Fair or foul?
Towards practice and policy
in fairness in education

Final Report
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‘Fairness is when people can
do what other people do’

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Fair or foul? Towards practice and policy in fairness in education

Executive summary

The aim of this report is to support the Newcastle Fairness Commission by scoping and defining fairness in education, making reference to educational research and government policy. The Fairness Commission was set up to help make Newcastle a fairer, more cohesive city and is made up of a diverse range of individuals drawn from politics, religion, academia, health and the community/voluntary sector. This study was informed by a review of literature; interviews with key informants; and a round table enquiry including professionals and young people.

This study concentrated on:

• situating the fairness principles agreed by Newcastle Fairness Commission in the context of education;
• starting a conversation on fairness and education with some key stakeholders;
• identifying key considerations from selected research literatures in a few areas of policy and practice that seem particularly to resonate with the Newcastle’s fairness principles and ones that might be able to be taken forward by the Council;
• suggesting a process of development and research to enable a process of audit of fairness and critical reflection on current policy and practice to be carried out, leading to context-appropriate action; and
• identifying areas for future research.

Newcastle’s Fairness Commission has the following principles as its foundation:

1. Fairness is a fundamental concept in its own right, related to but not the same as notions of equality, social justice, democracy, tolerance, good citizenship and social cohesion.
2. It is fair to allocate resources between competing priorities, provided those priorities enjoy a democratic mandate and infringe no rights or freedoms.
3. It is fair to balance current need against future benefit, including to future generations.
4. It is fair that those who need more should get more, provided their need arises from circumstances beyond their control, not from their own actions or inactions.
5. It is fair to expect civic responsibility from all, and a contribution to society commensurate with ability and resources.
6. It is fair that benefit for all should be contributed to by all, and hardship caused by none should be shared by all, even if not in equal measure.
7. Fairness requires fair outcomes, fair process, fair opportunity and fair participation.
8. Privilege should not buy priority, but need might deserve it.
9. Ability should be able to access opportunity, regardless of circumstance.
10. The perception of fairness is as important as the substance of it.

(Brink 2012)

If fairness is partly about future benefit, then it has to be about education. But what counts as a ‘fair’ education policy? How does a council arrive at one – and what actions might be suggested for schools and other institutions?

Fairness in education means different things. On the one hand it is being treated the same and achieving the same standard – having a level playing field. Central to this is that entitlement through privilege is not seen as fair. But it is also having different provision or opportunities for those that need this. Fairness means fair process – being treated in a fair manner and challenging stigmatisation. Finally there is fair participation which we take to
have two different meanings. One is the involvement in decision-making – having a fair hearing. The other is active participation in learning, in which learning is challenging, involves enquiry and genuine communication between teachers and students.

Fairness in education is about bringing about the participation in learning for people of all ages in all situations not just about children and young people in school. This includes learning at work, accredited courses to get into work, and other kinds of adult education. Learning is what we do as human beings.

Some kind of public consensus seems to be implicit and, indeed, important in ideas of fairness. However, there are important aspects of fairness on which there may not yet be consensus and this will need to be encouraged. It is quite likely when it comes to specific actions that it will not be easy to agree always on what is fair in education.

To prioritise action to bring about greater fairness in education in Newcastle’s city life we think that organisations will need to spend time thinking about where there is a lack of fairness in education and what needs to be changed. We have suggested a process for this, called the 5 Cs, that should be:

- Contextualised - looking for fairness within, between and outside schools;
- Collaborative - involving in discussions all those involved in delivering education;
- Critical - a genuinely shared discussion that questions accepted practices, drawing on the skills of a critical friend;
- Capability-driven - assumptions are that young people are capable rather than having problems; and
- Conceptualised - a deliberate attempt to make sense of competing ideas about fairness to take action.

Having only a short time-scale, this review has focused on young people in schools. When taking action on fairness we tend to think first of the most disadvantaged and seek to reduce educational inequalities, but fairness needs to take account of and apply to everyone. However, a good place to start is where there are most inequalities. There is clear evidence of underachievement in children of lower-income parents.

The following areas are suggested as priority areas for consideration:

- There is a need to continue to provide varied routes to different achievements and a range of different kinds of examination modes to cater for the needs of diverse individuals. Schools should be supported to be able to raise standards without inhibiting their creativity.

- A number of actions are needed to counter the impact of privilege on the underachievement of less advantaged children. The institutionalised and often unrecognised low expectations for lower-income children should be challenged. A sense of community and commitment to the local school should be fostered from all parties (school staff, parents, community, local authority, businesses) to develop their school as excellent.

- Much educational practice involves differentiated work or groupings. Greater attention needs to be given to the way that decisions about such arrangements have
been decided, about whether they can be revised and the process by which they are delivered. Young people should have a greater involvement in such decisions.

- Increasing marketisation may lead to more demands for ‘equal shares’ rather than distribution on the basis of need. This should be looked at carefully and resisted where it is agreed there is the need. There is work to do to demonstrate the value to society and its communities of provision for greater need.

- Additional extra-curricular opportunities to develop children’s capabilities are needed. Access to such opportunities varies dramatically between children from different social groups. Efforts of Schools North East and of individual schools to compile lists of experiences that children should be supported to access should be encouraged, as should collaborative ways to use the Pupil Premium.

- Children and young people should be more involved in decision-making both about schools and services, and about their own lives. This is an area in which progress may easily be made due to the ready availability of good practice in Newcastle. Attention should be given to involving a more diverse group of young people in existing arenas such as school councils and for young people to have real influence. Attention should also be given to a collaboration of Newcastle Children’s Rights Team with community organisations similar to Citizens UK in order for young people to make a real contribution to some of the key challenges of today’s living.

- Highly important is the removal of attainment gaps between lower-income children and those better off. However, fairness is wider than such concerns. This report advises some form of progressive universalism that recognises that fairness is for all, but that some form of targeting will be necessary on a scale and intensity proportionate to the level of disadvantage. However, a critical approach should be taken to targeting systems in schools in order to remove institutionalised low expectations.

- Fair participation is needed in school learning. This involves a high level of challenge and enquiry in lessons; genuine communication between pupils and between staff and pupils; a high level of engagement with young people as agents of their own lives; and approaches that position teachers as thinking professionals able to evolve their own solutions to educational problems. One way to deliver this that should be encouraged is an ‘area-based curriculum’.

- We encourage the Council to continue to facilitate holistic and collaborative approaches to the development of fair education in Newcastle. The Learning Trust has the potential to become just such a development. With the increasing range of types of schools that have individual contracts directly with central government, there is a danger that, instead of more choice for individual children and families, this will mean greater fragmentation and inequalities. We also support the development of locality-based groups of schools that collaborate with each other and with other institutions and services, including industry, to offer a range of activities and services for families and the community. This represents a more holistic approach to the delivery of education and other services and also is likely to be a more effective vehicle for the fair delivery of teaching and learning.

- All areas recommended for action are those that should be developed with the benefit of further research.
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1 Introduction

The aim of this report is to support the Newcastle Fairness Commission by conducting a study to scope and define perceptions of fairness in education. Fairness is considered in the context of educational research and local and central government policy. We examine the different levers available to the Local Authority with which a distinct approach to fairness in education could be developed.

At the same time as there are national government policy changes in relation to education, significant and recurrent cuts in public spending are being imposed. It is in such a context that a Fairness Commission has been implemented in Newcastle to consider local strategy in a number of policy areas, not just education. Other Commissions are being formed by councils in York, Islington, Blackpool, Liverpool, Sheffield and Nottingham. One of the motivations of such Commissions is the need to make funding decisions with a reduced budget whilst maintaining the commitment to equity and fairness.

It is not difficult to find evidence for the need to improve fairness. The view that inequalities in society in a number of key areas are not good for anyone is becoming an idea of our time, with the success of the book, *The Spirit Level*, (Wilkinson and Pickett 2010). The UK is becoming one of the most unequal industrialised countries on a number of indicators; for instance, the gap between the income of the top 10% of the population and the bottom 10% has multiplied by 14 in the last 25 years, according to the OECD (OECD 2011). The same report claims that there is 'nothing inevitable about growing inequalities' (p. 41). However, 31% of Newcastle’s children (22% nationally) are defined as living in poverty.

Despite progress in many areas of education, there is continued and widespread concern about the different kinds of educational inequalities experienced by many young people. By the time young people take their GCSEs, the gap between rich and poor is very large. For example, drawing on UK cohort study data 2003–7, only 21% of the poorest fifth (measured by parental socioeconomic position; SEP) manage to gain five good GCSEs (A*-C, including English and Mathematics), compared to 75% of the top quintile – a gap of 54% (Goodman and Gregg 2010). This is only one example of apparently compromised notions of fairness in education.

