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Exploring the re-legitimation of messages for health and physical education within contemporary English and Welsh curricula reform

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Abstract

This paper explores how messages for health and PE ([H]PE) within English and Welsh curricula are being re-legitimised through distinct performance and competence pedagogic models. Drawing upon Bernstein's sociology of knowledge (Bernstein, 1996; 2000) data was generated through a deductive content analysis of the contemporary statutory English National Curriculum for Physical Education (NCPE) and the new Curriculum for Wales (CfW), Health and Well-Being Area of Learning and Experience (HWB-AoLE). Findings illustrate how the current English and Welsh curricula are re-legitimising discourses for (H)PE through a more prominent emphasis placed on competency models whereby the educator and learner are given greater autonomy to control the transmission and acquisition of (H)PE messages. However, the curriculum documents are beset with contradictions that to an extent reproduce discourses of performativity and individualisation. Consequently, the paper emphasises the need for educators and policymakers to be given the opportunity for critical dialogue on the implications of re-legitimising messages through competency models for all educator and learner identities.

Key words: Curricula, Physical Education, Health, Bernstein, Competency, Performance, Pedagogical Models

Introduction

Contemporary advancements in health and physical education ([H]PE) curricula policy in England and Wales have responded to a plethora of increasingly diverse health, economic and social challenges (Authors, 2022) that are reflective of wider global trends with a move towards the marketisation of education (see Levin, 1998). Arguably, in relation to health, such trends continue to reflect what Bernstein has termed the Totally Pedagogised Society (TPS) (Bernstein, 2001, Evans et al., 2008) which emphasises the performative role of pedagogic discourses and practices realised in new modes of state governance and governmentality. Within the TPS, individuals are expected to routinely align with individualised practices in the interests of wider health, economic and social market ideologies. As such, these dominating global neoliberal ideas have increasingly been influential in the implementation of (H)PE that place emphasis on standardisation, measurable learning outcomes, accountability and the increased surveillance of learners and teachers through rigorous inspection systems (Penney and Evans, 2005; Evans and Penney, 2008; Penney et al, 2009; Rizvi and Lingard, 2010; Larsson, 2018). In education, and more specifically (H)PE, this knowledge often has a 'work and life' focus, which as Bonal and Rambla (2003) suggest, means that key discourses are driven by market values and as a result what is valued often changes.

Whilst such themes are not new to (H)PE in the UK, we would suggest that contemporary reform of English and Welsh (H)PE curricula are being re-legitimised in such a way that particular forms of pedagogical work around health and physical activity are now normalised to the extent they are becoming ingrained into the fabric of a contemporary (H)PE subject identity. As will be outlined in more detail later, new messages for and of health within revised (H)PE curricula in England and Wales invariably return to questions around how knowledge is distributed, who controls such re-legitimation and the (intended or otherwise) consequences of what Bernstein (1990) and Bernsteinian informed scholars (e.g., Aldous and Brown, 2010) have termed the acoustics of education. Such discussions are timely given the renewed focus on what the purpose of (H)PE is in relation to the transmission and reproduction of health discourses within UK and other national education systems (see Authors 2022; Young et al, 2021; Macdonald et al, 2020). Whilst this growing body of literature has placed emphasis on the enactment of curricula (Landi et al, 2021; Wilkinson et al, 2021; Gerdin et al, 2019; Alfrey et al, 2017), there remains opportunity to further explore the specific processes that enable different *messages* within contemporary curricula to be continually re-constructed, transmitted and subsequently re-legitimised through pedagogic models. ¹

With this in mind, the aim of this paper is to critically explore how messages regarding the changing purposes of (H)PE are being re-legitimised within English and Welsh (H)PE curricula policy. In doing so, the paper presents findings that

¹ Within his work, Bernstein (1990; 1996; 2000) uses the concepts of classification, framing and pedagogic discourse to explain that the pedagogic modalities that arise from this pedagogic recontextualisation form a complex range of pedagogic modes which are derived from two relatively distinct pedagogic models, 'competence' and 'performance' (Bernstein, 2000). Each model can be described in relation to its categories (i.e., Organisation of discourse, space, and time), evaluative criteria, pedagogic text, and degree of pedagogic autonomy/control (ibid).

addresses the following research question: How are messages of/for contemporary (H)PE re-legitimised through different pedagogical models found in contemporary curricula documents in England and Wales?

