'users' are, nor how their concerns were discerned). In the report, however, there is no information in relation, for example, to inclusion, to special needs, to exclusions or to value added measures.

Nevertheless, the 'Operational analysis' concludes:

'A combination of political will, decisive leadership, improved governance, effective contracting and performance management contributed to the success of the intervention programme'.

(CBI, 2005, p.5)

The Appendix of the document gives the source information of these conclusions. The numerical data is given in tabular form, with the twenty 'failing' LEAs listed alphabetically. The private sector out-sourced LEAs are not identified in the statistical analysis of percentage change in KPIs table, nor in the table of Annual Data for KPIs 2000 and 2004. There is

an additional table indicating the period of intervention arrangements and also the number of intervention years and months within the statistics period for the outsourced LEAs.

The key claims – that improvement in the outsourced LEAs went ahead of other ‘failing’ LEAs and the England average – rest presumably on the information on average KPI changes between 2000 and 2004. The relevant figures from the table are:

Private sector/outsourced +3.6%

Public partnership/non-outsourced +2.3%

All 150 LEAs average +1.6%

The nine private sector out-sourced LEAs include four from Inner London Boroughs: Hackney, Haringey, Islington and Southwark. None of the public partnership LEAs is in Inner London, although one – Redbridge – is in Outer London. Using the data in the document, comparing the rate of improvement of the Inner London LEAs with the other outsourced LEAs and with the other comparable ‘intervention’ non-inner London authorities gives the result below:

Inner London out-sourced LEAs +4.55%

Other out-sourced LEAs +2.3%

Non-outsourced ‘intervention’ LEAs +2.3%

All interventions +2.9%

An alternative analysis of the statistical information in the report ,

therefore, is not that out-sourcing is generally more effective than other interventions (which the report itself claims), but rather the more focused one that outsourcing in London has achieved a rate of improvement ahead of outsourcing elsewhere; that the rate of improvement in outsourced and non-outsourced 'intervention' LEAs in the rest of England is identical; and that intervention generally has led to improvement ahead of the national average. Since no 'failing' Inner London Borough had a 'public partnership' or intervention other than through out-sourcing there can be no data comparing the effectiveness of out-sourcing in inner London with public partnership intervention in inner London.

In the Executive summary, the report characterises itself as:

'the first qualitative and quantitative analysis of the impact of government intervention in failing local education authorities (LEAs) using the private sector....Its purpose is to provide an evidence-based assessment of the impact of government policy, the lessons learned and the implications for future policy objectives.'

The LEA services market has been chosen for this study because of the government's explicit policy objective of creating a new market in education services. At the time, the development of this new market was a radical and groundbreaking approach to tackling poor education performance.'

(CBI, 2005, p.5)

This indicates the underlying intention of the document. It is not fundamentally about trying to explain and understand government intervention: it is seeking to persuade the influential readership (who may well not get beyond its 'Executive' summary) of the virtues of private sector involvement. The need for this persuasion is given later in the document, described as 'Issues'. The document considers 'Intervention Policy' and concludes:

'The government's early contribution was significant and innovative. It created the conditions within which an initial market could be established that actively encouraged new entrants into the market.

But despite the initial success of the policy, the market in major LEA outsourcing has failed to move beyond early interventions. The government's belief that voluntary partnerships would emerge over time has proved to be misguided.

The failure to develop the market beyond the initial intervention process stemmed, in part, from the apparent stigma associated with public-private partnerships (PPPs). Also significant was an underestimation of the cultural and political resistance from local authorities to a change in their role from direct providers to commissioners of services'

(CBI, 2005, p.6)

This analysis of the limited growth of the market does not recognise the degree to which public sector bodies changed their own behaviour in the new culture of performance and also became more focused upon outcomes. The degree to which the second round of the inspection process of LEAs by Ofsted failed to produce more candidates for outsourcing reflects that. Indeed, the inspection judgement of Coketown during that round of inspection was the best it received, along with a number of other LEAs.