Whilst fairness has not explicitly been at the centre of education policy, there have been responses over a number of years to related concepts of social justice and educational inequalities. The last Labour Government had a number of strands to develop equity, largely well-funded and top-down. One was a focus on national curriculum developments (i.e. changes in teaching in literacy and numeracy) that aimed to reduce the attainment gap between rich and poor. The restructuring of education and social services and a number of community developments (i.e. Sure Start and extended schools and services) broadly aimed to improve access to all for support and to achieve improved well-being (i.e. not just academic attainment).

The focus of current Coalition Government on social justice seems to involve a more direct funding of need, targeting disadvantaged young people and their families. It is therefore giving funding for disadvantaged young people (via the Pupil Premium) directly to schools. The aim is to increase social mobility by means of schools using the Premium to impact on poorer pupils’ basic educational attainment (i.e. literacy and numeracy) and other exam results. Another aspect of the government’s approach is to target family support, such as by focusing help with parenting on those more directly ‘in need’. 
Implications for schools of the policy to change to Academy status and for individuals to start up free schools on fairness will depend on some extent on their development of fair practices. However, the additional funding for such schools in comparison with existing schools may be thought to compromise fairness, as is the lack of consultation with local communities that precedes decisions to set up academies and free schools.

There have also been common themes over the last two decades across all governments. One is the impact of the market more and more on schools and public services. Another is a gradual move away, as far as special educational needs provision is concerned, from demonstrable commitment to direct funding of inclusive education with negative implications for a fair education for all.

There are many aspects of education in Newcastle that already address educational fairness (Newcastle Children's Trust 2011; Newcastle City Council 2012a; Newcastle City Council 2012b). In terms of educational adequacy, the standard of schools in Newcastle continues to improve, with a high proportion of provision judged as good or better by Ofsted. Results for primary schools are in line both with similar areas and with the national average. Secondary schools judged as good or outstanding form a higher proportion than nationally or compared to areas with characteristics similar to those of Newcastle.

In terms of educational inequalities, outcome data shows how Newcastle’s educational standards in terms of exam results have risen by more than the national average. Some 52.6% of young people in achieved 5+ A*-C (including English and Mathematics) in 2011 compared to 49.4% in 2010. In 2005 Newcastle’s average percentage achieving 5+ A*-C (including English and Mathematics) was 33.3%, compared with a national average of 44.7%. Newcastle's results have improved by 19.3% from 2005–11, compared to 14.2% nationally. However, absence from schools is a continuing issue in Newcastle. Whilst attendance is improving, it is still below that in similar areas and the national average. Newcastle has made great strides but there is still a way to go.

In terms of current opportunities for funding improved fairness, the Pupil Premium is earmarked for children from disadvantaged backgrounds and will comprise £485–£600 per pupil in 2012–3, varying in the years ahead. The extent to which such funding will address educational inequalities is not clearly understood. Whilst schools will be expected to be able to demonstrate the impact on educational attainment of Pupil Premium, the decision of how to spend it rests with the schools.

Education can help address the effects of social and economic inequalities. However, some educational practices exacerbate unfairness. What is fair in education, moreover, is not always evident and is subject to debate. Inclusion of children with significant special educational needs in mainstream schools is seen by some to be a marker of fairness but, from the perspective of others, high quality special provision is more appropriate and therefore fair. In addition, we can all think of educational practices that we experienced as unfair, some of which are now very different. For example, as a left-handed child, one of the authors narrowly avoided the practice whereby left-handed children were made to write with their right hands. Such a practice was no doubt carried out with the best of educational intentions but, with hindsight, we now advocate otherwise. What is needed is some way of conceptualising these instances in order to debate possible action. This report therefore spotlights some areas in each type of fairness that can act as key levers for those wanting to make changes in policy and practice and explores a framework for how we might think about fairness by providing an audit process for schools and other organisations.
1.1 Enquiry methodology

The methodology of this enquiry entailed a review of literature on fairness and education, informed by discussions with key informants from research, policy and practice. Interviews were carried out with key informants from policy. A round table discussion looked at how those attending would define fairness and what action they would take to improve it. In addition to professionals working in policy, practice and research in education, two young people contributed to the discussion. Given the small scale of this enquiry, a systematic review of the research literature that potentially had a bearing on the focus of this enquiry, encompassing wide-ranging areas of social and educational policy and practice, was not possible. Therefore, this enquiry concentrated on:

- situating the fairness principles agreed by Newcastle Fairness Commission in the context of education. Fairness in education needs to apply to people of all ages, not just children, and our report aims to draw attention this wide focus. However, the limited time for our enquiry meant that examples are more often drawn from schooling than from the various guises of adult learning;
- starting a conversation on fairness and education with some key stakeholders;
- suggesting a process of development and research to enable a process of audit of fairness and critical reflection on current policy and practice to be carried out, leading to context-appropriate action;
- identifying key considerations from selected research literatures in a few areas of policy and practice that seem particularly to resonate with the Newcastle's fairness principles and ones that might be able to be taken forward by the Council;
- identifying areas for future research.

In terms of the structure of this report, we first set the fairness principles that inform Newcastle’s Fairness Commission in the context of education and of the considerable thinking about education and social justice. In the next section we spotlight some selected areas that we deem central to the enquiry about fairness in education. This includes both a consideration of the issues and tensions around fairness and some possible levers that the Council might prioritise for action. Central to these areas is a locality or place-based approach to educational provision. We suggest that the council focuses attention on community trust in and support of the local school as the excellent school.

Other key areas that contribute to this include the provision of additional support and opportunities where these are needed with measures taken to avoid stigma, the active support of teachers in developing their own professional practice, and the strong support for the participation of diverse groups of young people in decision-making about services. We suggest that a fruitful direction for the Council to take would be area-based curricula and encouragement of partnerships between schools and other organisations. Finally, since fairness is something that is never arrived at as it has to keep being worked at, we develop a change methodology for evaluating and acting on fairness in educational institution.

This report takes as a central reference point the ten fairness principles of Newcastle’s Fairness Commission (Brink 2012) and refers to them as ‘the fairness principles’. Where this report relates to particular principles, this will be referenced by the relevant number in brackets, such as (3).
2 An understanding of fairness in education

What counts as a ‘fair’ education policy? How does a council arrive at one – and what actions might be suggested for schools and other institutions? Actions cannot be taken to make education fairer without first knowing what is meant by ‘fairness’. Rather than seek a single notion of fairness and look for examples that match this notion in educational practice, a more constructive approach is to begin with a set of definitions that can help to develop a theoretical framework and to apply this to an audit process, one of research and development over time. Such a framework would potentially:

- accommodate different interests and agendas in the pursuit of equity;
- help develop an understanding of areas of tension and overlap between competing notions of fairness; and
- guide policy-makers and practitioners in the process of collecting relevant empirical data from within the system that relate to the framework.

The first task of this enquiry is therefore to look at how fairness is understood when the context is education. This report adopts the fairness principles that have informed Newcastle’s Fairness Commission (Brink 2012) as its foundation, summarised in Box 1. Please note that these principles should be considered alongside the explanatory text relating to each in the original document.

Box 1 The fairness principles (Brink 2012)

1. Fairness is a fundamental concept in its own right, related to but not the same as notions of equality, social justice, democracy, tolerance, good citizenship and social cohesion.
2. It is fair to allocate resources between competing priorities, provided those priorities enjoy a democratic mandate and infringe no rights or freedoms.
3. It is fair to balance current need against future benefit, including to future generations.
4. It is fair that those who need more should get more, provided their need arises from circumstances beyond their control, not from their own actions or inactions.
5. It is fair to expect civic responsibility from all, and a contribution to society commensurate with ability and resources.
6. It is fair that benefit for all should be contributed to by all, and hardship caused by none should be shared by all, even if not in equal measure.
7. Fairness requires fair outcomes, fair process, fair opportunity and fair participation.
8. Privilege should not buy priority, but need might deserve it.
9. Ability should be able to access opportunity, regardless of circumstance.
10. The perception of fairness is as important as the substance of it.

First of all, we claim that any action taken to make education fairer is an example of the third principle of fairness, that of investment in future benefit. On this basis alone we suggest that education is a key priority for a policy of fairness.