In addressing this question, we firstly utilise Bernstein's conceptualisation of the TPS to provide further insight into how recent policy reforms within England and Wales that have led to the emergence of a new curriculum in Wales and renewed debates regarding the focus of the National Curriculum for Physical Education (NCPE) in England. The paper then provides further detail regarding how Bernstein's concepts regarding competency and performance models (Bernstein 1996; 2001) have provided concepts for a deeper more nuanced understanding how messages and subsequent discourses of health, physical activity and education are constructed, reproduced and then re-legitimised within curricula policy in England and Wales. Drawing upon findings developed through a document text analysis, the paper will then discuss the ways in which messages of health are being re-legitimised through a mixture of competency and performance curricula pedagogies. The paper concludes by highlighting the need for providing educators and other stakeholders the opportunity for critical dialogue and support regarding the implications of these pedagogies on different educator and learner identities.

Context: The TPS, curriculum reform in England and Wales and the emergence of messages for health and well-being?²

As outlined in the later work of Bernstein (2001) and the work of Bonal and Rambla (2003) and Evans et al. (2008), within contemporary society individuals are expected by the state to constantly engage with routine work and practices in the pursuit of economic and health ideals that are forwarded by the state. Importantly, as illustrated in the work of Evans et al. (2008, p.388) a 'whole range of expertise, across a variety of sites is made available, seemingly to help the public, everywhere, avoid the 'risks' of modern-day living and achieve what they are expected to be (independent, successful and 'healthy'—which in western cultures is usually misrecognised and defined as 'being thin'). Furthermore, another central feature of this work is the focus on endless learning and trainability of individuals to engage with various practices of health and well-being.

Such features, illustrative of the TPS, have had several implications for the way messages of (H)PE are now transmitted through current and emerging curriculum reforms in England and Wales. For example, historically, PE curricula in England and Wales, has secured its position in the curriculum through connections with sport and/or health agendas (i.e., obesity crisis and sedentary lifestyles). This can be seen in the curricula documents and existing research, for example, within England the NCPE throughout its various iterations has had a close link to sport, wider sport policy and health and fitness (Harris, 2009; Armour and Harris, 2013; Lindsey, 2020). As a consequence, messages of health were often translated through discourses that emphasised the performance of health as being crucial to participation in society (see Evans et al, 2003). Such messages of participation and performance of health

² The intended focus of this paper is not to provide a historical overview of developments within the English and Welsh education landscape. Further details on education in each context can be found within the work of Evans and Penney (1995) and Authors (2022).

are seeing renewed focus in England. For example, as recent reports from the Department for Education have emphasised, there has been renewed calls for exploring how schools (and therefore curriculum) can promote 'A positive experience of sport and physical activity at a young age' and 'can build a lifetime habit of participation' (Department for Education, 2019, p.3). Consequently, within the NCPE health is presented as a much narrower concept, focusing mainly on physical health through engaging in physical activity.

Similarly, within the context of Wales, there has been a renewed national agenda on the way young people may develop their health and well-being. Significantly, in the context of Wales, health and well-being is now understood as encompassing social, emotional, mental, and physical wellbeing with discursive connections to citizenship (see Welsh Government, 2020). As we have outlined previously (see Authors et al., 2022) this shift in the way in which health is conceptualised has been strongly influential in the design and implementation of the Curriculum for Wales (See Welsh Government, 2020) and the Health and Well-Being (HWB) Area of Learning and Experience (AoLE). Significantly, the new curriculum places focus on learners developing purposes that amongst other ideals emphasises the opportunity for them to play a full part in life and work (see Welsh Government, 2019). Moreover, as illustrated by Welsh Government, (2020, p.73), the components of the HWB AoLE conceptualises health as,