Nevertheless, the report identifies market development as a genuine issue for future policy development. At the 2004 National Audit Office PFI/PPP Conference in London on 22 June 2004, Chris Hyman, Chief Executive of Serco Group plc, speaking on the topic of 'A Contractor's Perspective on Dealing with Change', began his presentation by saying:

'Serco comes to this issue as a public service provider. More than 90% of our business is with government. And unlike many of our competitors, we are often engaged in delivering front-line services across a wide range of sectors – health, education, justice, transport, science, defence and local government.

We are engaged in close partnerships with government in managing Local Education Authorities at Bradford and Walsall'.

(Hyman, 2004))

He goes on to mention the range of other public sector interests of the company. In discussing issues around contracting, and in particular around bidding costs, he says:

‘Bid costs are eventually paid for by the customer and the taxpayer – either explicitly through a ‘winner pays loser’ mechanism (after which the winner adds it to their price) or indirectly through increases in the market’s cost base..’

(Hyman, 2004)

It follows from this that the outsourcing process can create a funding stream for private sector operations regardless of their success in winning contracts, not through delivering services but simply from being in the market and producing bids. The operation of this market, rather than reducing costs to the taxpayer, in fact increases them, since the costs of failed bids are eventually funded by the public sector alongside the service which is being procured.

Another senior private sector manager, Kevin Beeston, Chairman of Serco Group plc, speaking, at the 5th Annual Public Private Partnerships Global Summit, held in Prague on 2 November 2004, on the topic of ‘The Operator’s Perspective on Risk and Uncertainty in Long-Term Contracts’, reflected on a United Kingdom experience:

‘In the United Kingdom, we have two similar contracts to turn around failing public services. Contract A is performing

exceptionally well in terms of service outcomes and delivering acceptable returns; contract B is turning around more slowly, and for that reason is performing much less well in financial terms.

The challenges are roughly the same. And the company is the same. What accounts for the difference in performance?

The major difference, as we see it, lies in the structure of the contracts – Contract A uses a more flexible contracting model and performance regime compared to Contract B.

For example, at Contract B, the performance measures were negotiated at a time when very little was known – on either side – about the delivery of the service in question, and they are set five years in advance.

In the case of Contract A, only a small part of the service was contracted to begin with – although this was more by accident than design. But this enabled both parties to study the issues associated with performance improvement before writing the larger contract. Moreover, targets are set every year based on the previous year's performance.'

(Beeston, 2004)

Although Beeston does not name the contracts, it is reasonable to

speculate they are those named by Hyman during his speech in June. If this is the case, then Contract B may well be Bradford, and Contract A would therefore be Walsall. Comparing the position of those two outsourcing contracts using the data in the CBI report, the relative improvement in KPI performance is:

Bradford - average of KPI changes 2000-04 +3.2%

Walsall - average of KPI changes 2000-04 +2.0%

Although in absolute terms, the Bradford improvement is greater, in contracting terms it is performing 'less well in financial terms'. Because of the nature of contract, more modest improvement can lead to 'acceptable returns'. It follows from this that the contracting process carries with its own set of incentives, not always attuned to optimum performance. It is also interesting that Beeston refers to 'both' parties negotiating the enlarged contract in Contract A, rather than the multiple range of partners and stakeholders – schools, officers, members, DfES officials and ministers – one might presume to have been involved in the process. For the contractor, there is ultimately one client, in this case central government. Satisfying other partners may be the route to satisfying the client, but only if the contract makes that clear.

Given the possibilities for the private sector within the business of education improvement, and their frustration with local authorities not entering into voluntary partnerships, the CBI makes a number of recommendations.

- Public service education markets need effective management
- A capacity and enthusiasm for learning is crucial to sustained improvement
- Create incentives to support future strategies
- International competitiveness

(CBI, 2005, p.3)

What is proposed is a series of interventions by DfES to secure the position of the private sector in the supply of LEA services, given new significance by the 'greater commissioning role for local authorities... implicit within the 2004 Children Act and the major programme of infrastructure renewal, Building Schools for the Future' (CBI, 2005, p.6).

These measures include extending the range of partnerships beyond failing authorities, providing incentives (both financial and regulatory) to encourage the use of private contractors, increasing the challenge to local authorities under the CPA regime and providing high profile support by ministers.