However, what should be done to make education itself fairer? Fairness in education is not just about schools but about the needs of everyone as learners in a range of contexts. However, due to the limited time-scale for this enquiry we are principally looking at education in the context of schools. To develop a framework to look at education we have
placed these principles in the context of thinking in education. The concept of ‘fairness’ itself, with a few exceptions (Bamfield and Horton 2010; Jacobs 2010), is an underdeveloped notion in educational research. It is often equated with inequalities in aggregate educational outcomes between different income groups, when clearly it needs to encompass a wider range of social justice issues. The scale and purpose of this report does not allow us the opportunity to debate the relationship between educational fairness and other related concepts in detail. However, we suggest that it is the concepts of social justice and equity (that are, of course, not themselves identical) to which educational fairness is closest. There is a long tradition of research and action in education, particularly in the sociology of education, that variously comes under the guise of social justice, equity and equality (Tomlinson 1982; Troya and Carrington 1990; Ball 2004; Reay 2006; Crozier and Davies 2007; Gewirtz and Cribb 2009). We need to draw on this tradition if we want to open the concept of fairness wider than the attainment gap between richer and poorer children.

We recognise that a conclusion of the Newcastle Fairness Commission is that fairness is a primary concept, not reducible to concepts such as equality, social justice, democracy, tolerance, good citizenship and social cohesion. However, we suggest that quite often the concepts that are referred to in thinking about, say, social justice or equity, are almost indistinguishable from some of the ideas in the Commission’s fairness principles. For example, the OECD definition of equity combines two areas that we would classify as aspects of fairness. The OECD defines fairness as ‘making sure that personal and social circumstances - for example gender, ethnicity, disability, sexuality, class and income - should not be an obstacle to achieving educational potential’ (OECD 2008, p. 2). Thus, by this definition, fairness is one of two aspects (the other being inclusion) of the OECD’s (2008) model of ‘equity’ in education. Inclusion is defined as ‘ensuring a basic minimum standard of education for all’ (p. 2). Similarly, the definition of Gibbs and Gewirtz (2002) relates to the seventh principle of ‘fair go’:

A concern with social justice is a concern with the principles and norms of social organization and relationships necessary to achieve, and act upon, equal consideration of all people in their commonalities and differences. (p. 502)

Where there are useful similarities between the Fairness Commission principles and the social justice and equity literature, we have drawn on this literature. We also recognise the Commission’s principles that:

- fairness will flourish best where conditions of equality, social justice, democracy, tolerance, good citizenship and social cohesion obtain, and that all of these remain, and should remain, common goals of civil society. (Brink 2012)

Therefore, drawing on the fairness principles and consistent with a wide-ranging review of the literature on fairness, equity and social justice in education, health and social policy, seven broad meanings given to fairness in education can be identified (Todd 2012):

**Box 2  Meanings of fairness**

a) Fair process as being treated the same.
b) Fair process in the way that ‘different’ provision is allocated or experienced.
c) Fairness as minimising divergence in educational attainments across social groups.
d) Fairness as achieving the same standard.
e) Fairness as meeting the needs of diverse individuals.
f) Fair participation in decision-making.
g) Fair participation in learning.
These definitions are not selected to comprise, together, a mutually exclusive typology, but to be a list that is representative of the complex and indeed contested way that fairness is currently understood in educational practice and research. We recognise that there is considerable overlap between categories (c and d), but also that some are mutually exclusive (a and b). We suggest priorities for action that relate to these definitions in section 3 and discuss some of the tensions between different them. The following are brief definitions of each kind of fairness that include examples:

a) **Fair process as being treated the same.** This is ‘fair go’ (7), an aspect of having a level playing field. It may refer to having a minimum or adequate ‘offer’ in terms of educational provision. An example of this is the idea that all children should experience the same educational curriculum, such as the National Curriculum in England. Another example is the notion that all children should have access throughout their school career to a common set of wider educational opportunities (i.e. extra-curricular activities and school trips) or that all children should have access to meaningful learning experiences at school. An aspect of being treated the same is that fairness is not about entitlement through privilege (8).

b) **Fair process in the way that different provision is allocated or experienced (7).** This refers to the process of deciding who gets to have access to different opportunities or provisions: on what basis is allocation made? Fair process is about the manner in which the different provision is delivered. It also includes the manner in which children’s behaviour is responded to and would incorporate fairness in the procedures by which children are excluded from schools. We suggest that this definition of ‘fairness’ in education also refers to the deliberate efforts to challenge and change stigmatising practices.

c) **Fairness as minimising divergence in educational attainment across social groups (4).** This means reducing differences in educational outcomes between different groups, whether on the basis of income, class, gender, ethnicity, disability or any other salient difference. This will require attention to the teaching and learning process, as in recent years in England in the national literacy and numeracy strategies. This is also about also about celebrating achievement differently – thinking about the revised OFSTED criteria and how difficult it is for inclusive schools to be judged outstanding.

d) **Fairness as achieving the same standard.** There are clear standards set in England that schools have to reach. The standards are levels of progress and attainment at tests in English and Mathematics at Key Stage 2 and 4 that they have to make sure are accomplished by their pupils. For example, at least 60% of pupils at the end of Key Stage 2 (KS2) need to achieve level 4 or above in English and Mathematics (DfE 2010). These are referred to as ‘floor standards’ and if they are not reached schools are regarded as is regarded as ‘under-performing’ and in danger of being required to become a sponsored academy. The Coalition Government is also keen for all young people to take a particular group of subjects that would constitute an ‘English Baccalaureate’.

e) **Fairness as meeting the needs of diverse individuals (4).** This aspect of fairness requires differential treatment in order to take account of the needs of individuals. It is similar to c) but is not just about outcomes. It is more about wider learning needs, social outcomes and educational experience. It includes some sort of positive discrimination in order to create the level playing field mentioned in (a). Examples include additional provision and arrangements for learning for children with special educational needs and the emphasis for all children on ‘personalised learning’ (Sebba
et al. 2007) in which teaching and learning is tailored to individual learning styles and capabilities.

f) **Fair participation in decision-making.** There are two kinds of ‘fair participation’. One is having a fair hearing, ‘a fair shout’ – an effective voice in decision-making, a voice for the voiceless (7 and 8). It requires that ‘everybody who has a voice should be heard, that the voiceless and the excluded should be given a voice, and that participation in civic life is part of the exercise of civic responsibility and the reciprocity between the individual and the collective’ (Brink 2012, p. 7). Two of the three aspects of Fraser’s (2008) model of social justice involve fair participation, named as recognition and representation, defined as follows:

- **Recognition:** who counts and is valued;
- **Representation:** who is involved in taking decisions about redistribution and recognition; who takes part in decision-making.

The third aspect of her model is redistribution, defined as who has educational outcomes, opportunities and resources.

Examples of attempts to enable fair participation include school councils, youth parliaments and youth councils, the work of the Office of the Children’s Commissioner, and the practices of some professionals of increasingly consulting children about their own needs (see for example Hobbs 2005; Clark 2010).

g) **Fair participation in learning.** We define a second kind of fair participation in schools as the opportunity to participate fully and actively in learning. This refers to a wide range of practices that enrich the curriculum in schools, including a number of approaches that can be understood as an enquiry-based curriculum such as Lipman’s philosophy for children (P4C), Mitra’s self-organised learning (SOLE) and Adey and Shayer’s cognitive acceleration through science education (CASE). However, there are many different teaching practices (the focus on feedback being one), plus various changes in pedagogy that can be integrated into everyday teaching intended to involve children more in their own learning (Hart 1996; Higgins et al. 2001; Black and Williams 2003; Hattie and Timperley 2007; Kharrufa et al. 2010).
3 Spotlight on levers of fairness

We have chosen a few areas in education on which to cast a spotlight. These are areas that could be investigated further by the fairness audit to place them in the context of Newcastle (see the next section) but for which there is already evidence from research of the need to take action. They are not unproblematic and all have tensions and contradictions. In most, Newcastle is already actively involved in one way or another. However, they are arenas of practice that we suggest offer particular promise as levers for fairness in Newcastle. They draw on the seven definitions of fairness from section 2, definitions that are reproduced below in Box 2. The types of fairness referred to are indicated by the appropriate letter, a-g, and the fairness principles that are relevant are referred to by numbers 1-10 (Brink 2012).

The areas chosen for this section are necessarily selective. Due to the small scale of this investigation we have had to omit many areas that are equally deserving of action. Similarly, this section necessarily represents a brief summary of some weighty issues in education that excludes much of the complexities of argument and detail of evidence. We have tried to avoid excessive detail and background to focus on pointing out some selected issues that might be of most use in developing fair education.