Physical health and development, mental health, and emotional and social well-being. It will support learners to understand and appreciate how the different components of health and well-being are interconnected, and it recognises that good health and well-being are important to enable successful learning. (Welsh Government, 2020, p.73)

In Wales, health and wellbeing increasingly forms an important element within education with teachers expected to provide the knowledge and opportunities for learners to live healthy lives and engage in regular physical activity as a means of avoiding the issues of a sedentary society. Whilst it is not the purpose of the paper to revisit these messages of the English and Welsh curriculum in detail (see Alfrey et al., 2021, Authors, 2022), what is significant to the focus of the paper is the way in which these two contrasting curricula documents are now transforming messages for health in ways that bear strong resemblance to the features of the TPS outlined by Bernstein. However, whilst our and others recent work has drawn attention to what these messages are, what remains to be understood are the mechanisms that are enabling such messages to become re-legitimised and thus ultimately transmitted to young people in schools. In seeking to understand how messages of/for contemporary (H)PE are re-legitimised through different pedagogical models found in UK curricula documents, we need to first understand what these pedagogical models are and how they are changing within contemporary TPS. In what follows we provide further detail on the concepts from Bernstein's work that have informed our analysis.

Understanding the mechanisms of legitimisation in curriculum

Bernstein's (1975, 1977, 2000) work offers a basis for the critical analysis of how the structural and organisational relations through which knowledge regarding health is legitimised and created in education. Following others who continue to use his work (notable examples include the work of Evans and Penney, 1999; Singh, 2002; Whatman et al 2015) his ideas have allowed us to explore how knowledge regarding health is created in official curriculum texts. A central principle to our work was Bernstein's focus on how official curriculum texts, generated and controlled by the state and other stakeholders offer access to selected forms of legitimate knowledge, via different pedagogic models. As illustrated within table 1, each model (competence and performance) can be analysed in relation to its categories (i.e., organisation of discourse, space, and time), evaluative criteria, pedagogic text, and degree of pedagogic autonomy/control (Bernstein, 2000).

Insert Table 1: Characteristics of competence and performance models.
Adapted from Bernstein (2000, p.45).

In what follows, we provide further detail on each element of the model and explain how through selecting one model or a combination of both (what Bernstein describes as the 'pedagogic palette'), it enables institutions of the state to construct curriculum in ways that enable the legitimisation of different knowledges of health for teachers and ultimately learners within (H)PE. Following the work of scholars such as Ekberg (2021) such analysis is important as it enables further critical understanding of the way curriculum structures impact classroom practices (see Ekberg, 2021) and constructs different learner identities (see Author, 2018).

Competence and Performance pedagogy models

As outlined in table 1, Bernstein argued that where competency pedagogical models are evident within curriculum, learners can have more control of the selection, sequencing, and pace of the curriculum, facilitated by their teachers who are under less pressure to meet targets (Muller, 1998). Consequently, where curricula are constructed through the use of competency models, there is more emphasis on what learners already know and the skills they already possess. While the overt objective of the competency model is a focus on shared outcomes, this may in fact mask an underlying stratification of outcomes (Stirrup and Evans, 2016; Stirrup, 2017; Ivinson and Duveen, 2005; 2006). In contexts where competency model is used, teacher assessment does take place, but, in contrast to the performance model, it is implicit and not shared with the learner, nor are explicit targets for attainment clarified. Learners therefore may not know how they are perceived as achieving in relation to others in their class or age group until they find themselves placed in lower sets, considered of low ability, and (potentially) excluded from further education (Bernstein, 2000).

Contrastingly, where curricula are constructed from performance pedagogical modes, emphasis is placed upon,

'a specific output of the acquirer, upon a particular text the acquirer is expected to construct and upon the specialised skills necessary to the production of this specific output, text or product'. (Bernstein, 2000, p.44)

Here, there is focus is on what teachers need to teach and what learners have yet to learn, rather than on what they already know. Moreover, there are clear rules on behaviour and presentation and assessment is explicit. In evaluating learners' work, teachers are more likely to comment on what is missing than on what is present (Bernstein, 1977; 2000). Learner performances are likely to be graded, and there is clear stratification between learners. Learners are clear about what they have achieved and what they are intended to achieve in the future. However, they are not made aware of how their learning is socially situated and dependent on good teaching as well as the institutional context. Instead, achievements are presented as the result of innate talents and abilities.