The degree to which these recommendations will be enacted is as yet unclear. However, *Public Servant* on 28 January 2005 contained a story headlined, 'Private education sector spies business as Corry joins DfES', referring to the secondment of Dan Corry to the DfES from the New Local Government Network to work as a strategic adviser to the Education Secretary. Corry is quoted as saying:

'local government is not necessarily about delivering services, or even purchasing or funding them, but rather about influence and levers...through regulation, scrutiny and empowering local communities'.

The process of shift in power and responsibility between partners in the education project, given impetus by Callaghan, appears likely to accelerate rather than slow down. Cory is advocating a position for local authorities in relation to the provision of services beyond that of the IPPR pamphlet and the policies which followed it.

However, other changes, more profound in their implications for schools and local authorities are emerging from concerns which are neither directly related to the performance of schools nor to the efficiency of councils in their efforts to support them.

The LEA is dead, long live the CSA!

The headline, taken from an article in the *Education Journal*, issue 85, p6, refers to The Children Act (2004). The cumulative effects of a more or less exclusive focus on issues of performance within the education service has been paralleled by the development of another strand of thinking, given emphasis and direction by the national concerns following the death of Victoria Climbié. The resulting enquiry, and publication of the Green Paper, 'Every Child Matters' (DfES, 2004(a)) led directly to The Children

Act (2004). As a consequence of The Children Act (2004), the requirement on local authorities with education and social services responsibilities to appoint suitable chief officers for both those roles is revoked. In its place is a duty to appoint a Director of Children's Services and a Director for Adult Social Services. Local Education Authorities become Children's Services Authorities and are required to identify a Lead Member for Children to carry local political responsibility for all matters within the Council's responsibility for children and to seek to draw together other public, private and voluntary sector activity in that area.

In the DfES Five Year Strategy for Children and Learners, the outline of these proposals is discussed, perhaps puzzlingly, in Chapter 2, which deals with Early Years. It describes the Green Paper, 'Every Child Matters', as heralding 'a sea change in services for children' (DfES, 2004(b), Chapter 2, para. 31, p.27) and therefore of significance for all children and young people up to the age of 19.

There are profound discontinuities of thinking within the Strategy, so much so that it could be characterised as at least two, largely incompatible, strategies. This is clear even in the Foreword by the Secretary of State for Education and Skills - in which mention is made of Callaghan's Ruskin College speech in 1976 and the Great Debate which followed it, an interesting insight into the degree to which those events continue as a reference point in New Labour thinking. The Foreword calls for a system which is 'both freer and more diverse' (DfES, 2004(b), p.4) but also one in

which 'the parts of the system are (and are seen as being) interlinked and interdependent (p.5). The document sees the resolution of this apparent paradox as 'collaboration and partnership', 'some local brokerage', both local government and local agencies offering 'leadership and strategic direction' and 'really smart accountability'.

The issues are most polarised in relation to secondary education, where the Five Year Strategy envisages 'independent specialist schools in place of the traditional comprehensive – a decisive system-wide advance' (DfES, 2004(b), Chapt. 4, para.3 p.44), 'More Academies, which operate as independent schools within the state system' and 'the creation of other new schools to meet parental demand' (para.4). 'Successful and popular' (para.19, p.48) secondary schools will be able establish their own sixth forms and all secondary schools will be 'free to own their own land and buildings, manage their assets, employ their staff, improve their governing bodies, and establish or join charitable foundations to engage with outside partners' (para.20, p.48). This reduction of the system to its constituent elements – the individual schools – precisely enacts Chubb and Moe's prescription for successful schools in terms of their degree of separation from local authorities and assumes that the sum of their individual decisions will translate automatically into public good. In his Foreword, the Secretary of State indicates this will lead to the 'central characteristic' of this system being 'personalisation – so that the system fits to the individual rather than the individual having to fit to the system' (DfES, 2004(b), p.4).

In this context, the role of the Local Authority is described in the Strategy., as 'to champion the interests of parents and pupils in their localities....At all levels...Local Authorities should recast themselves as the commissioner and quality assurer of educational services, not the direct supplier..' (Chapt. 4, para.48, p.55), reflecting the influence of CBI thinking on policy making.

