Exclusionary tactics in English secondary education

Pennacchia, Jodie

[Link to publication on Research at Birmingham portal](#)

Exclusionary tactics in English secondary education: an analysis of fair access protocols

Jodie Pennacchia

Published online: 13 Jun 2023.

Submit your article to this journal ⧉

Article views: 442

View related articles ⧉

View Crossmark data ⧉

Routledge
Taylor & Francis Group

OPEN ACCESS   Check for updates

Exclusionary tactics in English secondary education: an analysis of fair access protocols

Jodie Pennacchia

The School of Education, The University of Birmingham, Birmingham, England

ABSTRACT

Although all young people in England are entitled to a full-time, state-funded education suitable to their needs, every year some are without a school place and must be found one through local fair access protocols. This paper uses the enactment of fair access protocols in one local authority to examine the impacts of policy shifts to increase the power of self-governing schools and reduce the role of local authorities in ensuring local educational inclusion. Drawing on observations of two fair access panel meetings and a school's preparations for these meetings, alongside Foucault's theorisation of relationships between local practices and wider policy conditions, I argue that particular tactics are produced through fair access practices, which prioritise procedural fairness to schools and serve to categorise perceived risky young people. This interpretation of fairness arises out of a policy landscape of tensions, which requires schools to balance individual performance priorities alongside collective duties for inclusive and equitable education, and turns what should be an inclusive policy into another facet of the increasingly nuanced exclusionary architecture of English education. The findings are internationally relevant given global support for self-governing schools which is creating new issues for the educational inclusion of marginalised populations.

Introduction

Despite varied terminology and socio-political contexts, commonalities are present in the evolving landscape of exclusion across education systems globally. In many countries, ambitions for inclusive education coexist with the growth of alternative schools and placements for marginalised young people, for example behaviour schools and flexible learning centres in Australia and alternative provision in England (Graham, Van Bergen, and Sweller 2018; Mills and McCluskey 2018), whilst relatively high rates of early school leaving continue in European countries such as Romania, Spain and Italy (Brunello and De Paola 2014; Eurostat 2022). Meanwhile, punitive disciplinary approaches, deficit orientations and societal inequalities continue to contribute to the disproportionate exclusion of particular groups of young people from mainstream schools, such as children with Special

Educational Needs and Disabilities (SEND) and mental health difficulties in Australia, Canada, England, New Zealand and the USA (Armstrong 2018), racially minoritized groups in the USA and England (Crenshaw, Ocen, and Nanda 2015; Johnston-Goodstar and VeLure Roholt 2017; Wallace 2023), and immigrant populations in Nordic countries (Beacha, Fritzscheb, and Kakos 2019; Corral-Granados, Rapp, and Smeplass 2023). Finally, there is growing recognition of the evolving, and often subtle, ways particular young people are being pushed out of mainstream education in many countries, including through forms of illegal exclusion (Done et al. 2023).

In England, the empirical focus of the present paper, all young people are entitled to a full-time, state-funded education suitable to their needs, and are obliged to participate in some form of education or training until the age of 18. This educational entitlement underpins current national education policy, which speaks of 'provid[ing] a high quality and inclusive education' for all children (Department for Education [DfE] 2022a), and fits with wider, long-standing international policy drives toward effective, inclusive and equitable education for all on the grounds of both fairness and national economic prosperity (Ainscow, Slee, and Best 2019; DfE 2022a; UNESCO 1994; United Nations 2022).

This context raises important issues in relation to young people who are without a school place. All state-funded English secondary schools must adhere to locally-developed fair access protocols (DfE 2021), which aim to ensure that children without a school place can be found one outside of normal admissions rounds. Fair access protocols are intended to serve a number of interrelated functions, which have important implications for educational equity and inclusion. They have a remit for assuring educational entitlements for all young people, including young people who have moved into a local area such as young refugee and asylum-seeking children (McIntyre and Hall 2020); more mobile populations such as children from Gypsy, Roma and Traveller backgrounds (Myers 2018); as well as young people who have been permanently excluded from school. In relation to the latter, it is also through fair access protocols that alternatives to permanent exclusion are agreed, particularly 'managed moves', where a child moves from being enrolled at one school to another without a permanent exclusion, as an opportunity for a fresh start (DfE 2022a). Alternatives to permanent exclusion are an important practice because school exclusion continues to be connected with poorer outcomes and life-chances across a range of measures (Madia et al. 2022; Obsuth et al. 2022).

Educational exclusion in England

Despite an emphasis on providing a fair and inclusive education system for all in English education policy discourse, permanent exclusion continues to be one of a number of disciplinary tools available to schools. Prior to the pandemic, levels of formal legal exclusions had plateaued after a period of increase, with pre-pandemic data (2018/19) showing 7894 permanent exclusions[1] and 438, 265 suspensions from school in England (Department for Education [DfE 2020). This phenomenon continues to be marked by long-standing inequalities that mirror wider societal inequalities, as young people with Special Educational Needs and Disabilities (SEND), those in contact with social services,

young people eligible for Free School Meals, and from Gyspy, Roma and Traveller, Black Caribbean, and White and Black Caribbean ethnicity are more likely to experience exclusion from school (DfE 2022b; McCluskey et al. 2016; Partridge et al. 2020; Strand 2015). Exclusion connects to a wider policy imperative around managing perceived challenging behaviour in schools, with recent national policy documents depicting exclusion and managed moves as 'essential behaviour management tools [which] can be used to establish high standards of behaviour and maintain the safety of school communities' (DfE 2022a, 3). Yet research suggests that such behaviour management practices are also about impression management; an opportunity to move out students who are a risk to school performance data (McIntyre and Hall 2020; Partridge et al. 2020), amidst a policy context of data-led accountability (Ozga 2013).

Prior to a formal, legal exclusion young people often experience other forms of exclusion which are part of schools' behaviour management toolkit. Indeed a growing evidence base is documenting an increasingly complex web of processes and dynamics that serve to exclude particular young people, albeit in less formalised, sometimes illegal, and often opaque ways (Done et al. 2023; Done, Knowler, and Armstrong 2021). This includes: within school exclusionary practices such as 'inclusion rooms' (Gillies 2016, Gilmore, 2012; Gillies and Robinson 2012) and 'classroom removals' which serve to separate particular students from their peers in mainstream classrooms (Barker et al. 2010; Power and Taylor 2022); managed moves (Power and Taylor 2020); and off-rolling, where a student is removed from a school roll without this being recorded as a permanent exclusion, and where this removal is primarily intended to serve the interests of the school, for instance by removing or pressurising parents to remove lower attaining students ahead of key examinations (DfE 2022a; McShane 2020; Owen 2019). These trends predate the Covid–19 pandemic and associated lockdowns, and whilst equivalent data collection has been challenging during and in the aftermath of the pandemic, the available evidence suggests that longstanding patterns of exclusion and associated educational inequality have remained and, in some cases, been exacerbated (Daniels et al. 2020; Ferguson 2021). The present paper is located in this context, adopting an encompassing conceptualisation of exclusion that moves beyond a formal, legal application to explore the range of processes that serve to assess, categorise, and relocate particular young people both from and within mainstream school settings. I define exclusion as a continuum of processes rather than a single 'event', and I conceptualise fair access protocols as a space with the potential to both mediate and exacerbate exclusionary processes.

Aims and contributions of this paper

Despite their proximity to many of the exclusionary processes mentioned, fair access protocols – and particularly the panel meetings that are a key part of their enactment – have been a hidden and lesser-researched aspect of education policy and practice. The question of how local fair access protocols meet the stated aims and visions of national fair access policy guidance (DfE 2021), and the relationships between fair access and the wider architecture of exclusion described above, are therefore important issues to address. These concerns form the focus of this paper, which draws on novel data, including observations of 2 meetings of a single fair access panel in a city in the North

of England, observations of one school's preparations for these meetings, and interviews with key personnel involved in the arrangement of this panel.