It is important to acknowledge that although competency and performance models can be considered to give rise to distinct forms of pedagogy, combinations are possible - creating a 'pedagogic palette'. For example, as illustrated in previous work (Evans and Davies, 2004; Authors et al 2021; 2022), (H)PE in many Western countries appear to have a dual emphasis on the functional concerns of physical fitness (performance) and holistic pupil wellbeing/lifelong health (competence).

To guide the analysis presented in this paper, we specifically focus on points 3,4 and 5 detailed in table 1, i.e., control, pedagogic text and autonomy (Bernstein, 2000, p.48). We chose to focus on these points because they allow us to move beyond the structure of curricula (as exemplified in the work of Aldous and Brown, 2010 and more recently Ekberg, 2021) to explore what we refer to as mechanisms which underpin each model and therefore, how messages of health and pe are legitimised within policy documents.

Design and Methods: A Bernsteinian informed analysis

In exploring how messages for (H)PE within English and Welsh curricula are being re-legitimised, we adopted Bernstein's analysis of pedagogic models (competence and performance) as discussed above to frame a documentary text analysis (see Bowen, 2009; Aldous and Brown, 2021) of the outlined documents. While we recognise that these documents are supported by a wealth of broader, background policy writings³ that reflect the wider agents and agencies involved in the construction of the curricula, we focussed on those core documents that were perceived to 'talk' directly to teachers, i.e., those designed to inform and shape their practice to align with the main goals of the curriculum (see Table 2).

Insert Table 2: Key documents for analysis

Following principles outlined by Bowen (2009), the deductive analysis occurred through the documents being read and re-read, with text being selected and coded

³ It is perhaps worth noting that whilst there are accompanying official materials, for example within England, Ofsted's research, and analysis series on PE (2022) these, we would argue, are produced to provide further guidance on how curriculum should look rather than 'supporting' teachers reading or responses to enacting official curriculum texts.

using Bernstein's theory around pedagogic models, with a focus on the descriptors for control, pedagogic text, and autonomy (see table 1). Ensuring rigour, the first two authors initially carried out their analysis individually and then came together to discuss their findings. A purposeful decision was made by the authors for them to not analyse the policy documents from their own context(s). The third author took on the role of critical friend, where on several occasions, she was invited to evaluate and challenge our analysis. Table 3 provides an illustrative example of our analysis of the documents for each country. In what follows we discuss the key questions arising from our analysis and explore what this might mean for teachers, learners and (H)PE. To explore how these messages are structured, in the section below, we have elected to discuss separately, control, pedagogic text, and autonomy (see table 1). However, we do acknowledge that these characteristics are interlinked.

Findings and Discussion

Findings illustrate how current English and Welsh curricula are re-legitimising discourses for (H)PE through pedagogies that place prominent emphasis on using competency models, whereby the educator and learner are given greater autonomy to control the transmission and acquisition of (H)PE messages. However, there is also a focus on performance models across both curricula with expectations around what teachers need to teach. As such, both curriculum documents are beset with contradictions and are illustrative of a 'pedagogic palette' (Bernstein, 2000) with a slightly different emphasis regarding messages that offer different messages purposes of (H)PE. In our discussion, we provide examples of the ways in which messages of (H)PE are re-legitimised through the different competency and performance models.

Control in English and Welsh curricula

One of the ways in which (H)PE messages across these two curricula are being re-legitimised is through the changes to the emphasis being placed on learners' control on the teaching and learning of health, well-being, and activity. Within the NCPE, control is facilitated through the explicit role of the teacher being responsible for the transmission and acquisition of knowledge. This is evident in how aims and attainment targets for learners are outlined. The NCPE states:

Pupils should be taught to:

- master basic movements including running, jumping, throwing, and catching, as well as
- developing balance, agility, and co-ordination, and begin to apply these in a range of activities
- participate in team games, developing simple tactics for attacking and defending
- perform dances using simple movement patterns (DfE, 2013, KS1 PoS).