This Local Authority role is only loosely related to that outlined for Directors of Children's Services (and Lead Members, although they are omitted from the text of the Strategy) elsewhere in the document. The role there is to 'be responsible for all Local Authority children's services, while Children's Trusts will bring together social care, education and health to make sure that competing priorities no longer get in the way of the best deal for children (para.31, p.27). Alongside this, 'There will be a duty placed on Local Authorities and others to co-operate to secure better outcomes for children. The key vehicle for doing this will be the Children's Trust' (para.33, p.27).

As a consequence of the influence of the view that they should be 'free', schools are not included among those bodies with a duty to co-operate to secure better outcomes for children. Taking into account their independence within the new strategy, they clearly cannot be 'commissioned' by a Director of Children's Services. The inescapable conclusion therefore is that, within the Strategy, schools are not seen as services for children. The role of Local Authorities, described as

‘champions’ of children but more likely, within this framework, as ‘petitioners’ on their behalf, looks increasingly problematic.

The territory to be inhabited by Children’s Trusts is essentially that contested area where the responsibility of individual agencies either overlapped or did not meet. As such, the establishment of bodies – described as ‘not new statutory bodies’, but rather ‘partnership bodies which give effect to the new duties to cooperate in promoting the well-being of all children’ (insert panel p.27) – does not of itself solve any uncertainties but rather gives rise to issues of governance, authority, accountability and professional practice, none of which are addressed in the Strategy document. Essentially, localities will need to find their own solutions to these complex matters by creating local accords, local structures (being described by government officials as ‘Trust-like arrangements’), and new forms of professional practice.

What is clearer is the assessment framework which will be used to test success or compliance. All Children’s Services Authorities were obliged to submit an Annual Performance Assessment statement to Ofsted by the beginning of June 2005 to form the basis of the CPA judgements for 2005. In addition, a programme of inspections of Children’s Services Authorities has been announced, ensuring that all CSAs are inspected on a four year cycle.

Just as the Ofsted inspection framework for Local Education Authorities changed to encompass greater self audit, so the developing framework for inspection of services for children requires Authorities to grade themselves on a four point scale, numbers 1 and 2 being in various degrees unsatisfactory, and 3 and 4 both being above average. The Strategy indicates that within the context of the 'new integrated inspection framework' there can be, where services are failing, 'decisive action to put them right'. Power's concept of 'independent escalation' is embodied in the new arrangements and could connect directly to the CBI's advice regarding the private sector's appetite for further involvement, either on a voluntary or directed basis.

In this way, particular characteristics of the modernising project – assessment and inspection of public agencies, a distinction between responsibility for services and their provision, a further distancing of schools from local democratic structures and the possibility of intervention – are being carried forward into the new arrangements. The purposes however are broadened beyond assessed pupil attainment to include what are described as five outcomes for children – being healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well-being. (DfES, 2004(a)). As such, the issues to be addressed by Children's Services Authorities have a clearer and more compelling base than the pursuit of administrative efficiency.

Conclusion

Connections and loose ends

At the start of this undertaking, I was seeking to understand what I identified as a series of related questions related to modernisation:

- whether it existed as a coherent policy beyond its rhetoric;
- whether it had the capacity to produce transformation within an education service;
- whether it was in reality 'new' or a re-presentation of earlier intentions and actions; and
- whether modernisation was an active concept in the beliefs and actions of those performing within the framework it creates.

In the light of this study, I have found that, overall, modernisation seeks to respond to issues in the English school system as identified and conceptualised in the debates about education policy in which Callaghan's Ruskin College speech was a key event. By accepting an analysis which identified issues of choice, utility and measurable performance as those which were central to the educational project, modernisation became inextricably linked to the policy initiatives which preceded it as government sought to reform the school system. In this way, there is more policy continuity than departure in the modernising project but to characterise it as 'more of the same' would be inaccurate. Crucially, it has left the basis of the management of the education service established under the Education Reform Act (1988) largely untouched. By doing that, modernisation has sought reform within the system rather than creating a new one.