In doing so, the paper contributes to our understanding of two interlinked policy tensions that have relevance across education systems internationally. The first tension is the continued existence of excluded and marginalised school populations, despite the global prevalence of discourses of educational *inclusion*, including in the UN Sustainable Development Goals (Ainscow, Slee, and Best 2019; United Nations 2022). This phenomenon is widespread, with countries across the world simultaneously engaged in processes of improving inclusive practice within mainstream schooling, whilst developing or aiming to improve provisions which cater for young people outside of mainstream schools (Mills and McCluskey 2018). In England, children without a school place are some of the most marginalised in the country, and fair access protocols mediate both long-standing patterns of inequality – along the lines of ethnicity, social class and (dis) ability – and emerging arenas of educational exclusion, including those affecting children who are entering the country in the current context of significant global migration and the post-Brexit formulation of more stringent immigration policy (Home Office 2020; Mcintyre and Hall, 2020).

The second policy tension emerges from simultaneous demands for English schools to compete for local students and collaborate to ensure local educational inclusion (Armstrong and Ainscow 2018). Fair access work depends on collaboration between schools at a time when a policy move to increase self-governing schools has served to minimise the power and scope of the local authority for undertaking local inclusion work and heightened the positioning of schools as individual, competitive entities (Hadfield and Ainscow 2018). This move towards self-governing schools is mirrored in other national contexts around the globe (Salokangas and Ainscow 2018; West 2014; Wilkins and Gobby 2022), which increases the global pertinence of exploring the tensions which emerge as schools balance their individual and collective priorities and duties. The analysis in this paper speaks to a wider international education policy context whereby equity goals are apparently being achieved through and alongside marketisation, as equity goals get co-opted into a wider economic rationality (Bøyum 2014).

The paper begins with an overview of the research context and a discussion of the theoretical tools drawn on to frame analysis. The methodology underpinning the paper is outlined, alongside a description of the fair access arrangements in the local authority area observed. I detail two tactics that were observed in the data, before elucidating the logic of fairness that underpins them, and analysing why these particular tactics emerge and their consequences for the educational inclusion of marginalised young people.

The research context

The current approach to fair access protocols in England, involving in-year school placements devised collectively by local schools (DfE 2021), has been in place since 2010, arising out of parallel policy shifts to increase self-governing schools and reduce the role of the local authority as a body of local educational system oversight. This section outlines the role of fair access protocols as a system of local oversight for in-year school placement and movement between schools in this changing educational landscape,

alongside wider policy factors that have the potential to shape schools' engagement with collaborative fair access work.

Responsibility for local educational inclusion: from local authorities to self-governing schools

Self-governing schools have become the dominant schooling model in England, particularly through the Academies model, which is characterized as a radical and encompassing system-wide change (Eyles and Machin 2019; Rayner, Courtney, and Gunter 2018). Academies are outside of local authority control and run instead by academy trusts (West 2014), umbrella leadership and governance bodies which oversee anywhere between 1 and 75 schools, and which can be across dispersed geographical areas (Plaister, 2022). Academies receive their budgets directly from central government, by-passing the local authority, and have additional autonomy over curriculum, governance, pupil admissions, organisational and staffing decisions (Eyles and Machin 2019; Miller 2011). As of 2022 79% of England's secondary schools are academies (Plaister 2022), and the government has ambitions for all schools to become academies within large academy trusts (DfE 2022a).

Of particular relevance to this paper is the way the academy model has restructured local relationships between schools and Local Authorities, involving what the national government's Department for Education (DfE) describes as 'an historic devolution of power from local and central government to the best school leaders' (DfE 2016, 9). Exley (2016) emphasises the policy principle behind this as a shift from local authorities as 'masters of education as a public service domain' to '"anti local state" rationalities' (p. 743). This changing conceptualization of the role of the local authority in education is part of shifting power relations in the educational field, which includes a changing and blurring of local authorities' responsibilities (Greany 2022; Wilkins and Gobby 2022). The local authority has lost whole-sale responsibility for the allocation of school places during annual admissions rounds, as well as for school improvement across a local area (Parish, Baxter, and Sandals 2012). Yet local authorities remain responsible for ensuring every child has a school place; ensuring the needs of vulnerable pupils are met; and acting as champions for all parents and families (DFE 2016). However, in the move to diminish local authorities' power over local educational decision making (McIntyre and Hall 2020), some aspects of access to education previously overseen by the local authority are subject to new mechanisms for oversight. Fair access protocols are one such area.

The government has developed guidance (DfE 2012 – updated in 2021) and effective practice case studies (DfE 2012) for schools and local authorities on how fair access should be managed in this shifting landscape. Rather than a strict protocol for how fair access should be enacted by schools (Ball, Maguire, and Braun 2012), these documents outline key principles for effective practice, emphasizing the importance of protocols being developed collaboratively by all of the schools in the area alongside the local authority, and that protocols and their associated practices are viewed as fair and transparent by all schools. It is also anticipated that regular panel meetings will be held where all schools convene to agree the efficient and timely placement of young people without a school place.

Possible tensions in the enactment of locally agreed fair access protocols

Whilst there has been no published research that focuses on how schools engage with local fair access protocols, and the implications for educational inclusion at the local level, existing research on shifting educational policies suggests some potential tensions as government guidelines for fair access are translated into local practices in the contemporary education policy environment. This section raises two key issues that have pertinence for the analysis that follows.

First is the issue of who holds power and makes decisions about how educational equity and inclusion are to be achieved locally: the self-governing school or the local authority. There are contradictions and ambiguities at the local level in terms of who has both responsibility and capacity for ensuring the educational entitlements of local children. Under government guidance, the local authority must work collaboratively with schools in the area to agree a fair access protocol. The local authority therefore retains an important role in the educational provision for the most disadvantaged children, despite a dilution of its power, resources and capacity for work of this nature (Partridge et al. 2020). Moreover, academies have been found to be less likely to participate in fair access work, which can serve to 'destabilise' the entire process since a reduced local authority can do little to intervene in ineffective local fair access protocols (Partridge et al. 2020, 33).

This first issue interacts with a second, related issue. Contradictions are also present in relation to the wider role and influence of central government on the work of schools. Fair access protocols are envisaged in government policy as fundamentally local agreements and practices. Yet, despite a proliferation of policies which claim to increase school autonomy and to strengthen the importance of 'the local', government steering from the centre is the dominant mode of educational governance in England (Greany 2022; Ozga 2009). England has a strong focus on national testing to inform judgments and comparisons about and between schools and pupils (McIntyre and Hall 2020, 3), which is mirrored in many other countries with a shift from localized bureaucratic models of oversight towards national governance through data-led accountability occurring across Europe (Ozga 2013).

This context raises important considerations for the analysis that follows, as it has significant implications for local collaboration, including the engagement of individual schools in local fair access practices. English schools compete with one another for local children and – given the per-pupil funding model – pupil recruitment is tied to financial viability and institutional survival. Schools' are under pressure to do well according for key performance measures, which they can use to market themselves to local parents, whilst performance data is simultaneously used to pass judgement on schools, teachers and pupils (Gewirtz et al. 2021; Miller 2011; Perryman et al. 2011), and to extend or curtail the level of autonomy a school has (DfE 2016, 4). The logic of this system thus suggests the benefits of meeting government performance benchmarks year-on-year to present a picture of institutional success (Robert-Holmes and Badbury, 2016).