Central to the NCPE curriculum is an emphasis on pupils' content knowledge and skill acquisition. Instead of focusing on pupil growth, the NCPE introduces the specification of the curriculum content that teachers are expected to cover. However, the direct statement 'pupils should be taught' removes all notions of the curriculum

being developmental and having pupil growth/competence at the centre of it. Whilst such findings are arguably not new (see Evans and Penney 1995), our analysis demonstrates both how ingrained such discourses have become and how regulated the curriculum is.

In effect, the focus on teachers' explicit control over transmission within the NCPE is on what teachers need to teach, rather than what pupils need to learn. As such, the current NCPE in England, with its focus on explicit control, reinforces how both teachers and pupils become directly accountable for their delivery and experience of (H)PE. Sadly, such findings are not surprising given how policy in England remains directly connected to accountability (Zhang, 2021; Penney, 2018; Evans, 2014). As a result, performative discourses are perhaps to be expected, with PE departments being assessed against a 'standards discourse of education' (Penney et al., 2009). Within this performative culture, 'performances' are measured as they serve as a judgment of both productivity and quality (Ball, 2003).

However, whilst acknowledging that for the NCPE there is evidence of *explicit* control, there is also evidence of *implicit* control. For instance, within the NCPE, the choice of language at the start of each key stage subject content– e.g., 'pupils should develop'; 'pupils should continue'; 'pupils should build on'; 'pupils should tackle' -, is indicative of learners having (at least) some apparent control. The curriculum itself is then constructed as a series of experiences that will enable these 'shoulds' to happen. The language of 'pupils should', further implies that teachers are in a relationship with the taught - one in which they facilitate and enable the pupil, rather than directly deliver a given curriculum content. As such, within the NCPE the lines of control become blurred with 'should' suggesting control lies with the learners and teacher.

In contrast, the analysis illustrated how within the Welsh curriculum messages of/for (H)PE are constructed through pedagogical models that place emphasis on the learner having greater control over the transmission and acquisition of health and well-being. Consequently, the analysis identifies how within the new CfW there is a strong emphasis on the learner taking responsibility for their development of health and well-being. Most obviously, within the CfW, the document is fundamentally framed as guidance,

'It is concerned with developing the capacity of learners to navigate life's opportunities and challenges (Welsh Government, 2020, p.73).

However, echoing the findings from Alfrey et al (2021), promoting a sense of implicit control and limited (if any) evidence of explicit control, raises questions around equitability regarding which learners have access to the curriculum. For example, if taking responsibility for learning, and moving from a teacher centred to student centred curriculum is something that the CfW is re-legitimising, how can *all* learners access/take responsibility for their learning and how are they supported to do so? Not all pupils come to school with the experiences, knowledge, and competences to access the curriculum and so those who do, will have an advantage over those who do not. These issues around equity within the CfW resonate with wider educational research. For example, Power, Netwon and Taylor (2020) suggest that 'while moving

from a teacher-centred to a more student-centred curriculum may have merits in principle.... it contains risks that need to be addressed if the new Curriculum for Wales is indeed going provide 'successful futures' for all' (p.331). As such, although there is a focus on implicit control within the CfW document and on generating an inclusive student-centred curriculum, it should be recognised that it is not impervious to issues of inequality.

Contrasting pedagogical approaches

Despite the emphasis placed on implicit control and more focus on teacher and learner agency within these two curricula (albeit to different degrees across England and Wales) our analysis illustrates how they both still retain pedagogic texts that are performance orientated. For example, the NCPE includes pedagogic text with an explicit focus on pupils' performance, with emphasis placed on how pupils are taught a range of tactics and strategies as well as how pupils should perform and develop their technique in a range of competitive sports.