However, the flexible theoretical base of third way political analysis has enabled New Labour to advance some of its intentions in radical ways. For example, the position of all secondary schools as a result of the Five Year Strategy will be more independent of local authorities than even the relatively few Grant Maintained schools were under the previous Conservative administration. Alongside this, while disbanding the associated Funding Agency for Schools, DfES will virtually become such a body for all rather than for a minority of schools in England. These are extensions and variations on policy themes and administrative solutions, rather than profound new conceptualisations of the purpose of schooling and its provision. New Labour has continued with the logic of the inspections of LEAs with a programme of intervention to deal with their consequences. It has continued to regard local authorities with suspicion and to draw power from them towards appointed bodies and agencies and to individual schools. However, by making those choices, it has not pursued whole system change, either towards the withdrawal of the central state from provision and placing trust in markets, or towards detailed control of institutions from the centre. Rather, through a complex network of shifts in power and responsibility, inspection, performance management processes and intervention at institutional and local authority level, it has sought to make what is, essentially, the system inherited from the previous administration run better.

Having said this, modernisation has sought different ends from these means. Competition and devolution have ceased to be ends in

themselves; they have become related to a stated set of intentions around social justice. Independent Specialist Schools will be expected to channel and use their freedom rather than simply to enjoy to it. Similarly, councils are offered opportunities to inhabit new territories around community leadership without that role being prescribed or confined by central direction. In policy terms, it has rediscovered the question of the cities and recognised that schools alone cannot solve them but can be part of that solution. The operation of intervention at local authority level, alongside wider local government changes, has provoked experimental approaches to governance, challenging local authorities to demonstrate effectiveness and engagement through the creation of new relationships with private sector companies.

In these ways, 'modernisation' has been a source of energy rather than a concept, a justification for change rather than its method. Because of this, inevitably, it has lacked the core identification with values which give ideologies their power and therefore it has lacked the capacity to engage. It has meant more to some than to others. 'Modernisers' have not always felt they were modernising; even some of its actors seem to have thought their parts were in other, earlier, plays. As a result it has, yet to achieve its own momentum at local level. The engagement with the private sector continues to be largely contingent upon failure rather than upon a conviction that it is, of itself, preferable. The experience of Coketown, where improvement followed intervention, offers only limited support to a view that it introduces a clearer focus upon performance and outcomes.

The central act of contracting became largely subverted by the partners to the contract. Public service values and the search for a common purpose reasserted themselves and displaced the intended performance culture.

The changes flowing from The Children Act (2004) may prove to be more decisive in reforming the purposes of schools and their relationships with local authorities and government. Those changes do not have their roots in third way thinking, nor indeed in the prolonged attempts by government to resolve the question as to whether, in the education system, more, inevitably, means worse. Rather, their roots lie outside the education system and its preoccupation with 'standards'. They lie in the recognition that all of the public services have other, more profound, duties towards their populations. In particular, they are to ensure that no child in future dies such a death as that endured by Victoria Climbié.

Bibliography

Amis, K. (1971), *Pernicious Participation*, in Cox, C.B. and Dyson, A.E. (ed) (1971), *The Black Paper on Education*, London: Davis Poynter.

Avis, J., Bloomer, M., Gleeson, D. and Hodkinson, D. (1996), *Knowledge and Nationhood : Education, Politics and Work*, London: Cassell.

Ball, S.J. (1990), *Education, Inequality and School Reform : Values in Crisis ! An Inaugural Lecture*, London: Kings College London.

Ball, S.J. (1994), *Researching Inside the State*, in Halpin, D. and Troyna, B. (ed) (1994), *Researching Education Policy: Ethical and Methodological Issues*, London; Washington: Falmer Press.

Ball, S.J. (1998), *Performativity and fragmentation in post modern schooling*, in Carter, J. (ed.) (1998), *Postmodernity and the Fragmentation of Welfare*, London: Routledge.

Ball, S.J., Maguire, M. and Macrae, S. (2000), *Choice, Pathways and Transitions Post 16 : New youth, new economics in the global city*, London: Routledge/ Falmer.

Barber, M. and Dann, R. (1996), *Raising Educational Standards in the Inner Cities: practical initiatives in action*, London: Cassell.

Beeston, K. (2004), *The Operator's Perspective on Risk and Uncertainty in Long-term Contracts: speech at 5th Annual Public Private Partnerships Global Summit*, Prague, November 2004: www.serco.com.uk.