The implications of policy shifts for educational inclusion

There is long-standing concern that the policy environment described results in perverse outcomes and gaming practice that are particularly detrimental to the educational inclusion of the most marginalized young people (Gewirtz et al. 2021; Partridge et al. 2020). Some of these gaming practices have centred on the management and movement of young people perceived to pose a threat to institutional data (McIntyre and Hall 2020; Partridge et al. 2020), including through permanent exclusion, and illegal exclusions such as off-rolling (Owen 2019). A survey of school staff by The Office for Standards in Education, Children's Services and Skills (OFSTED), which inspects all services providing education and skills in England, including schools, revealed that many see off-rolling as an activity that is 'triggered by league table position – both [senior staff] and classroom teachers feel the pressure of needing to maintain high performance and good Ofsted ratings' (Ofsted and YouGov 2019, 3). The contemporary policy environment, which discursively promotes local autonomy whilst strengthening central steering, is therefore intimately intertwined with pivotal questions about educational inclusion and fairness, including how an educational entitlement should be understood and assured in the current policy moment, and the barriers to schools' local, collective work to achieve such aims.

In the current data-driven accountability environment, schools which are "statistical neighbours' and theoretically in competition for the same local children are positioned in competitive rather than collegiate relations (Robert-Holmes and Badbury, 2016: 124), and 'tensions can emerge – for example, between local priorities and high-stakes delivery prescriptions' (Rayner, Courtney, and Gunter 2018, 147). In this context, the question of where responsibility lies for a local inclusion agenda becomes complex. It is in this uneasy space that important issues, that can have particular local nuances, must be collectively managed, including: youth poverty, serious youth violence, the local impact of school exclusion, the planning of alternative provision, provision for children newly arrived to the country, and educational entitlements for all children. The current education policy context rests on the idea that schools can reach an equilibrium between competition and collaboration, with fair access work positioned at the intersections between these different rationales. The question of how this works in practice – and the implications for educational inclusion – are the focus of the analysis that follows.

Theoretical framework

I have outlined a number of tensions which emerge in the current education policy context, which operate at multiple scales, with educational inclusion and exclusion produced through the interrelation between individual institutions, local arrangements and national and international policy shifts. The enactment of fair access protocols offers a space where it is possible to interrogate the local impacts of contemporary education policy (Ball, Maguire, and Braun 2012) and its inherent tensions in the educational field. I undertake this task by exploring how individual schools prepare for panel meetings and the operations of a local schools' fair access partnership. This local authority or 'meso' level is of increased pertinence to those researching exclusion as the move to self-governing schools has raised important questions about the local management of

educational entitlements outside of the democratically accountable local authority system. However, this analysis is also situated in the wider policy context outlined above, as I position fair access as an instance of the local educational practices which wider policy renders logical and comprehensible. To enable this multi-level analysis I draw on the work of Foucault.

Across his significant body of work, one of Foucault's preoccupations was with elucidating the techniques of power that produce exclusion in society, and how these are established, sustained and resisted. He wrote detailed accounts of the institutional practices which divide, categorise and exclude, for instance through mental health institutions, the treatment of prisoners, and the management of sexuality. Across such studies he explored the conditions which rendered it possible, acceptable and even necessary to speak of particular people, objects, and ideas, at one time and not another:

> In a society, different bodies of learning . . . all refer to a certain implicitknowledge [which] . . . makes possible at a given moment the appearanceof a theory, an opinion, a practice . . . and it's this knowledge that I wantedto investigate (Foucault 1996, 13).

I draw on Foucault's work to position fair access protocols as one facet of an increasingly intricate assemblage of exclusionary practices in England, and to elucidate fair access as a particular knowledge space (Foucault 1966) that has important implications for fairness and inclusion. To examine the ways that fair access work is enacted I draw on Foucault's concepts of tactics and strategies. Using Foucault's conceptualisation, tactics are instances of localised practices of fair access that are employed to achieve a particular outcome. These are some of the ways 'in which power, discourse and "directive efforts" flow locally through individuals and organizations' (Exley 2016, 744). This is part of Foucault's work on governmentality – or the art of governing subjects – through which he analysed the 'tactical practices intended to "direct categories of social agent"' (Exley 2016, 744). Moreover, Foucault argued that all tactics sit within a wider strategy, which provides a framing logic for localised practices, enabling such practices to combine and to become intelligible (Foucault 1975). Localised fair access practices both produce and are produced by the policy environment. I apply Foucault's theorisations to denaturalise fair access practices that were being presented as commonsense by research participants, to question what tactics are used to navigate fair access protocols, what logics underpin them, and what wider conditions render them logical in this geographical context at this time.

Methods and data

The data drawn on in this paper is one part of a wider ethnographic study (2015–17) of a so-called 'underperforming school' in a disadvantaged area that had become an academy as part of a process of school improvement (named Eastbank academy throughout). The study aimed to understand how the academy school is produced and shaped in a disadvantaged area, and the consequences of this for the identities and experiences of staff and students. One important strand of this study was to understand how the shift to academy status was affecting young people at the margins of schooling, including those at risk of permanent exclusion. It was this interest that led to observations of the school's

engagement in fair access work, which was operating in a particularly pressurized local context connected with the broader policy tensions outlined in the previous section.

School staff viewed the local authority area as one that has been historically stigmatised as having poorly performing schools and below national average educational outcomes. At the time of data collection, a number of local schools had received the lowest Ofsted gradings of 'Requires Improvement' and 'Inadequate'. The local authority in question is also one of high deprivation and had witnessed a period of flux with schools closing and combining to become academies. In this environment, schools were finding new ways to collaborate to ensure school places for all local children whilst simultaneously working to demarcate themselves as a good local choice for parents, including through the use of branding and marketing techniques that were becoming synonymous with academisation at the time (Pennacchia 2017, 2022).

In this context, schools in the local authority had developed a schools' partnership (referred to as 'the partnership' from here on) to oversee fair access work. Schools paid into the partnership, funding the salaries of a Head of Panel, Chair and Administrator. These staff were responsible for: collating and sharing student case files ahead of panel meetings; chairing panel meetings; overseeing managed moves; and ensuring the quality of alternative provision. The partnership replaced previous arrangements, which were overseen by the local authority, and the local authority no longer had a strategic role in fair access work. The partnership emerged at a time when the majority of the schools in the local authority area had become academies. The decision to develop a partnership of schools aligns with DfE's notion that effective fair access protocols "provide a fair and transparent system to ensure that all schools share the collective responsibility of helping the most vulnerable (DfE 2021, 5). Having these roles undertaken by perceived neutral people, away from any historical allegiances, vested interests, or staff from individual schools, was perceived to be fairer and crucial to the smooth running of the process:

> Because the majority of schools in the city are part of that partnership of working together, it's brought a mechanism for openness and transparency of partnership working that you don't get traditionally, and sometimes you don't get at all when it's been led externally by a local authority. So it tends to work quite effectively (Interview, Head of partnership).

Fair access panel meetings happened approximately once a month during the academic year, lasting between 1.5–2 hours, attended by a representative from each local school.

To understand the impact of a large-scale policy shift towards self-governing schools on young people at risk of exclusion, it became important to analyse how schools were engaging in fair access work in this fluctuating and pressurised local context. This paper draws on the following data from the broader ethnographic study of Eastbank academy:

- Observations of two fair access meetings (120 minutes each), with accompanying fieldnotes
- Two pre-panel meetings with the member of staff at Eastbank Academy who represented the school at these meetings. Eastbank Academy provided an additional, rich lens through which to view data from panel meetings, enabling me to observe how this school prepared for meetings.