The most recent NCPE reform (DfE, 2014) intended to reduce the detailed and prescriptive nature of previous curricula, providing schools and teachers with more autonomy over their actions (Steers, 2014). Reflecting on the characteristics of a competence model outlined in table 1, this intent could be seen as a nod to the pedagogic text focusing on the acquirer. However, our analysis suggests that despite the removal of formal assessment criteria/descriptors, the pedagogic text of the NCPE still reflects an explicit focus on pupils' skill performance across all key stages, but perhaps more explicitly emphasised at key stages 1 and 2. Certainly, language such as 'master', 'perform', 'compare', 'analyse' and 'evaluate', is suggestive of this focus on the learners' performance of health, which is judged against others.

Our analysis builds upon the findings of Rich and Evans (2009), who suggested that such a focus on performative discourses potentially limits the possibilities for learners. In policy where there is a focus on comparisons and the visible success in performance, some are seen as 'winners' in meeting these criteria, but there are consequences for those who do not. As Lucey and Reay (2002, p. 322) remind us, this narrow (physical) focus on success, leaves 'little space to pose questions about the impact and possible costs for children who are ... the "opposite" against which such success is constructed'. Thus, our analysis raises further questions regarding how (H)PE curricula developments within England and Wales are or will enable all learners be active contributors to society in a way that avoids orthodoxies of individualism and having to routinely work on their health and well-being. Questions of such orthodoxies also emerge from the CfW.

Within Wales, the CfW focuses on pedagogic text that centres on reinforcing messages focused on a learner's competence. Specifically, there is an emphasis on

'Personal concerns, interests and circumstances may have an impact on the pathways along which a learner makes progress' (p.76) with pedagogies being 'Learner centred.... TGFU and SEM can contribute to a learning culture where physical activity is enjoyed by all' (Welsh Government, 2020, p.90).

Following the findings of Alfrey et al., (2021), whilst we are cautious in our observations, from the outset this orientation towards learners' personal needs (i.e., assessment for learning rather than assessment of learning) is perhaps a much-welcomed sight in curricula policy documents and offers possibilities for the further development of equitable (H)PE provision within schools that enables learners to develop knowledge and skills for the lifelong learning of health. However, it does raise questions about how teachers support and implement a (H)PE curriculum that allows and facilitates individual progress and what the impact of this is for learners and learning.

Reflecting on the NCPE and its reform in 2013, Herold (2020) suggests that, in its brevity, the NCPE holds the potential for teachers to have flexibility over the curriculum they enact. A similar comment could be levelled at the CfW; positioned as guidance it arguably has the potential for teachers to interpret it in many ways and in doing so, offers numerous possibilities for the re-imagining of secondary (H)PE provision (see Aldous et al, 2022). However, within this competence focused model there is the potential for an underlying stratification of outcomes. The CfW document indicates emphasis placed on assessment of learner performance. However, in contrast to the performance model, here it is covert and not shared with the learner; nor are explicit targets for attainment clarified. Learners, therefore, may not know how they are perceived as achieving in relation to others in their class or age group until too late, when they may find themselves placed in lower streams, considered of low ability, and potentially excluded from further education. Therefore, the nature and structure of a competence model might not facilitate all learners' learning, again giving rise to issues of inequality.

Re-legitimised messages of English and Welsh curricula

The above findings are illustrative of the pedagogic palette that makes up English and Welsh (H)PE curricula. At different times, and in different national contexts, either the competence model or the performance model can be more dominant in the official pedagogic discourses of curriculum policy. Consequently, tensions arise because no single policy is exclusively competence or performance orientated. However, whether competence or performance based, all pedagogic discourse, Bernstein (1996) argues, is essentially goal directed. Each curriculum is staged and hierarchically sequenced, either strongly in a performance model, or weakly but with staged evaluative criteria in a competence model. A sequenced curriculum (see Rose, 2004) is explicitly taught and tested in a performance model, while in a competence model development is intensely monitored and recorded, within a carefully organised learning environment.

Despite each curriculum serving to provide a framework for teachers, how this is interpreted and enacted by teachers is to a large extent unpredictable (Penney, 2013; Ball, 2003). For example, Herold (2020) highlighted that although the recent changes to the (H)PE curriculum in England were implemented to give teachers more freedom to develop a 'world-class curriculum' (p. 923), many teachers did not feel the need to change.