Illustrative case study vignettes are provided. These are real situations taken from various research projects that the authors have carried out with others over the last decade in community-orientated schooling (see Todd 2012). The vignettes are presented for two different purposes. One is to exemplify an area that we are suggesting would help develop greater fairness. There are ten such examples. The other five, labeled ‘dilemma’, illustrate tensions and contradictions. However, it must be stated that in the area of fairness, an area in which meanings are contested, even the ‘fair practice’ vignettes may be regarded as situations for debate and critical discussion:

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<th>Box 2</th>
<th>Meanings of fairness</th>
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<td>a)</td>
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<td>Fair participation in decision-making.</td>
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<td>g)</td>
<td>Fair participation in learning.</td>
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3.1 Fairness: making educational achievement more equal

Recent investigations of fairness in education have tended to focus concern on the most disadvantaged (fairness type c), with the aim of addressing poverty and reducing inequalities. This focus is evidenced by the outcomes of the Fairness Commissions of York and Islington (Denison and Newby 2011; Islington Fairness Commission 2011; York 2012). This report takes a broader perspective on fairness, but looking at the inequalities experienced by those that are most disadvantaged is a good place to start.

This section will look first at why outcomes of lower-income underachieving groups need to be considered and at possible solutions. It will focuses on the way privilege works in education to compromise fairness. Actions to address the reproduction of disadvantage draws on other kinds of fairness including being treated the same and achieving the same
standards, fair process, and fair participation. This leads to a consideration of what counts as fairness in education for all children and young people.

In education a focus on the most disadvantaged has been commonly but relatively recently translated into the need to reduce the gap in attainment between children from high- and low-income groups. Data that demonstrates the attainment gap between rich and poor children is sound and widely accepted (Goodman and Gregg 2010). We know that already by the age of 3 there are big differences in the cognitive outcomes of poor children compared to those from better-off backgrounds and that this gap widens by the age of 5. By the time young people take their GCSE exams the gap between rich and poor in obtaining gain five good GCSEs (grades A*-C, including English and Mathematics) is very large indeed. Only 21% of the poorest fifth manage to gain five good GCSEs compared to 75% of the top quintile – a gap of 54 percentage points (Goodman and Gregg 2010). In Newcastle although national exam achievements have risen higher than the national average, there remain substantial differences in achievement in areas in Newcastle that differ in levels of average poverty.

A focus on closing the attainment gap has led to action at a number of levels with many initiatives over the last 15 years. This has included: the raising of attainment through improved classroom learning (i.e. the literacy and numeracy strategies at the end of the last millennium); addressing social or other problems through family support and early intervention (i.e. Sure Start, extended schools and services); and supporting young people at the stage of transition from secondary education to further and higher education (i.e. Aim Higher, Reaching for Excellence, programmes aimed at ‘NEETs’). There are initiatives that have aimed to integrate a range of approaches, in extended schools and services (Cummings et al. 2011), an area to which we will return. There is no shortage of research suggesting ways forward (Crowther et al. 2003; Forsyth and Furlong 2003; Lupton 2004; Raffo et al. 2007; Evangelou et al. 2008; Cummings et al. 2011). There is much to commend these approaches. However, curricular changes, with a number of exceptions, have tended to be top-down, narrowly equating equity with improved examination results. Although there have been some improvements as a result of curricular changes, many of these initiatives have been de-contextualised and the most disadvantaged schools and groups of learners have been further penalised for failing to achieve. Moreover, underachievement remains a major problem despite the fact that the gap started to close in part of the last decade from 2003-8 (Goodman and Gregg 2010) and that there have been improvements for individual children, and indeed in the average results of many schools.

By taking a look at what it means to have fairness in education we argue that this opens up a range of different questions to ask about inequalities, questions that relate to the different areas of fairness. We show that this leads from an investigation of the impact of privilege on inequalities, to thinking of what to do about privilege, to a range of actions that in fact are about bringing about a fair education for all. What characterises this is schooling that values challenge and enquiry in the classroom, the challenging of institutionalised low expectations, providing for individual need without stigmatisation, and looking for appropriate instances for involving children of all ages in decision-making. We suggest that a model based on co-operation and community is likely to be more consistent with fairness than one based on competition and fear. Co-operative schools and extended schools combined with ideas about area-based curricular, in addition to the earlier conceptualisation of Sure Start children’s centres, may together form a model for the schools of today and tomorrow.

3.1.1 Addressing the impact of privilege on fairness

There is a danger that concepts that we use to do with closing the achievement gap become over-used, terms such as ‘social mobility’, ‘reducing inequalities’, and that actions
lack criticality, reflection and evidence. Terms, arguments and solutions are regarded with too much familiarity and not enough enquiry. An area that we suggest has been neglected by action at national and local government levels to tackle the achievement gap is that of privilege and advantage. A consideration of privilege is central to what is fair education, as fairness resists entitlement through privilege (Brinks’ fairness principal 8 and fairness type a). For example, Ball (2010) seeks to ‘explain some proportion of outcome differences in terms of a focus on advantage rather than deficit’ (p. 158).

As privilege infuses the education system in the UK, it is worth looking at the problem of privilege to inform thinking about potential action. On average, schools account for around 5–18% of the achievement differences between students after control for initial differences (Mortimore 1998) - but the major influence is via social background and the actions of parents. What these bring includes access to better schools (both superior state schools and attendance at independent schools), the opportunities that parents make available for their children out of school, and parents’ social and cultural capital. A look at some of the research in this area suggests several areas in which wealth and parent action mean that parents are able to gain advantage for children:

- A pupil receiving FSMs (free school meals) is 30% more likely to attend a low-scoring school than an otherwise identical child not receiving FSMs (Burgess et al. 2006; Bamfield and Horton 2010);
- Independent school pupils are over 22 times more likely to enter a highly selective university, and 55 times more likely to gain a place at Oxford or Cambridge than state school children entitled to FSMs (Sutton Trust 2010);
- The life-chances of children born into poor families in 1970 were worse than those born 12 years earlier, but more recent evidence suggests the gap at least did not widen further in the mid-noughties (Blanden and Machin 2008);
- Education is an engine of social mobility. But achievement is not balanced fairly - for the poorest fifth in society, 46% have mothers with no qualifications at all. For the richest, it is only 3% (The Guardian 2012);
- Clear differences exist for children of lower-income groups in access to opportunities to take part in a range of educational experiences outside the confines of classroom learning (Wikeley et al. 2007; Sheldon et al. 2009; Martin and Hart 2011; Wikeley et al. 2011).

Research also suggests that advantaged children have benefitted more than have the disadvantaged from policies aimed at the disadvantaged:

- The major increase in participation in higher education that has taken place in recent years has disproportionately benefited the middle classes (Elias and Purcell 2012). We know from Reay (2004b) that the impact of class on education is highly underestimated. However, this is not to ignore the evidence that many individual young people from disadvantaged communities have benefited from measures to improve participation in HE (Lamont et al. 2011).
- The support given by parents for children to attend a range of activities in addition to school contributes to the advantage experienced by middle-class children in educational success (Vincent and Ball 2006; Vincent et al. 2008a; Vincent et al. 2008b; Ball 2010).
- A number of policies to do with school choice, gifted and talented and parental involvement are suggested to have reproduced educational advantage rather than to have contributed to reducing disadvantage (Reay 2004a).

The leveling down of the opportunities of the better-off as a means to achieve equal opportunities is a commonly stated potential problem in policies to reduce inequalities (Sen 2002; Jacobs 2010). However, less frequently made is a case for the other way
around, that the advantages achieved by higher income groups seem to reproduce class structures and class inequalities and therefore level down the achievements of the less well-off. This is implicit in the series of bullet points above. There are a number of societal expectations on middle-class parents to use not insubstantial resources to, for example, choose their children’s school, navigate the selection and examination processes within schools, direct their children to additional classes outside school, and encourage participation in an increasing range of extra-curricular activities. This use of the market enables parents to ensure they are able to make effective choices for their children. There is a danger that education ceases to be an ‘intrinsically valuable, shared resource which the state owes its citizens’ and becomes a ‘consumer product or an investment’ (p. 160). Such a view of education is supported by state sponsored encouragement for parents to consider themselves as responsible for children’s learning on the one hand and the punitive inspection regime that encourages a distrust of today’s schooling on the other. Societal images in which youth are negatively portrayed plays on class fears that the disasters of youth need to be prevented by parent intervention. Child protection fears similarly encourage parent surveillance of youth leisure time.