- Two semi structured 60-minute interviews: one with the chair of the school's partnership and one with the head of the partnership. Interviews took place after the observations of panel meetings.

Fair access protocols, and associated panel meetings, deal with sensitive information, including detailed case files about young people, their schooling histories and their families. They are also spaces of collaboration, compromise and negotiation at a time when schools have been configured as autonomous, competitive entities. Both of these factors are likely to have contributed to the limited access researchers have had to observe fair access panel meetings. The present study received a favourable ethics opinion from The University of Nottingham. My access to panel meetings was negotiated through Eastbank academy. The head teacher introduced me to the Chair and the Head of the Fair Access Panel, who subsequently helped me to negotiate access to observe and make fieldnotes at two panel meetings, with consent sought from all participating schools in advance. Pseudonyms are used throughout for confidentiality.

As outlined above, data analysis was theoretically informed by Foucault's analysis of relationships between local practices and wider policy conditions. In particular, Foucault's notion of 'tactics' was used to draw out themes across the data to elucidate the particular practices schools engage in when preparing for, and participating in, fair access panel meetings. Two central tactics emerged through this analysis, which are used to organise the presentation of data below: pre-brokering and strategizing around a case.

Analysis: Tactics for navigating fair access protocols

Observations and interviews suggested that tactics had been mutually cultivated by school staff in order to navigate fair access protocols in an acceptable way, with 'acceptability' being understood through a particular notion of fairness. These tactics are not written down or formalised, rather they are evident in the way the fair access panel meeting operates, and the practices of school staff in-between panel meetings. Indeed, it is in the interplay between these two spaces that it is possible to more fully understand the tactics schools employ to negotiate and enact fair access protocols, and their underpinning logic. Brokering meetings, schools' preparations, case files and the panel meetings are the 'space[s] of knowledge' (Foucault 1966: Xi) where truths about what constitutes fair access are developed and sustained. The next section elucidates two tactics observed in the operations of fair access protocols, before I discuss the logic of fairness that underpins them and their consequences for educational inclusion.

Tactic 1: pre-brokering

A key tactic for navigating fair access protocols was pre-brokering. This is where schools hear about particular students in-between panel meetings and offer them a school place, which means the case no longer needs to go through the panel. Pre-brokering was a central tactic for constituting expectations. Based on the pre-brokering that takes

place, schools develop expectations about how many additional students they will be offering a place to during the panel meeting.

The introduction of a Schools Partnership, with salaried, independent staff to negotiate fair access work, was seen as being crucial to facilitating such pre-brokering, as a dedicated member of staff had time to visit schools and engage in informal discussions about students and placements:

> Now that I've taken that [chairing the panel] over because I don't have a school to run it kind of gives me a bit more flexibility to spend time in the schools talking around the cases. So I'm able to explore cases and schools and the best place for support (Interview, Chair of FAP).

Pre-brokering happened in Eastbank Academy during the course of the research. The school had recently received three students new to the area outside of a formal panel meeting. Stuart, the member of staff with responsibility for fair access at Eastbank, told me that because the school had picked up these students between meetings, they did not intend to come away from the forthcoming panel meeting with any new students.

One of the guiding principles of fair access protocols is that there is a fair distribution of cases amongst schools. In this context, pre-brokering to take students in-between meetings can be deployed as a powerful tactic. Stuart told me that it gives schools more opportunity to turn down cases at the panel meeting. If played correctly, schools can pre-broker to take students deemed to be more straightforward, and therefore can take their fair share of pupils in terms of numbers, without necessarily taking their fair share in terms of perceived complexity:

> Stuart told me that the Chair of The Partnership does a lot of 'pre-brokering' ahead of meetings. Eastbank has recently taken three students with English as an Additional Language, who were new to the local authority. The school heard about them before they got to the panel, called the chair and requested to take them. Stuart told me they would rather do this than take students who have been excluded. Taking students prior to the meeting gives them more 'clout' to turn down students with behavioural difficulties at future panels (Extract from fieldnotes, panel pre-meeting with Stuart).

Eastbank Academy had used the pre-brokering phase to successfully accomplish this tactic, gaining three new students who would count towards its numbers, without having to take any excluded students, who were perceived to be challenging.

Tactic 2: strategizing around, and performing, a case

A case file is produced about each young person discussed at the panel meeting. Student case files are circulated at least five working days before the meeting, giving schools chance to read them and prepare:

> It continues that sort of good management of students through fair access and it means that nobody comes to the table unprepared or unaware of what's going to happen (Interview, panel chair).

In line with school admissions legislation, parents have a right to express a preference for a particular school in the case file, however 'there is no duty to comply with parental preference when allocating places through the fair access protocols' (DfE 2021, 4).

The second tactic observed pivoted around these case files and worked in two stages. First, getting these files in advance gave schools an opportunity to understand the number and nature of the cases they were being asked to consider, and time to prepare accordingly. This is an important stage for problem identification, during which schools decide which students it is permissible for them to take, and shape a justification in cases where they plan to turn a student down, where they had been named as first choice by parents.

Second, schools must be ready to present their justification at the panel meeting. I observed schools performing their prepared justifications for why they could not offer a student a school place. One school referred to themselves as 'in a very big turnaround at the moment' (extract from fieldnotes taken during observations of panel meeting), citing a high level of structural and staffing change as reasons for not being well placed to receive 'challenging' students. Another school refused to offer a young person a place, arguing that they currently have 'too many children from families that are not aspirational' and could not take any more at this time (extract from fieldnotes, taken during observations of panel meeting). This suggests that, based on the reading of case files, a range of normative judgements are made about the circumstances of the child, and what kinds of values they and their families have, particularly in relation to how education is viewed and valued.

The rationale of having to look after existing students in the school frames attitudes to local children without a school place. Introducing perceived 'risky' students is deemed problematic for existing work in the school. Senior staff are sensitive to making the lives of teachers and current students more difficult. This was apparent through the panel meetings when discussions happened about students moving from the wider local authority area designated as 'the county' into the smaller, inner city area designated 'the city',[2] which each had separate fair access arrangements and panels. County students could, due to the way geographical boundaries have been drawn, be closest to a city school and may therefore set this as their preference for a school place. However, tensions can be even more heightened where geographical boundary crossing is involved:

> There's always difficulties because nobody wants to see anyone fail a child so if you feel somebody's coming to your school because somebody else isn't doing the right thing then that would be an issue. It would be an issue city to city, but it would be even more of an issue county to city or city to county. A county school would say, hang on a minute, this is a city child, this is a city problem, this is a city schools' problem. Why would we take this on? I've tried to work with county schools through managed moves and had some really good success with some of them. Other times it's more of a closed door (Interview, panel chair).

Tactics for navigating the fair access protocols are justified through a discourse of looking after 'our own', that is, current students on roll at a school, or local students within the local authority boundary. Here the notion of community becomes parochial, and politically drawn geographical boundaries can be turned into rationales for bypassing parents' expression of a school preference and for delineating whose 'problem' a particular child is.

Deciphering the logic of these tactics: conceptualising 'fairness'

Two tactics have been drawn out as instances that elucidate how fair access protocols materialise through localised practices, which are intended to assure the educational entitlements of disadvantaged young people. My argument is that these tactics only make sense within a particular logic of fairness, that privileges schools over young people. In the next section I elucidate this logic of fairness, arguing that it arises out of a policy landscape of tensions, turning what should be an inclusive policy into another facet of an increasingly nuanced exclusionary architecture in English education.