The minimalist outline of content and the absence of guidance on pedagogy and assessment were insufficient to provide teachers a clear sense of direction. Moreover, teachers were confident that the practice they had developed suited the conditions of their respective schools and the individual needs of their pupils (Herold, 2020, p.930).

Yet, as evidenced from our analysis, how health and curricula are being constructed in England and Wales perpetuates how the subject of PE largely remains a marginalising space for some young people (Drury et al, 2022; Maher and Haegele, 2022). Drawing on the work of Ivinson and Duveen (2006, p.124), the reason for this may be that those children who experience creative self-actualisation at some point in their life have it as a pattern that they can draw upon in the future while those who only experience authoritarian regulation have just this to inform their practice. In this respect, we could argue that the focus on competency modes within the CfW might contain possibilities in enabling learners to respond to the ongoing challenges of society its focus on health work. In contrast, our analysis places further questions on how a more performance model-orientated curriculum (e.g. NCPE) would facilitate learners responses in the future. However, we need to be cautious about focusing on these ideas as polarised, as Moss (2002, p.555) argues, for Bernstein, neither competence nor performance pedagogy is an absolute good, but there are 'social costs and social investments of running with one rather than the other'. Furthermore, as acknowledged by Lee and Anderson (2009, p.181) issues of identity are fundamental to education because 'the development of education practices and policies are grounded in different ways of understanding who learners are or should be'.

Conclusion

Our findings suggest that within England and Wales messages of health and well-being are legitimised in the current curriculum through a mixture of competency and performance models. As a consequence, we argue that in many respects that both curricula continue to legitimise health and well-being in ways that encourage young people to continue to routinely work on their health and well-being. Our analysis also highlighted how at various points across both curricula (NCPE and CfW), there is an expectation that teachers are active, autonomous pedagogues of new knowledge who can support the needs of learners in contemporary society. As such, to some extent teaching and learning of health and physical education appears to be dictated by the *current* needs (or Governments' perceived needs) of society. As such, it is suggested that despite the opportunity for curricula development, (H)PE remains a discipline not driven by its own agenda or focus but rather becomes 'hollowed out' by the regulations of the state and other organisations (Singh and Harris, 2010).

Issues around the problems of legitimacy within (H)PE are not new, with many authors highlighting why it is that the subject has such mixed messages (e.g., Macdonald and Hunter, 2005; Kirk, 2010). As such, our analysis has again brought to the fore questions around just how flexible and transformative (H)PE has the potential to be within England and Wales. Furthermore, our application of Bernstein's work (see Bernstein, 2000) and specifically his ideas around competence and performance pedagogic models, has allowed us to explore more deeply the

processes which underpin the English and Welsh curricula documents and, therefore, examine how the learner is positioned with these policy documents. As such, we argue the need to understand the underlying principles that both generate and connect how knowledge is constructed and legitimised in (H)PE policy and how this has significant implications for the way documents shape expectations of all learners and educators.

In exploring the competence driven focus of the CfW whilst acknowledging the potential for change, we also draw attention to the potential equity issues which arise from such a pedagogic model. Far from answering these issues, our paper asks further questions around how equitable the CfW is and who it therefore re-legitimises knowledge for, and we argue future research needs to explore this. At an initial glance, such a curriculum might seem less regulated by state and therefore offer some degree of flexibility. Yet it still requires teachers to be able to critically read curriculum policy and engage in further continuous learning to ensure they meet the needs of learners within the TPS. Furthermore, it requires learners to have the opportunity to access such learning contexts. As such, in some ways this perceived flexibility is in fact a subtle shift towards decentralised state regulation rather than teacher flexibility.

Bernstein openly recognized that educational discourse was a site of struggle, and that with struggle there was potential for transformation and for what he called the 'yet to be voiced' (Bernstein 1990). Our work presented here has gone some way to reflecting this struggle within English and Welsh curriculum documents which are often contradictory and require readers to critically engage with them. As such, we argue that there is a need for those educators, teacher educators and policymakers to consider providing further opportunities for students and teachers to engage with and read curriculum documents more critically. Therefore, we see this paper as just the starting point for raising further questions around the possibilities of transformation and UK PE curricula.

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