Parents are increasingly seen as consumers of education and investors in the cultural capital that their children represent. What this leads to in schools is the institutionalising of expectations based on class. In other words, there is a real danger in schools that ‘differences that are to do with income or class are taken to be essential and fixed characteristics and indicators of the capabilities of children…. that these differences are built into differentiations and opportunities and expectations in schools, becoming self-fulfilling… in terms of performance’ (Ball 2010, p. 162). In other words, that the advantage of children outside school is equated with advanced ability inside school. The often unconscious and institutionalised nature of lower expectations is illustrated in Box 3.

**Box 3  Dilemma**

**Institutionalised low expectations**

A primary school head teacher spoke of the realisation of his own expectations. This primary school, under his leadership, is a community-orientated school and makes much provision to redress underachievement that is imaginative and effective. He said he had realised that when the child whose mother is a high ranking professional failed to learn to read his thought was not to worry as this would happen soon. When the same happened to the child of a non-professional parent, he did not have the same expectations. This is not to label this head teacher with blame rather to applaud his self-reflection. However, is it a demonstration of the pervasive and institutional nature of deficit expectations based on class.

Differences between children in terms of resources and social and cultural capital from primary school onwards become translated into indicators of ability, and ‘give rise to distinct academic identities’ (Ball 2010, p. 162). Children and their performances are ‘essentialised rather than seen as socially, culturally, and economically ’made up’” p. 162.

Successive years of teachers being given initiatives that they are required to follow without engaging with their own professionalism and of increasingly punitive school inspection regime have helped to create an atmosphere of less trust in teachers and schools or in the professional ability of school staff to evolve excellent practice. As the Fabian Society report says, there is a need to ‘stop thinking about the education system in ways that anticipate division and failure’. Increasing marketisation has us believing we have to meet our own needs which, in an era of fear of failure, the obsessive focus on exam results and multiple societal challenges, has parents seeking an increased advantage. What
schools do in educating children is not seen to be enough. As the Fabian Society report says, there is a need to ‘stop thinking about the education system in ways that anticipate division and failure’. Such values are at odds with those of giving consideration to the needs of others and contributing to the development of community. Similarly young people are not trusted to want to take hold of their own futures in a positive way. We are not intending to argue against self-interest as being in contradiction with community and we recognise that a detailed discussion of the relationship between self-interest and community is beyond the scope of this enquiry. However, we need to move to a version of this relationship such that, at the very least, the self-interest for parents of the advancement of their children is achieved by working together (with other parents and with the staff of the school) to support the local school as exceptional.

What can be done? An increasingly marketised education economy makes it rather unlikely that there will be national regulation, such as the control of university access to places from different kinds of schools or areas. On the other hand, this issue is not absent from debate as evident in the choice of topic in the recent BBC Radio 4 discussion with Professor Michael Sandel and an audience on whether students from poor backgrounds should be given priority in university admissions (BBC Radio 4, April 3rd 2012). However, this is not to say that there is not a role that local authority can play, alongside schools and other educational institutions.

One of the first tasks is to change the debate. In the experience of the authors privilege is little spoken of. Indeed in several recent interagency meetings looking at the effects of poverty in different parts of the UK, the question of privilege and advantage as contributing to educational disadvantage was rarely mentioned. The impacts of advantage such as those listed in the earlier bullet points at the start of this section should be widely debated in enquiries into educational inequalities.

Secondly and of no less importance, there is an overall need to foster within schools a culture of co-operation and community. There are indeed many examples of this that we label ‘resistances’ in different ways to the climate that has contributed to the culture of individualism and advantage. Such examples can be supported by the Council. Seemingly small and trivial actions can help in creating alternative cultures that support more community minded attitudes and interactions. This includes extra-curricular activities that are attended by children from diverse groups and numerous actions of volunteering by young people in the community. There are other examples of collaboration and community building that are being taken forward by organisations. One example is the work of Citizens UK, which joins together many different groups (church groups, voluntary agencies, small businesses, schools, universities, trade unions, etc). Citizens UK achieves consensus on select campaign areas that will benefit local communities, and then uses one-to-one conversations to build relationships and achieve aims. This process has led to the highly successful national Living Wage and the City Safe campaigns. In education, building greater trust in both the professionalism of teachers and the responsibility of young people would seem reasonable places to start. We therefore would like to bring attention to levers for action to address fairness in terms of impact of privilege:

- A focus on all areas of fairness: Challenging the extreme focus on school inspections and exam results that purports to maintain minimum standards in education.
- A focus on providing for diverse needs: Providing additional information, support and wider opportunities for children from disadvantaged communities and from other groups with a range of diverse needs.
- A focus on fair participation in decision-making: Challenging of the institutionalising of low expectations, encouraging high expectations of all young people and redressing the negative image of young people.
- A focus on fair participation in learning: Encouraging greater trust both in teachers
and schooling and greater challenge and enquiry in learning.

Each of these levers for action is explored in more detail. The first area we turn to can be seen as setting important limits to all other areas of fairness. The 2nd on providing for diverse needs is given greater space due to the many issues in fairness that arise from looking at this area, in that all types of fairness are implicated. The final two areas or levers very much apply to the fair education of all learners. The third, that of having a ‘fair shout’, could easily have been written as part of the second as it offers one route to the development of fair process in the allocation of additional educational provision. However, participation in decision-making is important in all aspects of education and is therefore given its own section. The final section, looking at how to encourage greater participation in learning, offers a description of area-based curricular, an important development that is gathering much attention from teachers, school managers, and academics (Facer 2009). This section is concluded with a model of community-orientated (or extended) schooling that offers a holistic model that joins up curricular development, additional provision with solutions to poverty from other agencies for an integrated model of fair schooling.

**Recommendation: A number of actions are needed to counter the impact of privilege on the underachievement of less advantaged children. The institutionalised and often unrecognised low expectations of lower-income children should be countered. A sense of community and commitment to the local school should be fostered from all parties (school staff, parents, community, local authority, businesses) to develop this school as excellent. Other recommendations follow in the ensuing sections.**

**3.1.2 A focus on all areas of fairness: challenging the extreme focus on school inspections and exam results**

Initiatives to address divergence in educational achievement across groups have not been carried out in a social, cultural, political or economic vacuum. We look at a key aspect of context. An important backdrop for the consideration of fairness is the manner of testing and examination arrangements and of the standards agenda that maintains an extreme attention to exams and league tables. As previously referred to, the government has set minimum ‘floor standards’ for England at Key Stage 2 and 4 that are intended to help bring about an adequate education for all (fairness as reaching the same standard, type d). These standards have been central to attempts by schools to monitor actions taken to try to improve the attainment of all but particularly of disadvantaged young people.

It is worth drawing at this point on the literature on educational fairness. Everyone having the same or achieving the same (fairness types a and d) seems to have a ring of consensus about it. The ‘educational adequacy’ approach seems at first to answer many of the problems of an equal opportunities approach. It has proved more attractive in the US than the educational equalities approach, due to its being easier to use in litigation (Jacobs 2010). Educational adequacy seeks a causal link between provision, inputs, and student outputs, and asks if inputs are sufficient to achieve adequate student outputs. ‘Stakes fairness’ (Jacobs 2010) focuses on the prizes of education, or what is at stake, and it constrains the risk of limitless provision by helping to guide decisions about provision. If the stakes are high, such as getting good SATS, GCSE or A level results, then more resources are made available than if the stakes are low, such as a very small increase in test scores. There is also a strong link between stakes fairness and decision-making in health. However, other kinds of fairness, particularly fair process and fair participation in education may be compromised by the focus on exam results.

Whilst it may appear in an uncomplicated manner that insisting on floor standards for schools represents an uncomplicated and positive contribution to educational fairness, there are a number of aspects of this way of ensuring minimum standards that
compromise fairness. One is the impact on schools of the school inspection process that aims to maintain teaching quality, school quality and exam standards, and the other is the question of the degree of diversity of ways for young people to reach the standards.

The floor standards have been part of a performativity agenda in England that has involved school inspections for which failure brings harsh penalties. However, there is no evidence that improvements have been as a result of the inspections (Mansell 2007) thus compromising the divergence in attainments across groups (fairness type c) and much evidence of the damaging effects on schools of the process of inspection.

The central mechanism by which this process that tries to enforce floor standards impacts on a fair education process is that it leads to the adoption in schools of narrow objectives that are focused on standards and inhibits interest in the broader aims of education, Ball’s ‘neglect of the moral and social purpose of education’ (2010). Some schools are, as a result, proud to proclaim themselves to be exam factories. There are many reports of teaching to the test. Children in England are tested more than in any other country. Whilst this might enable the passing of exams that might not otherwise have been achieved, fair participation in learning (fairness type g) is likely to be compromised.