Procedural fairness

In government guidance and more formalised accounts of fair access protocols, there is a focus on achieving fairness for the young people who go through the panel. Fairness here is about providing opportunities for young people to have a school place despite in-year movements, or if their existing school place is unsuitable, to ensure their educational entitlement is met. Fairness also resides in a focus on the speed of the placement so that a young person does not miss too much learning,

However, fairness can be conceptualised in multifarious ways, and the prevailing understanding through the fair access work observed was one of procedural fairness (Bell and Davoudi 2016; Bøyum 2014), where the focus was on having a set of processes and operations deemed to be fair by key stakeholders. The priority was to fairly distribute cases amongst schools in The Partnership, and a chart was created to manage this process, which documented the running total of how many pupils were allocated to each school. It categorised the cases being discussed as: reintegration; looked after children; alternative to exclusion; out of education and poor attendance; fleeing domestic violence; and young offender returning from secure estate. It was updated after each meeting and sent to schools. This chart is used to ensure that no school is taking a disproportionately high number of pupils: or more than their 'fair share', as DfE (2021) puts it.

This notion of a 'fair share' was also present in the wider documentary examples of the enactment of fair access protocols including DfE (2012) case studies of effective practice. Again procedural fairness appears to be the dominant conceptualisation of fairness in these wider examples. For instance, the case study of Darlington's fair access protocol details the points-based system that is used to give particular weightings to different student circumstances. Points are given (e.g. +5 points for receiving a 'Young offender returning from secure estate') or taken away (e.g. −3 for 'Students from within the borough in receipt of a place at Pupil Referral Unit') depending on student circumstances. The school with the lowest number of points will be the next to receive a student, in a carousel system. This is a system for operationalising procedural fairness in cases where agreement cannot be reached between schools. The government has presented this as an instance of effective practice, which suggests a wider perception of rationality attached to this approach and its foregrounding of procedural fairness. The charts and points systems I have described are examples of a wider movement rendering 'life in schools and communities into a series of abstract representations in graphs, grids, leagues tables and indices' (Lingard, Sellar, and Savage 2014, 711). In the case of fair access

protocols, their purpose is to objectify fairness: through these charts and systems, fairness is documented, rendered visible and transparent, and systematised.

There are important questions to address about how procedural fairness came to be the dominant notion of fairness used in relation to some of the most disadvantaged children in the English education system. In the case study local authority observed, procedural fairness was framed as logical given the relationships between schools, which stemmed from simultaneous demands for them to be autonomous entities which achieve key national benchmarks and compete for (less problematic) local students, and collaborative locally-obligated institutions which effectively manage issues of equity and inclusion for marginalised young people.

Procedural fairness in the example of fair access protocols does emphasise each young person's entitlement to a school place, which is vital yet insufficient, leaving other possibilities for 'fairness' side-lined. A more encompassing approach might also consider geographical or spatial fairness (Bell and Davoudi 2016), for instance when some students have to travel into particular postcode areas to attend school. It might include distributive fairness (Fraser 2008), and consider the relative strain on resources in different schools and their subsequent ability to provide adequate resources for students, especially with SEND. Finally, a more encompassing notion of fairness might encapsulate what Fraser (2008) calls the politics of recognition, and take into account a school's ability to function in ways that enable students to occupy identities they have reason to value.

Fairness to schools and fairness to students: student hierarchies

It was fairness to schools rather than young people that became the framing logic in the observed enactment of fair access protocols. Through the emphasis on procedural fairness, and the tactics employed to navigate fair access protocols, schools are produced as standalone actors – disembodied from the students and families in the geographical area they serve – which must be treated fairly. In one sense this is key to the continued existence and operation of fair access protocols, which The Head of The Partnership described as 'fragile', explaining that an important part of her job was ensuring each school feels listened to so they stay invested in the process. Given this, it is logical to focus on procedural fairness, which is demonstrable. It gives schools faith that they are being treated fairly, and thus sustains investment in fair access work. This is important given evidence that some schools feel unfairly treated through the local enactment of fair access protocols by being asked to take in more new students than other schools (McIntyre and Hall 2020).

However, to operationalise this 'fairness to schools' rationale, students must be categorised and hierarchised. The notion of fairness employed through the observed panels stemmed from the perception that – in a context of high levels of data-scrutiny, pressures to continually improve, and competition for students – not all students are equal. Students are placed in hierarchical relation to one another, informed by wider notions of ability, perceived 'ease' of teaching, school performance and desirable progress. Although fair access work aims to be about inclusion and educational entitlements,

in this context it becomes another mechanism for producing and managing excluded subjects (Peters and Besley 2014).

Understanding which students pose greater challenges to a school becomes fundamental knowledge (Foucault 1996) for navigating fair access panels, and procedures for ensuring fairness operate around a clear student hierarchy, sometimes explicit and sometimes implied. For instance, Eastbank's pre-brokering to receive students new to the country whilst avoiding permanently excluded students was taken-for-granted as a well-accomplished tactic. The former were viewed as more likely to be hardworking and from aspirational families, whilst the latter were perceived to come with no support and to pose a range of attainment and behavioural challenges (Extract from fieldnotes, panel pre-meeting with Stuart). Throughout this process fairness and inclusion for individual young people remained somewhat oblique; whilst the school was foregrounded as a much clearer and more discernable site for the enactment of fairness.

Producing the tactics and logics of fair access protocols: the impact of a wider policy context of self-governing schools, competition, and educational inclusion

I have detailed two tactics schools use to navigate fair access protocols and explored the logic of fairness that underpins them. In this section, I connect this logic of fairness to the wider conditions (Foucault 1991) produced through contemporary education policy. This necessitates a shift outwards, from the micro practices of Eastbank and meso-level fair access arrangements of The Partnership observed, to the policy context of tensions discussed earlier in this paper.

In the research context I outlined parallel policy developments which have the potential to shape schools' local fair access work. First, is the widespread shift towards self-governing schools (Greany 2022). This has been accompanied by reduced money, power and scope for the local authority to undertake work to assure educational inclusion and entitlements locally. Meanwhile, and despite a discursive focus on devolved power, central government steering through data-led accountability creates a focus on student recruitment and getting the data that counts (Greany 2022; Ozga 2009). Research has connected these shifts with the continuation of exclusionary practices in English education, as school staff feel increasingly 'obligated to serve the data (and the school's reputation) in ways that could worsen pupil outcomes in the longer term' (Finn 2016, 38).

There are tensions here between national performance targets and the positioning of self-governing schools as collaborative mediators of issues of local fairness and inclusion, which help to explain why fair access work materialises as it does in the data reported. The focus on procedural fairness observed through the workings of fair access work makes sense in an environment where schools must compete for pupils and where particular pupils are understood as a potential risk to the performance and survival of the school. Many students managed through fair access protocols are quite precariously placed in the current education policy context because they often require more resources to be able to meet nationally recognized and celebrated educational standards (Partridge et al. 2020). This includes the observed example where a school refuses to accept a student because it currently has 'too many children from families that are not aspirational' (extract from fieldnotes, taken during observations of panel meeting). Fair access

protocols therefore become a further space for (re)producing both knowledge about 'problematic' or 'challenging' students, and a set of tactics to exclude them from particular educational spaces. The trace of wider knowledge regimes that govern schools can be seen in the micro tactics present here, as understandings of 'more' and 'less' problematic students map onto wider norms about what counts as educational success, sufficient progress and value for money.

It is important to note that the schools in this study had made considered arrangements for fair access. They pooled resources to set up a partnership to oversee this work, recognising the necessity of this with the shift to autonomous schools and the changing position of the local authority in relation to education. Fair access panels were largely amicable, with schools recognising these panels as a space for the realisation of their collective obligation for local young people. The Partnership speaks to the idea that fairness and justice in education cannot be managed within the gates of a single school, and requires collective thinking and working, and fulfils DfE's requirement for fair access protocols to be collaborative endeavours (DfE 2021).