Blair, T. (1996), *Speech at Ruskin College, Oxford, 16 October 1996*: www.leeds.educol/documents/000000084.htm

Blair, T. (1997), *Speech to Labour Party Annual Conference, September 1997*: news.bbc.co.uk/1/hi/uk-politics/3697434.stm

Blair, T. (1998), *Leading the Way – A new vision for local government*, London: Institute for Public Policy Research

Blair, T. (1999), *Speech at NAHT Annual Conference, Cardiff, 1999*: news.bbc.co.uk/1/hi/education/specials/unions99/358110.stm

Blair, T. (2003), *Where the Third Way Goes from Here*, The Policy Network: www.policy-network.net

Bowe, R. and Ball, S.J. with Gold, A. (1992), *Reforming Education and Changing Schools : Case studies in policy sociology*, London: Routledge.

- Bridges, D. and Husbands, C. (ed.) (1996), *Consorting and Collaborating in the Education Market Place*, London: Falmer.
- Broadfoot, P. (2001), Empowerment or Performativity? Assessment Policy in the late twentieth century, in Phillips, R. and Furlong, J. (ed) (2001), *Education, Reform and the State: Twenty-five years of politics, policy and practice*, London; New York: Routledge/ Falmer.
- Callaghan, J. (1976), 'Towards a national debate', reprinted in *Education*, 22 October 1976: p.332-3.
- Carter, J. (ed.) (1998), *Postmodernity and the Fragmentation of Welfare*, London: Routledge.
- Central Advisory Council for Education (England) (1967), *Children and their Primary Schools*, London: HMSO 556.
- Chitty, C. (1992), From Great Debate to Great Reform Act: The Post War Consensus Overturned, 1976 – 88, in Rattansi, A. and Reader, D. (ed.) (1992), *Rethinking Radical Education: Essays in Honour of Brian Simon*, London: Lawrence and Wishart.
- Chitty, C. (2002), *The Right to a Comprehensive Education : the Second Caroline Benn Memorial Lecture, November 2002:*
www.socialisteducation.org.uk/CB2.htm
- Chubb, J.E., and Moe, T.M. (1990), *Politics, Markets and America's Schools*, Washington D.C.: The Brookings Institute.
- Chubb, J.E. and Moe, T.M. (1992), *A Lesson in School Reform from Great Britain*, Washington D.C.: The Brookings Institute.
- Confederation for British Industry (2005), *The business of education improvement: Raising LEA performance through competition*, (copyright CBI 2005).
- Cox, C.B. and Dyson, A.E. (ed.) (1968), *Fight for Education, A Black Paper*, London: Critical Quarterly Society.
- Cox, C.B. and Dyson, A.E. (ed.) (1969), *Black Paper Two, The Crisis in education*, London: Critical Quarterly Society.
- Cox, C.B. and Dyson, A.E. (ed.) (1970), *Black Paper Three, Goodbye Mr. Short*, London: Critical Quarterly Society.
- Cox, C.B. and Dyson, A.E. (ed.) (1971), *The Black Paper on Education*, London: Davis Poynter.
- Cox, C.B. and Boyson, R. (ed) (1975), *The Fight for Education: Black Paper 1975*, London: Dent.

- Cox, C.B. and Boyson, R. (ed.) (1977), *Black Paper 1977*, London: Maurice Temple Smith.
- Dale, R. (1989) *The State and Education Policy*, Buckingham: Open University Press.
- de Guzman, M. *letter to Chief Executives of Councils 8 March 2005*, Confederation of British Industry
- Department for Education (1992), *Choice and Diversity: A new framework for schools*, London: HMSO.
- Department for Education and Employment (1996), *Self Government for Schools*, London: HMSO.
- Department for Education and Employment (1997), *Excellence in Schools*, London: HMSO.
- Department for Education and Employment (1999), *Excellence in Cities*, London, DfEE Publications.
- Department for Education and Science (1977), *Education in Schools: a Consultative Document*, London: HMSO.
- Department for Education and Science (1985), *Better Schools*, London: HMSO.
- Department for Education and Skills (1999), *Code of Practice on Local Education Authority – School Relations*, London; HMSO.
- Department for Education and Skills (2001), *Code of Practice on Local Education Authority – School Relations*, London: HMSO.
- Department for Education and Skills (2001), *Schools; achieving success*, London; HMSO.
- Department for Education and Skills (2003), *The Education (Specified Work and Registration) (England) Regulations 2003*, DfES/0538/2003.
- Department for Education and Skills (2004)(a), *Every Child Matters*, London: HMSO.
- Department for Education and Skills (2004)(b), *Five Year Strategy for Children and Learners*, London: Stationery Office.
- Department for Education and Skills (2005), *Youth Matters*, Cm 6629.
- Department of the Environment, Transport and the Regions (1999) *Guidance on the Local Government Act 1999 – Circular 10/99*.