The setting of high standards by Ofsted may seem to represent fairness. However, it is possible to set an adequate standard for education without addressing educational inequalities – and thereby compromise one aspect of fairness. And it seems likely that fairness in examination arrangements is about to be further compromised. Examination arrangements at Key Stage 2 are a complicated mixture of different kinds of exams administered by a range of exam boards.

The current government intends to phase out modular GCSEs with the intention of raising standards. However, there is a danger that this will disadvantage many students for whom separate exams are a chance to focus on one topic and experience the impact of whatever attention they give to revision. The opportunity to break exams into smaller modules can encourage success. Success in one module - or failure – can help a student confirm or revise their past exam strategy. A very narrow range of assessment methods is not likely to help those who underachieve. Certain assessment methods and some aspects of the content of tests can be discriminatory for certain children. Tests may make cultural assumptions in the content used, or involve rules of response about which children are unfamiliar. What might seem to be increased standards may instead represent a decrease in the diversity of possible pathways to gaining evidence of achievement and, as such, could adversely impact on the standards that are possible for young people from a range of backgrounds.

**Recommendation:** There is a need to continue to provide varied routes to different achievements and a range of different kinds of examination modes to cater for the needs of diverse individuals. Schools should be supported to be able to raise standards without the creativity of schools being inhibited.

**3.1.3 A focus on providing for diverse needs**

Many different kinds of additional provisions are made in schools for learners for diverse needs, with respect (for example) to income, gender, disability, ethnicity, sexuality and special educational needs. This includes access to information on how to navigate educational opportunities and examinations; information about different routes to a range of career ambitions; opportunity to self-refer for personal support; the provision of academic mentoring; and opportunities to access a range of affordable extra-curricular activities. These provisions are designed to make education fairer, to enable young people to have improved access to education and to enable greater educational achievement and indeed overall well-being. For example, the provision of free school meals to low-income
families is to enable children to be ready to learn at school, ditto free breakfasts. Work in classrooms is differentiated, that is, different work is given for particular groups of children to enable all to access the curriculum. A learning support assistant may be employed to work alongside the teacher in a class to give additional support to students in order to access the curriculum. In some areas, particular special needs or disability, many parents have struggled to negotiate the local authority systems and to gain access to the relevant professionals to have their child’s needs provided for (Goodley et al. 2006).

**Impact**
Taking part in sport, other extra-curricular activities and study support is beneficial for academic attainment (MacBeath et al. 2001; Dynarski et al. 2002; LaFrance Associates 2005; Higgins et al. 2011; MacBeath 2011; Cummings et al. 2012). The need for increased opportunities has been the main finding of a series of research projects looking at educational aspirations and poverty. This research has questioned the commonly accepted notion that changing attitudes and aspirations is an effective route to raising attainment and thus addressing the gap in attainment between rich and poor. Instead, the need is suggested for a series of opportunities over time, when needed to keep ambitions on track (St Clair et al. 2011; Cummings et al. 2012). Box 4 suggests possible outcomes from the provision in school of additional opportunities to support children’s aspirations.

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<th>Box 4</th>
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<td><strong>Keeping aspirations on track</strong></td>
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<td>A deputy head teacher in a primary school in an urban disadvantaged area in the North East undertook a range of activities to help her y6 children think through how to keep their ambitions on track. She carried out weekly assemblies on 16 occasions on how to achieve different careers, held a careers day, organised a special group on careers in fashion, solicited visits from inspirational people (David Miliband, Charlotte Ellis, Jade Thurwell), did not allowing the quitting of children from extra-curricular activities, and held in depth consultations with children. What she found was that after two terms in which these activities were held, when she compared children’s responses pre- and post-intervention to questions about their career aspirations, children’s replies after the activities demonstrated more specific intentions about careers and more detailed understanding of the pathways to those careers. Prior to the intervention there were only general replies with no clear idea of pathways.</td>
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**The view from Newcastle**
Many Newcastle schools already aim to offer a range of activities and experiences outside the curriculum. A Newcastle primary school is compiling a list of experiences that the school will try to provide for all pupils, such as ‘meet an author’ and ‘plant an allotment’. *Schools North East* is similarly working towards a regional entitlement curriculum through which every child would be entitled to a variety of experiences. We know that there is still a way to go. For example, in research carried out in 2010, Newcastle Council’s Children’s Rights Team looked at where young people from different areas of Newcastle go to take part in out of school activities. They found a relationship between place and deprivation. Young people from the least deprived areas of Newcastle went to places that spanned a far wider geographical area than those living in the most deprived areas. The latter, in general, went to places that could roughly be located on a line from home to the city centre. There therefore seems to be differences in access to activities, but also in the location of activities attended by children who live in areas of the city that are associated with different socioeconomic positions and levels of income and employment. Some of the responses of the young people interviewed are reproduced in Box 5.
they would not wish to receive learning support if other pupils knew, whilst others were consulted in the process of compiling this report expressed a variety of views. Some said and way that children are excluded from school leaves much room for improvement in a

vouchers visible for all pupils is still common practice in many schools. The distribution of vouchers for free school meals in a way that makes reception of these vouchers visible for all pupils is still common practice in many schools (see Box 6). The way that children are excluded from school leaves much room for improvement in a fair and civilized society (Office of the Children’s Commissioner 2012). Young people consulted in the process of compiling this report expressed a variety of views. Some said they would not wish to receive learning support if other pupils knew, whilst others were
comfortable with such support being visible. One young person aged 15 found highly unfair that he had been placed in a small group in the class that was given work that was different from that carried out by the rest of the class and that he had neither been consulted about this nor had such a grouping explained. He described his shock on learning finally that the group was regarded as 'low ability' when he had thought the group was for those thought to be 'high ability'. The same young person wrote the story of stigma in Box 6.

**Box 6  Dilemma**

*An fairness story by Richard Murray*

One day a boy woke up and found out that there was something wrong with him.

Day 1 He got up and had his breakfast and got dressed and walked to school with his mam. He went to the class and spoke to his friend having some fun. But he was keeping a big secret. But nobody but him and the teachers and his mam knew. Nobody out of his class.... But that was about to change.

Day 8 of school. The normal teacher was off ill and she did the sums for dinner and she said in front of all the class his secret and so he was bullied for it. His secret was he was on free school meals and everybody hates him and he was called tramp, hobo. And he was never out with his friends and so he spent most of his time in the house so he never turned up for school which was not fair.

There is a need to avoid stigmatising difference in the way that difference is provided for. The vignette in Box 7 provides an example that shows the controversial actions of one school to avoid the feeling of stigma. This was taken from an interview carried out as part of our research project into the subsidising of activities for economically disadvantaged young people (Carpenter et al. 2010). It seems particularly important for a fair education system that children and young people who are recipients of additional provision are treated with dignity.

There has been much development in schools, particularly in secondary schools, of systems that record factors that denote a need to consider additional provision for young people, such as attendance, attainment and other factors that relate to children’s homes and social lives. These are one part of tracking systems that allow schools to make decisions as to where to target provision. The provision may be some kind of academic mentoring, or access to particular extra-curricular activities. It is possible that such systems enable schools to cater more effectively for diverse needs. However, there has been little investigation of the extent to which such systems are effective in raising attainment and the extent to which such systems institutionalise low expectations.
Box 7  Dilemma

Dignity and special provision

One school was acutely aware of the effect of stigma for families in poverty. There is recognition that parents can feel stigmatised if they are targeted for specific support. This school likes to encourage its pupils to take part in extra-curricular activities to provide them with opportunities to learn new skills, and to engage them in learning. Those children on low incomes are entitled to a payment that will cover the cost of these activities. When the letters about activities get sent out to parents, the payment is always referred to as a grant in order to infer a sense of entitlement rather than a feeling of charity.

On one occasion a young boy was participating in a football club, but did not have the correct strip. Staff felt that this was spoiling his experience of the club as he was the only child without it. Staff held a competition to ‘win’ a strip, and ensured that this boy ‘won’ it.

Demands for an equal allocation of resources rather than on the basis of need seems more likely, the more marketised the system. This depends on public sympathy with different kinds of fairness. At the moment there is much concern with inequalities with consequent tolerance of additional provision. Fabian Society research of attitudes to fairness shows that people are willing to compensate for disadvantage, but not to lose advantages that are already held, for instance in school choice (Bamfield and Horton 2010, p. 37). However, the provision of additional resources in order to meet need is not uncontested, as shown by the example in Box 8.

Box 8  Dilemma

Additional academic English classes.

Where being treated the same is the only form of fairness: The effect of the market?