However, individuals and schools have to work hard to mediate the tensions of the policy environment to achieve such aims, particularly those which simultaneously promote competitive and collective behaviours and rationales. Staff at Eastbank described unhealthy local competition between schools, in a context of educational under-performance and Ofsted scrutiny. Some schools had arranged to collaborate with geographically-distant schools to avoid collaborating with a school they were also competing with for local students. However, geographically-distant collaboration disrupts work to realise inclusive and equitable local provision for young people, alongside the educational and wider regeneration of communities. There is evidence that combined school and community-based initiatives are the most effective at improving outcomes and experiences for disadvantaged pupils (Thompson and Ivinson 2020). Chapman and Ainscow (2022) uses the terminology of an 'ecology of equity' to refer to the three interlinked areas where issues for educational equity can arise – within school, between schools and beyond schools – and argue that the work of a single school cannot:

> *Make a poor area more affluent, or increase the resources available to students' families, any more than it could create a stable student population, or tackle the global processes underlying migration patterns. But perhaps there are issues of access, or of the allocation of students to schools, that might be tackled if schools work together on a common agenda (p. 26).*

Schools are porous and the broader contexts and communities that surround them are intimately implicated in their day-to-day work, thus place-based approaches offer rich opportunities for sustainable, inclusive and equitable transformations (Alison, Drever, McLean, and Lowden 2022).

Conclusion

Shifts in educational arrangements in England, resulting from the growth of self-governing schools, the reduced role of the local authority, and data-driven accountability to inform judgements about school quality, have important implications for local inclusion and equity work. This study has analysed these implications using the under-researched area of fair access protocols, drawing on novel data, including observations

of two fair access panel meetings, one school's preparations for these meetings and stakeholder interviews. Informed by Foucault's theorisation of relationships between local practices and wider policy conditions, I have drawn out two tactics that were observed in-use by schools engaged in fair access work in a local authority case study. These tactics were pre-brokering and strategizing around a case, and between them they articulate the dominant logic of fairness that underpins fair access work in this local authority. Through these tactics, procedural fairness to schools is emphasised over fairness to the young person. The focus on procedural fairness to schools, which requires students to be categorized and hierarchized, emerges as a particularly problematic practice for inclusion and fairness, because it is drawn on as a justification for not offering a school place to perceived 'risky' young people.

This particular interpretation of fairness – as procedural fairness to schools rather than fairness to the young person – arises out of a policy landscape of tensions whereby schools are simultaneously self-governing, competitive entities which must strive to achieve key national performance standards, and locally-obligated institutions which must collectively cater for disadvantaged young people at a time when the local authority has diminished capacity for a local inclusion agenda. The data presented in this paper indicate that this is a difficult space for schools to advocate for the needs of disadvantaged young people without a school place. Indeed, the wider policy context turns what should be an inclusive policy into another facet of an increasingly nuanced exclusionary architecture in English education. This is significant as a growing body of research documents the long-standing impacts of exclusion on well-being and life-chances (Madia et al. 2022; Obsuth et al. 2022).

This paper demonstrates the importance of continued systematic analyses of the effects of global shifts towards self-governing schools on local enactments of equity and inclusion policy goals. The development of self-governing schools shifts power over educational provision in local areas from local authorities to individual schools, giving them considerable responsibility for local work on educational inclusion. Yet the wider context in which this work happens is important. Where schools are undertaking fair access work in a context of performance-driven competition, they work primarily in the interests of their school's position rather than in the interests of fair and equitable provision of education for all young people in a local area. The data presented in this paper suggests that the ways fair access materialises in this context presents challenges to apparently desirable sustainable development goals such as inclusive and equitable education for all. The analysis therefore has significance beyond the English education system, and contributes to international debates about how issues of exclusion and educational entitlements are dealt with through notions of collaboration and collective responsibility at a time when the growth of self-governing schools is widespread.

Notes

1. A permanent exclusion or 'expulsion' is when a pupil is permanently removed from a school roll and does not return to that school. A suspension or fixed-term exclusion, is where a pupil is suspended for a stated period of time (up to a maximum of 45

school days in a single academic year), after which they are permitted to return to the school.

2. The area where this research took place is in the part of the local authority geographical area designated as 'the city'. However, the boundaries of the 'city' and 'county' are connected and pupils will freely move across the city-country boundary to attend schools. Student admissions through the in-year fair access protocols are dealt with separately, with one panel operating in the city and one in the county.

Acknowledgments

Disclosure statement

Funding

Notes on contributor

Dr Jodie Pennacchia is a Research Fellow in the Education Equity Initiative, in The School of Education at The University of Birmingham. Her research focuses on the educational experiences and outcomes of learners excluded from/not following traditional, high-status, or linear educational trajectories. This has led to a particular interest in educational exclusion, forms of alternative and informal education, and the further education sector. Informed by policy-sociology, her work develops contemporary understandings of the equity, inclusion and social justice issues that surface through educational policy and practice.

Ethics statement

This research was approved by the ethics committee in The School of Sociology and Social Policy, The University of Nottingham.

References

Ainscow, M., R., Slee, and M. Best. 2019. "Editorial: The Salamanca Statement: 25 Years on." *International Journal of Inclusive Education* 23 (7–8): 671–676. https://doi.org/10.1080/13603116.2019.1622800.

Armstrong, A. 2018. "Addressing the Wicked Problem of Behaviour in Schools." *International Journal of Inclusive Education* 22 (9): 997–1013. https://doi.org/10.1080/13603116.2017.1413732 .

Armstrong, P., and M. Ainscow. 2018. "School-To-School Support within a Competitive Education System: Views from the Inside." *School Effectiveness and School Improvement* 29 (4): 614–633. https://doi.org/10.1080/09243453.2018.1499534.

Ball, S. J., M. Maguire, and A. Braun. 2012. *How Schools Do Policy: Policy Enactments in Secondary Schools*. Oxon: Routledge. https://doi.org/10.4324/9780203153185.

Barker, J., P. Alldred, M. Watts, and H. Dodman. 2010. "Pupils or Prisoners? Institutional Geographies and Internal Exclusion in UK Secondary Schools." *Area* 42 (2): 378–386. https://doi.org/10.1111/j.1475-4762.2009.00932.x.

Beacha, D., B. Fritzscheb, and M. Kakos. 2019. "Stigmatisation, Identity, and Educational Exclusion in Post Industrial Societies: A Qualitative Synthesis of Research from UK, Germany, and the Nordic Countries." *Diaspora, Indigenous, and Minority Education* 13 (1): 54–67. https://doi.org/10.1080/15595692.2018.1490716.

Bell, D., and S. Davoudi. 2016. "Understanding Justice and Fairness in and of the City." In *Justice and Fairness in the City: A Multi-Disciplinary Approach to 'Ordinary' Cities*, edited by Simin Davoudi and Derek Bell. Bristol: Bristol University Press. https://doi.org/10.1332/policy press/9781447318385.001.0001.

Bøyum, S. 2014. "Fairness in Education – a Normative Analysis of OECD Policy Documents." *Journal of Education Policy* 29 (6): 856–870. https://doi.org/10.1080/02680939.2014.899396.

Brunello, G., and M. De Paola. 2014. "The Costs of Early School Leaving in Europe." *IZA Journal of Labor Policy* 3 (22). https://doi.org/10.1186/2193-9004-3-22.

Chapman, C., and M. Ainscow. 2022. "Aiming for Systemic Change: The Development of the Agenda." In *Educational Equity: Pathways to Success*, edited by C Chapman and M. Ainscow. London: Routledge. https://doi.org/10.4324/9781003128359.