Education Journal, issue 85, Harlow: Longman.

Dickens, C. (1854), *Hard Times*, reprinted (1970) Penguin English Library, London: Allen and Unwin.

Giddens, A. (1998), *The Third Way: The Renewal of Social Democracy*, Cambridge: Polity Press.

Gorard, S. and Taylor, C. (2004), What is triangulation? in *Building Research Capacity, February 2004*, Cardiff: Economic and Research Council.

Grace, G. (1984), *Education and the City: theory, history and contemporary practice*, London: Routledge and Kegan Paul.

Gretton, J. and Jackson, M. (1976), *William Tyndale: Collapse of a School, or a System?* London: Allen and Unwin.

Halpern, D. and Mikosz, D. (1998), *The Third Way: Summary of the NEXUS On-Line discussion*, www.netnexus.org/library/papers/3way.html

Halpin, D. and Troyna, B (eds.) (1994), *Researching Education Policy: Ethical and Methodological Issues*, London; Washington: Falmer Press.

Halsey, A.H. (1972), *Educational Priority: EPA Problems and Policies, Volume 1*, London; HMSO.

Hargreaves, I. and Christie, I. (ed) (1998), *Tomorrow's Politics: The Third Way and beyond*, London: Demos.

H.M. Government (July 2005), *Youth matters*, London: Cm 6629 HMSO.

Heifetz, R.A. (1994), *Leadership Without Easy Answers*, Cambridge Mass.: Belknap Press of Harvard University Press.

Husbands, C. (1996) Schools, Markets and Collaboration: New Models for Education Policy?, in Bridges, D. and Husbands, C. (ed) (1996), *Consorting and Collaborating in the Education Market Place*, London: Falmer.

Hyman, C. (2004), *A Contractor's Perspective on Dealing with Change*, speech at National Audit Office PFI/PPP Conference June 2004, www.serco.com.uk

Leadbeater, C. (1998), Welcome to the Knowledge Economy, in Hargreaves, I. and Christie, I. (ed) (1998), *Tomorrow's Politics: The Third Way and Beyond*, London: Demos.

Leonard, M. (1988) *The 1988 Education Act: A Tactical Guide for Schools*, Oxford: Blackwell.

Local Government Chronicle 27 November 1998.

Marland, M. (ed.) (1980), *Education for the Inner City*, London: Heinemann Educational.

McCullough, G. (2001), The reinvention of teacher professionalism, in Phillips, R. and Furlong, J. (ed) (2001), *Education, Reform and the State: Twenty-five years of politics, policy and practice*, London; New York: Routledge/ Falmer.

Midwinter, E. C. (1975), *Education and the Community*, London: Allen and Unwin.

Office of the Deputy Prime Minister (2005), *Local Government Pay and Workforce Strategy 2005*, London: HMSO.

Office for Standards in Education (Ofsted) (1993) *Access and Achievement in Urban Education*, London: HMSO.

Ofsted (1997 and subsequently annually), *The Annual Report of Her Majesty's Chief Inspector of Schools: Standards and Quality in Education*, London: HMSO.

Ofsted (1999), *Framework for the Inspection of Local Education Authorities-Revised July 1999*, London: HMSO.

Ofsted (2001), *Framework for the inspection of Local Education Authorities*, London: HMSO.

Ofsted (2002), *Framework for the inspection of Local Education Authorities*, London: HMSO.