A university postgraduate masters programme provides additional English classes for university students for whom English is not their first language and for whom writing at a postgraduate level is a challenge. On one programme a student, for whom English is her first language, complains that too much account is taken in the programme of the needs of the second English learners forming the majority of the students in the class. She also complains that the extra classes given for English are unfair provision due to the fact it is a resource that she does not need to access. Her own need to learn Spanish has not been made available to her. The university concerned has not agreed with the need to provide Spanish classes to redress fairness. However, staff have tried to find other ways for the student to learn Spanish as part of the university’s responsibility to provide a range of skills for students on campus.

Given a current decrease in resources for all we suggest that we are at an interesting crossroads between acceptance of different provision based on need, and the expectation of equal provision for a marketised economy (you get what you pay for). A test of this intersection in views is on the horizon in the form of the possible change to how the distribution of funds to schools is calculated. At present there is wide variation in allotments. Some schools in more deprived areas receive a larger allocation than others,
although this is by no means always the case. There is some concern expressed by some sectors of the public that such schools may find their funding unfairly reduced — whilst other sectors of the public may view a more equal distribution of funds as fairer.

**Collaborating for additional provision**

We suggest that an important aspect of the audit process and, indeed, the provision to schools of the Pupil Premium, is that this provides the occasion to look again at what opportunities, experiences and services are offered and which are taken up and by whom. For many children, unless activities are provided by the school, then the skill development and the experience from these activities will not be accessible to them. We know from a decade of research into extended schools and services that the creativity of local authorities and schools in the development of collaborative arrangements in order to sustain provisions viewed as important. An example of such collaboration is shown in Box 9, and is also demonstrated in Box 13.

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<th>Box 9</th>
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<tr>
<td><strong>Collaborative funding of additional provision to meet individual need</strong></td>
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<td>A Federation of 17 schools each contributes £1000 per year plus £3 for each child in their school into a central pot, which is then topped up by other sources of funding, including the Pupil Premium. This funding enables the Federation to employ four Higher Level Teaching Assistants and two transition mentors. Every term, data is collected about pupils’ progress in each school (based on age and prior learning expectations). A management group meets each term and decides which school needs additional support based on this data. The six staff are then sent into that school for 10 weeks. This means that some schools have had little support and other schools have had lots, but all schools see the provision as ‘for the greater good’. However, all schools get ‘something, as they have half a day of a learning mentor per week and access to a five-week course of additional skills work for the group of children they feel needs it most in their school each year.</td>
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**Recommendations:** Much educational practice involves differentiated work or groupings. Greater attention needs to be given to the way that decisions about such arrangements have been decided, about whether they can be revised and the process by which they are delivered. Young people should have a greater involvement in such decisions.

Increasing marketisation may lead to more demands for ‘equal shares’ rather than distribution on the basis of need. This should be looked at carefully and resisted where it is agreed there is the need. There is work to do to demonstrate the value for society and its communities of the provision for greater need.

Additional extra-curricular opportunities to develop children’s capabilities is needed. Access to such opportunities vary dramatically between children from different social groups. Efforts of Schools North East and of individual schools to compile lists of experiences that children should be supported to access should be encouraged, as should collaborative ways to use the Pupil Premium.

**3.1.4 A focus on fair participation in decision-making**

The gradual change in society over the last twenty years, such that children are seen as agents in their own lives rather than passively developing in response to upbringing and
education, has brought a sea change in the way children are regarded. There is also now a well-reported policy mandate to consult children on decisions that are made about them in education, health and social services (HMSO 1989; DFE 1994; DFEE 2000; DFES 2001, 2003; Department of Health 2003) However, although there have been great improvements there is still a way to go. Despite seeing young people as having minds of their own, there is much that is negative about the regard of today’s society to young people. A full discussion of issues is elsewhere (see for example Clark et al. 2005; Prout 2005). Attitudes are contradictory as children at different times and in different places are (for example) feared, protected, regarded with wonderment, neglected – and appreciated. However, the negativity with which children and young people are considered is destructive to efforts to develop a fair education system. There are many possible actions that could improve the way that children and young people are regarded, to improve the relationship between adults and young people. However, the area selected as part of this review is that of involving young people in decision-making. This is a demonstration of young people’s contribution to their civic responsibility (fairness principle 5).

For more than a decade children have been asked their views on aspects of schools and public services. There are some impressive projects in which children play an active role in decision-making. These demonstrate the agency of children and young people and their capacity to take responsibility in a way that does not always have to be structured for them by adults. One of these examples is the work of the Newcastle Children's Rights Team. In terms of equal citizenship, Newcastle has worked with children and young people from across Newcastle to develop a Children’s Rights Charter. The team also developed its Youth Council in Newcastle in full collaboration with a diverse group of young people. Another example from a school in England is depicted in the vignette in Box 10.

Box 10 Fair practice
Student participation in school decision-making

In order to ensure young people have a real say in what happens in their school, and in their area and feel included and valued, one school has developed a range of opportunities for students to be consulted, have a voice, and to influence decision-making throughout the school, in the local area, and at LA level. This culture of participation is paramount and young people are encouraged and supported to make a difference in their community. There is a dedicated team to support the participation of young people in the area (called the participation group) and promote youth voice. The school has a student council and the school cluster has a joint student council with each school sending two representatives. This is linked in to the LA youth council and youth cabinet and an elected young mayor. The joint student council gets £400 each year to work on themes of their choice (Making Playgrounds Better and Sustainable Schools were past themes). They are supported in bidding for more money and thinking of mechanisms to involve the rest of the school. It meets once a term and has around 20–30 children at each meeting. In addition, the school runs a food and drink fellowship where children identify decision makers in the community and LA and can question and challenge them on issues that are of concern to young people. These decision makers are asked to commit to actions, and are held to account by the young people.

Other innovative examples include Clark’s participatory work, developed over the last 10 years, with very young children (Clark and Moss 2001; Clark et al. 2005; Clark 2010) (Clark and Moss 2001; Clark 2010). In one project children and adults were actively involved in the design, development and review of early childhood centres and schools (Clark 2010). Another example is ‘Investing in Children’ (LiC), funded by Durham County
Council, that has evolved practices, strategies and policies designed to engage older children actively in consultation and decision-making processes in matters affecting their lives.

One model of working developed by liC is to undertake an ‘agenda day’ which (typically) 10-25 diverse young people aged 13-18 meet in an adult-free environment to express their views, facilitated by other young people who have met before to plan the day. The facilitators plan and decide which questions to ask the invited young people that would give them the best opportunity to express their views. Agenda day reports have contributed to the development of many different institutions including schools, health services, sports facilities, the delivery of social support services and many more. liC is constantly evolving the methods that they use and they include young people fully in this development. Finally, the London-based organisation Citizens UK engages with young people of all ages, regarding them as leaders, in a range of community developments.

However, there are many examples of paying lip service to decision-making and the involvement of more advantaged young people, particularly on school councils. One of the authors has documented the ways that not being involved in decision-making about special educational needs can lead to further disadvantage (Todd 2007). Children are often put in a situation in which they do not know the role of the practitioner they are consulting and have an inadequate grasp of the import of the decisions being made about them. Whilst there was an initial increase in this aspect of child participation, there has been little real improvement in this area nationally in the last five years in the delivery of children’s services. It is an area in which real improvements can be made.

However, this is not to say that children and young people should always be placed in a position of decision-making. Hart introduced the 'Ladder of Participation', a model of participation through eight levels, starting from manipulation and non-participation and moving up towards equal participation of adults and children (Hart 1992; Shier 2001). This has helped many practitioners to move to greater participation. However, it can encourage the view that involving children more is always the way to go. The need is rather for a critical research-based means to involve children – and this does not always mean that being further up the participation ladder, away from adult-control, is necessary and is always better. The logical and simple appeal of Hart’s deservedly popular visual and linear conceptualisation ignores the political complexities that shape the production and reception of the child in practice. A more nuanced approach is needed.

That some projects and institutions are able to demonstrate excellent and innovative examples of giving children a ‘fair shout’ is not disputed. However, what is most in need of attention in many schools is the cultural assumption of the non-participation of children, a challenge to the dignity and respect of children and young people. As one young person consulted with for this report said: ‘If a teacher asks you for a pencil, you have to give it, there is no choice. There is no point in school councils – they never listen.’