Corral-Granados, A., A. Rapp, and E. Smeplass. 2023. "Nordic Challenges Related to Exclusion and Local Responses in Swedish, Finnish, and Norwegian Urban Compulsory Education." *Education Inquiry* 1–32. https://doi.org/10.1080/20004508.2022.2163002.

Crenshaw, K. W., P. Ocen, and J. Nanda. 2015. *Black girls matter: pushed out, overpoliced and underprotected*. Columbia Law School. Accessed April 19, 2023. https://scholarship.law.colum bia.edu/cgi/viewcontent.cgi?article=4236&context=faculty_scholarship.

Daniels, H., I. Thompson, J. Porter, A. Tawell, and H. Emery. 2020. "School Exclusion Risks After COVID-19." Department for Education, University of Oxford. Accessedonline July 18, 2022. https://www.education.ox.ac.uk/wp-content/uploads/2019/11/Daniels-et-al.-2020_School-Exclusion-Risks-after-COVID-19.pdf .

DfE. (2012). "Fair Access Protocols: Case Studies. Department for Education." Accessedonline July 09, 2022. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attach ment_data/file/275586/fair_access_protocols_case_studies_final_pd.pdf.

DfE. 2016). "Educational Excellence Everywhere." Department for Education White Paper. Accessedonline April 14, 2022. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/508447/Educational_Excellence_Everywhere.pdf .

DfE. (2020). "Permanent and Fixed-Period Exclusions in England 2018-19. Department for Education." Accessed May 10, 2022. https://explore-education-statistics.service.gov.uk/find-statistics/permanent-and-fixed-period-exclusions-in-england.

DfE. (2021). "Fair Access Protocols Guidance for School Leaders, Admission Authorities and Local Authorities. Department for Education." Accessedonline July 09, 2022. https://assets.publish ing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012993/FAP_ Guidance.pdf.

DfE. (2022a). "Opportunity for All: Strong Schools with Great Teachers for Your Child." Department for Education White Paper. Accessedonline July 28, 2022. https://assets.publish ing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1063602/ Opportunity_for_all_strong_schools_with_great_teachers_for_your_child__print_version_. pdf.

DfE. 2022b. "Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Including pupilMovement: Guidance for Maintained Schools, Academies, and Pupil Referral Units in England. Department for Education." Accessed online [14.11.22].

Done, E. J., H. Knowler, and D. Armstrong. 2021. "'Grey' Exclusions Matter: Mapping Illegal Exclusionary Practices and the Implications for Children with Disabilities in England and

Australia." *Journal of Research in Special Educational Needs* 21 (1): 36–44. https://doi.org/10.1111/1471-3802.12539.

Done, E. J., H. KNowler, E. J. Done, and H. Knowler. 2023. *International Perspectives on Exclusionary Pressures in Education: How Inclusion Becomes Exclusion*. London: Palgrave Macmillan. https://doi.org/10.1007/978-3-031-14113-3 .

Drever, A., J. McLean, and K. Lowden. 2022. "Focusing on Place: Working Beyond the School Gate." In *Educational Equity: Pathways to Success*, edited by C Chapman and M. Ainscow, 115–133. London: Routledge. https://doi.org/10.4324/9781003128359-7.

Eurostat. (2022). Early Leavers from Education and Training. Accessedonline April 12, 2023. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Early_leavers_from_education_and_training#Early_leavers_from_education_and_training_.E2.80.93_today_and_a_historical_comparison.

Exley, S. 2016. "'Critical friends': Exploring Arm's Length Actor Relationships to Local Government in Education." *Journal of Education Policy* 31 (6): 742–756. https://doi.org/10.1080/02680939.2016.1166523.

Eyles, A., and S. Machin. 2019. "The Introduction of Academy Schools to England's Education." *Journal of the European Economic Association* 17 (4): 1107–1146. https://doi.org/10.1093/jeea/jvy021.

Ferguson, L. 2021. "Vulnerable Children's Right to Education, School Exclusion, and Pandemic Law-Making." *Emotional & Behavioural Difficulties* 26 (1): 101–115. https://doi.org/10.1080/13632752.2021.1913351.

Finn, M. 2016. "Atmospheres of Progress in a Data-Based School." *Cultural Geographies* 23 (1): 29–49. https://doi.org/10.1177/1474474015575473.

Foucault, M. 1966. *The Order of Things. (2001, edited by.* Oxon: Routledge.

Foucault, M. 1975. *Discipline and Punish: The Birth of the Prison*. translated by A. M. Sheridan Smith, 1991. London: Penguin.

Foucault, M. 1991. "Politics and the Study of Discourse." In *The Foucault Effect: Studies in Governmentality,*edited by G. Burchell, C. Gordon, & P. Miller, G. Burchell. 53–72. Chicago: University of Chicago Press.

Foucault, M. 1996. *Foucault Live: Collected Interviews, 1961-1984*, edited by S. Lotringer. New York: Semiotext.

Fraser, N. 2008. *Scales of Justice: Reimagining Political Space in a Globalizing World*. Cambridge: Policy Press.

Gewirtz, S., M. Maguire, E. Neumann, and E. Towers. 2021. "What's Wrong with 'Deliverology'? Performance Measurement, Accountability and Quality Improvement in English Secondary Education." *Journal of Education Policy* 36 (4): 504–529. https://doi.org/10.1080/02680939.2019.1706103.

Gillies, V. 2016. *Pushed to the Edge: Inclusion and Behavior Support in Schools*. Bristol: Policy Press. https://doi.org/10.46692/9781447317494 .

Gillies, V., and Y. Robinson. 2012. "Including' While Excluding: Race, Class and Behaviour Support Units." *Race, Ethnicity & Education* 15 (2): 157–174. https://doi.org/10.1080/13613324.2011.578126 .

Gilmore, G. 2012. "What's so Inclusive About an Inclusion Room? Staff Perspectives on Student Participation, Diversity and Equality in an English Secondary School." *British Journal of Special Education* 29 (1): 2–57.

Graham, M., P. Van Bergen, and N. Sweller. 2018. "Caught Between a Rock and a Hard Place: Disruptive boys' Views on Mainstream and Special Schools in New South Wales." In *Alternative Educational Programmes, Schools and Social Justice*, edited by G. McGregor, M Mills, P Thomson, and J Pennacchia, 35–54. Australia: Routledge. https://doi.org/10.4324/9781351211888-4.

Greany, T. 2022. "Place-Based Governance and Leadership in Decentralised School Systems: Evidence from England." *Journal of Education Policy* 37 (2): 247–268. https://doi.org/10.1080/02680939.2020.1792554.

Hadfield, M., and M. Ainscow. 2018. "Inside a Self-Improving School System: Collaboration, Competition and Transition." *Journal of Educational Change* 19 (4): 441–462. https://doi.org/10.1007/s10833-018-9330-7.

Home Office. (2020). Policy Paper: The Uk's Points-Based Immigration System: Policy Statement. Accessedonline June 02, 2022]: https://www.gov.uk/government/publications/the-uks-points-based-immigration-system-policy-statement/the-uks-points-based-immigration-system-policy-statement.

Johnston-Goodstar, K., and R. VeLure Roholt. 2017. ""Our Kids Aren't Dropping Out; They're Being Pushed Out": Native American Students and Racial Microaggressions in Schools." *Journal of Ethnic & Cultural Diversity in Social Work* 26 (1–2): 1-2, 30–47. https://doi.org/10.1080/15313204.2016.1263818.