Ofsted (2004), *Framework for the inspection of Local Education Authorities*, London: HMSO.

Organisation for Economic Co-operation and Development (1994) *School: A Matter of Choice*, Paris: OECD.

Ozga, J. (2000), *Policy Research in Educational Settings: Contested Terrain*, Buckingham: Open University Press.

Perri, G. (1998), Problem Solving Government, in Hargreaves, I. and Christie, I. (ed) (1998), *Tomorrow's Politics: The Third Way and Beyond*, London: Demos.

Phillips, R and Furlong, J. (ed) (2001), *Education, Reform and the State: Twenty-five years of politics, policy and practice*, London; New York: Routledge/ Falmer.

Phillips, R. (2001), Education, the State and the Politics of Reform, in Phillips, R and Furlong, J, (ed) (2001), *Education, Reform and the State: Twenty- five years of politics, policy and practice*, London; New York: Routledge/ Falmer.

Power, M. (1997), *The Audit Society: Rituals of Verification*, Oxford: Oxford University Press.

Power, S., Edwards, T., Whitty, G. and Wigfall, V. (2003), *Education and the Middle Class*, Buckingham; Philadelphia, P.A. :Open University Press.

Public Servant, 28 January 2005.

Public Servant, 25 February 2005.

Raab, C.B. (1994), Where We Are Now: Reflections on the Sociology of Education Policy, in Halpin, D and Troyna, B (ed) (1994), *Researching Education Policy: Ethical and Methodological Issues*, London; Washington: Falmer Press.

Radnor, H.A. and Ball, S. (1996), *Local Education Authorities: accountability and control*, Stoke-on-Trent: Trentham Books.

Rattansi, A. and Reeder, D. (ed) (1992), *Rethinking Radical Education: Essays in Honour of Brian Simon*, London: Lawrence and Wishart.

Rogers, S. (2001), unpublished paper given at Wolverhampton City Council.

Scott, D. (2000), *Reading Educational Research and Policy*, London: Routledge/ Falmer.

Simon, B. (1991), *Education and the Social Order: 1940 – 1990*, London: Lawrence and Wishart.

Smart, B. (1983), *Foucault, Marxism and Critique*, London: Routledge and Kegan Paul.

Taylor, G. and Saunders, J.B. (1976), *The Law of Education*, London: Butterworth.

Taylor, M. (2002), *PERC. Annual Lecture*, Political Economy Research Centre, University of Sheffield: www.shef.ac.uk/uni/academic/N-Q/perc/lectures/taylorbio.htm.

Tooley, J. (2000), *Reclaiming Education*, London: Cassell.

Whitty, G. (2002), *Making Sense of Education Policy: Studies in the Sociology and Politics of Education*, London: Paul Chapman; Thousand Oaks, Calif.: Sage.

Whitty, G., Power, S. and Halpin, D. (1998), *Devolution and Choice in Education : The School, the State and the Market*, Buckingham: Open University Press.

Wilkinson, D. and Applebee, E. (1999), *Implementing Holistic Government: Joined-up Action on the Ground*, Bristol: The Policy Press.

Woodward, Will (2001), *The Guardian*, 16 October 2001.

Young, M. F. D. (1998), *The Curriculum of the Future: from the 'new sociology of education' to a critical theory of learning*, London: Falmer Press.

Abbreviations

ACC – Association of County Councils

CBI – Confederation of British Industry

CEO – Chief Education Officer

CERI – Centre for Educational Research and Innovation

CPA – Comprehensive Performance Assessment

CSA – Children’s Services Authority

CTC – City Technology College

DES – Department of Education and Science

DfEE – Department of Education and Employment

DfES – Department for Education and Skills

FEU – Further Education Unit

FAS – Funding Agency for Schools

GMS – Grant Maintained Status

HMCI – Her Majesty’s Chief Inspector

HMI – Her Majesty’s Inspectors

KPI – Key Performance Indicator

KS – Key Stage

LEA - Local Education Authority

MSC – Manpower Services Commission

ODPM – Office of the Deputy Prime Minister

OECD - Organisation for Economic Co-operation and Development

OFSTED – Office for standards in Education

TVEI – Technical and Vocational Educational Initiative