Lingard, B., S. Sellar, and G. Savage. 2014. "Re-Articulating Social Justice as Equity in Schooling Policy: The Effects of Testing and Data Infrastructures." *British Journal of Sociology of Education* 35 (5): 710–730. https://doi.org/10.1080/01425692.2014.919846.

Madia, J. E., I. Obsuth, I. Thompson, H. Daniels, and A. Murray. 2022. "Long-Term Labour Market and Economic Consequences of School Exclusions in England: Evidence from Two Counterfactual Approaches." *British Journal of Educational Psychology* 92 (3): 801–816. https://doi.org/10.1111/bjep.12487 .

McCluskey, G., S. Riddell, E. Weedon, and M. Fordyce. 2016. "Exclusion from School and Recognition of Difference." *Discourse: Studies in the Cultural Politics of Education* 37 (4): 529–539. https://doi.org/10.1080/01596306.2015.1073015.

McIntyre, J., and C. Hall. 2020. "Barriers to the Inclusion of Refugee and Asylum-Seeking Children in Schools in England." *Educational Review* 72 (5): 583–600. https://doi.org/10.1080/00131911.2018.1544115.

McShane, J. 2020. "We Know Off-Rolling Happens. Why are We Still Doing Nothing?" *Support for Learning* 35 (3): 259–275. https://doi.org/10.1111/1467-9604.12309.

Miller, P. 2011. "Free Choice, Free Schools and the Academisation of Education in England." *Research in Comparative & International Education* 6 (2): 170–182. https://doi.org/10.2304/rcie.2011.6.2.170.

Mills, M., and G. McCluskey. 2018. *International Perspectives on Alternative Education Policy and Practice*. London: UCL Institute of Education Press.

Myers, M. 2018. "Gypsy Students in the UK: The Impact of 'Mobility' on Education." *Race, Ethnicity & Education* 21 (3): 353–369. https://doi.org/10.1080/13613324.2017.1395323.

Obsuth, I., J. E. Madia, H. Daniels, I. Thompson, and A. L. Murray. 2022, March 30. "The Impact of School Exclusion in Childhood on Health Outcomes in Adulthood: Estimating Causal Effects Using Inverse Probability of Treatment Weighting." https://doi.org/10.31234/osf.io/v9zm5 .

Ofsted and YouGov. 2019. "Exploring the Issue of Off-Rolling: Survey." Accessedonline June 01, 2022 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800582/Ofsted_offrolling_report_YouGov_090519.pdf .

Owen, D. 2019. "What is Off-Rolling, and How Does Ofsted Look at It on Inspection? Ofsted Blog." Accessedonline May 14, 2022. https://educationinspection.blog.gov.uk/2019/05/10/what-is-off-rolling-and-how-does-ofsted-look-at-it-on-inspection.

Ozga, J. 2009. "Governing Education Through Data in England: From Regulation to Self-Evaluation." *Journal of Education Policy* 24 (2): 149–162. https://doi.org/10.1080/02680930902733121.

Ozga, J. 2013. "Accountability as a Policy Technology: Accounting for Education Performance in Europe." *International Review of Administrative Sciences* 79 (2): 292–309. https://doi.org/10.1177/0020852313477763 .

Parish, N., A. Baxter, and L. Sandals. 2012. "Action Research into the Evolving Role of the Local Authority in Education. The Final Report for the Ministerial Advisory Group ISOS Partnership." London: Department for Education.

Partridge, L., F. Strong, E. Lobley, and D. Mason. 2020. "*Pinball Kids: Preventing School Exclusions.*" London: Royal Society for the encouragement of Arts, Manufactures and

Commerce. Accessedonline June 16, 2022. https://www.thersa.org/globalassets/reports/2020/the-rsa-pinball-kids-preventing-school-exclusions.pdf.

Pennacchia, J. 2022. "Producing the Academy School: Ethnography, Foucault and the Study of Policy Production." In *Inside the English Education Lab: Critical Ethnographic Perspectives on the Academies Experiment*, C Kulz, K Morrin, and R McGinity. edited by. Manchester University Press. https://doi.org/10.7765/9781526145390.00016.

Pennacchia, Jodie. 2017. *Producing the academy school: an ethnographic study of failure, transformation, and survival in English secondary education*. PhD thesis, University of Nottingham.

Perryman, J., S. Ball, M. Maguire, and A. Braun. 2011. "Life in the Pressure Cooker - School League Tables and English and Mathematics Teachers' Response to Accountability in a Results-Driven Era." *British Journal of Educational Studies* 59 (2): 179–195. https://doi.org/10.1080/00071005.2011.578568.

Peters, M., and T. Besley. 2014. "Social Exclusion/Inclusion: Foucault's Analytics of Exclusion, the Political Ecology of Social Inclusion and the Legitimation of Inclusive Education." *Open Review of Educational Research* 1 (1): 99–115. https://doi.org/10.1080/23265507.2014.972439.

Plaister, N. 2022. "The Size of Multi-Academy Trusts: Blog Post, 18th May 2022. FFT Education Datalab." Accessedonline July 14, 2022. https://tinyurl.com/mrysrhrh.

Power, S., and C. Taylor. 2020. "Not in the Classroom, but Still on the Register: Hidden Forms of School Exclusion." *International Journal of Inclusive Education* 24 (8): 867–881. https://doi.org/10.1080/13603116.2018.1492644.

Power, S., and C. Taylor. 2022. "Classroom Exclusions: Patterns, Practices, and Pupil Perceptions." *International Journal of Inclusive Education* 1–15. https://doi.org/10.1080/13603116.2022.2121434 .

Rayner, S. M., S. J. Courtney, and H. M. Gunter. 2018. "Theorising Systemic Change: Learning from the Academisation Project in England." *Journal of Education Policy* 33 (1): 143–162. https://doi.org/10.1080/02680939.2017.1327084.

Roberts-Holmes, G., and A. Bradbury. 2016. "The Datafication of Early Years Education and Its Impact Upon Pedagogy." *Improving Schools* 19 (2): 119–128.

Salokangas, M., and M. Ainscow. 2018. *Inside the Autonomous School: Making Sense of a Global Educational Trend*. Oxon: Routledge. https://doi.org/10.4324/9781315444086.

Strand, S. 2015. *Ethnicity, Deprivation and Educational Achievement at Age 16 in England: Trends Over Time. Annex to Compendium of Evidence on Ethnic Minority Resilience to the Effects of Deprivation on Attainment*. London: Department for Education.

Thompson, I., and G. Ivinson. 2020. "Introduction: The Landscapes of Poverty and Education Across the UK." In *Poverty in Education Across the UK*, edited by I Thompson and G Ivinson. Bristol: Policy Press. https://doi.org/10.1332/policypress/9781447327981.001.0001 .

UNESCO. 1994. The Salamanca Statement and Framework for Action on Special Needs Education. World Conference on Special Needs Education, Access and Quality. Salamanca, Spain.

United Nations. (2022). "The Sustainable Development Goals." Report [online]. Accessed dec 05,2022: The-Sustainable-Development-Goals-Report-2022.pdf(un.org)

Wallace, D. 2023. *The Culture Trap: Ethnic Expectations and Unequal Schooling for Black Youth*. Oxford: Oxford University Press. https://doi.org/10.1093/oso/9780197531464.001.0001.

West, A. 2014. "Academies in England and Independent Schools (Fristående Skolor) in Sweden: Policy, Privatisation, Access and Segregation." *Research Papers in Education* 29 (3): 330–350. https://doi.org/10.1080/02671522.2014.885732 .

Wilkins, A., and B. Gobby. 2022. *Objects and Subjects of Risk: A Governmentality Approach to Education Governance, Globalisation, Societies and Education*. https://doi.org/10.1080/14767724.2022.2114073.