**Recommendation:** *Children and young people should be more involved in decision-making both about schools and services and about their own lives. This is an area in which progress can easily be made due to the ready availability of good practice in Newcastle. Attention should be given to involve a more diverse group of young people in existing arenas such as school councils and for young people to have a real influence. Attention should also be given to the collaboration of Newcastle Children’s Rights Team with community organisations similar to Citizens UK in order for young people to make a real contribution to some of the key challenges of today’s living.*
3.1.5 A focus on fair participation in learning: encourage greater trust both in teachers and schooling

There has been increasing awareness recently of the need to enable teachers to teach without the imposition of repeated reforms, and to trust the professionalism of teachers to themselves evolve creative and effective teaching. A well-practiced and evidenced process that achieves this is the development of schooling by engaging teachers in researching their own practice (Hall 2009). However, greater trust does not seem to have been reflected in increasing demands on schools from Ofsted. There is a role for parents to play in demonstrating trust and one way to do this is to support ‘the local school’ as an excellent school for all. This is not to ignore the need to address the fears of middle-class parents of socially diverse schools of the main conclusions of the Fabian Society report on fairness and education (Bamfield and Horton 2010).

It is not a simple matter to decide what constitutes fair participation in learning and research is needed to investigate effects on children and teachers of teaching practices. Is sitting with wifi-accessing laptops in university master’s degree seminars fair practice, taking account of the kind of multi-tasking that we are becoming used to and honouring our preference to listen or to surf the web? Or is this practice unfair to the achievement of the full participation in learning by the students? A visiting tutor asked the students to sit in a circle and leave their laptops behind in order to encourage a focus on the communication of the learning that was the focus of the session. The resident tutor disagreed with this proposal, but two pupils went out of their way to express gratitude for the new arrangement. This, as would many possible avenues of action, merits research to explore impact, perception and process.

The example of increasing trust given to teachers that we present in Box 11 is one that demonstrates the creative development by teachers of classroom practice that engages children more fully and actively in their own learning. This example is one of a high level of challenge and enquiry in lessons; genuine communication between pupils and between staff and pupils; and engagement with young people as agents of change in their own lives. Primarily, however, it demonstrates the facilitation of teachers as thinking professionals to evolve their own solutions to educational problems. The example in Box 11 is taken from the Learning and Teaching Update, issue 53/April 2012.

**Box 11 Fair practice**

Fair Participation in Learning: Using Enquiry to Create Authentic Learning Experiences

Eddie Stephenson and Tim Ennion describe the journey to create successful lifelong learners at Noadswood School

Every good story has a beginning, a middle and an end. Our beginning was the realisation that the traditional role of the teacher as a knowledge provider was inadequate; in fact much of the knowledge our students will require in the future does not yet exist. We realised that we needed to equip our learners not just with knowledge but with the skills to be successful lifelong learners. In 2009 we became one of 15 schools in England to participate in Learning Futures, a national innovation programme to develop new models of learning, fit for the twenty-first century. This collaboration placed Noadswood School in an exciting position and it gave us the confidence and resource to experiment with radical curriculum change; most significantly it saw us adopt Enquiry Based Learning (EBL). A new Year 7 Humanities EBL curriculum was created and piloted, underpinned by the eight steps of enquiry devised by Ruth Deakin Crick (Jaros and Deakin Crick, 2007). We call our new EBL curriculum ‘Navig8’ as it centres on students ‘navigating’ their own learning journeys.
Incorporating **EBL into the curriculum**

Incorporating an EBL approach into our curriculum has been all about taking risks – it is entirely student-centred. An EBL classroom is exciting, dynamic and, at times, highly stressful! It allows students to make choices about what they want to learn and how they learn it. It will involve students choosing the topics that really interest them and using these to create and research their own enquiry questions. Arguably the most important aspect of EBL from a teacher’s perspective is their own changing role. Teachers must be able to structure learning in a way that allows students to become more independent. This causes the role of the teacher to change as they relinquish control; transitioning from the more traditional ‘wise sage’ role to that of a ‘coach’. An effective EBL teacher will create resources and activities to **facilitate** students’ learning rather than to **direct** it. A crucial part of the process is helping students to realize what makes effective learning, to apply this and then to help them reflect on their learning journeys. It is not an approach for the faint hearted; a key part of this process is being comfortable with failure as a crucial part of successful learning. Careful questioning and modelling of effective learning practice is used to bridge the gap to success.

'I think it should be cross curricular because students should get a taste of independent learning and preparing for jobs and opportunities for the future as stuff will be different in 10–15 years’ time. It would massively improve the average IQ of students in the country. Teachers would enjoy teaching something different.'

**Joe Wilkins Year 7 Roadswood School**

One way to deliver fair participation in learning is via an ‘area-based curriculum’. This is gaining ground as a concept, focusing on the local school attended by children in a community. The aim is to enhance the educational experiences of young people ‘by creating rich connections with the communities, cities and cultures that surround them and by distributing the education effort across the people, organisations and institutions of a local area’ (Facer 2009, p. 2, quoting RSA 2009). The implication of such a curriculum model is much more than a shift to more local content; it also signals a shift in how the curriculum is made, away from centralised prescription towards a more democratic model that lays greater emphasis on experiential learning and student identity. We end with an example in Box 12 of the area-based curriculum that involved a partnership between Excelsior Academy, Newcastle Council and Northumbria University.

**Box 11 continued…**

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**Box 12 Fair Practice**

**Learning through the Local Community/Area: Excelsior Academy**

**WHO** at school: 19 students in Year 8

**WHO** from outside: Frank Haslim Milan, Northumbria Universities School of the Natural and Built Environment and Newcastle City Council regeneration department

**WHERE**: In the classroom, St James Park, the building site and Northumbria University

**WHEN (calendar year(s), months, weeks, days, times)**: The teachers spent a half term, or 7 weeks from the 28th February until 15th April in 3 lessons per week.

**WHAT have you done**: Construction and the Built Environment

This project was focused and was embedded within the humanities curriculum, covering the topic of housing. The students spent half term acquiring the knowledge, skills and experience from the business mentors before preparing their presentations. It was mainly taught as part of everyday lessons with business mentors supporting the teacher.
in school on a weekly basis. There were however a few additional activities which helped make the learning real, relevant and inspiring.

The project was launched at a specially designed day at St James Park where students met professionals from the industry including chartered surveyors, community liaison officers, health and safety advisors, town planners and building designers. Students also were given the opportunity to visit a fully operational site to see the jobs they were learning about in action.

Towards the end of the project Northumbria University hosted the students for the day showing them progression routes into the industry.

Students then presented their response to the brief to a panel of industry experts. In a presentation ceremony after this event students, business mentors and teachers were presented with trophies and certificates of achievement as well as medals supplied by Frank Haslim Milan

**WHY? (What made you do it? Concrete as well as philosophical reasons):**

The programme was fully developed and delivered by Skills to Shine offering the teaching staff involved a fantastic opportunity for professional development. The lesson plans created as part of the programme could be used in forthcoming years making the delivery of the programme a sustainable learning tool. We were really interested in seeing the impact of this form of learning on our students especially the students at risk of becoming disengaged.

**POSITIVE OUTCOMES (For pupils, staff, parents, community, school, curriculum):**

With the support of their mentors students learnt about: the history of housing in the local area; understanding living arrangements; community needs; sustainable living; building design.

*It's all huge, there are so many jobs in the industry, we learnt about architects, surveyors, planners and designers. Student*

*The project gave students a better idea of what they would like to do in life as well as the knowledge of how they can get into different jobs.* Laura Humphrey, Excelsior Academy

*This type of training is integral to teaching in the future. It makes learning practical and accessible to all levels and abilities. It embraces the whole teaching curriculum adding practical hands on teaching and learning in the classroom.* Andrea Scollen, Frank Haslim Milan

*This sort of learning is a fantastic opportunity for students to try out careers before embarking on choosing a progression route.* David Beaney, Northumbria University

**WHAT YOU LEARNED/NEXT STEPS**

The project helped teachers develop additional know-how and improve their ability to deliver work-related learning as part of the mainstream curriculum.

Commitment from businesses significantly exceeded expectations, demonstrating that businesses are willing and able to support education.

The development of the project called for a substantial commitment of time and energy on the part of the teachers and businesses.

**BUT (Issues, Questions and Challenges arising)**

The project has led to the development of a successful model to make the humanities curriculum more real, relevant and inspiring and could be rolled out more widely across the school. However, each new teacher and business mentor will need training and/or mentoring, including help to develop a good working relationship between both parties.
Recommendation: Fair participation is needed in school learning. This involves a high level of challenge and enquiry in lessons; genuine communication between pupils and staff and pupils; a high level of engagement with young people as agents of their own lives; and approaches that position teachers as thinking professionals able to evolve their own solutions to educational problems. One way that should be encouraged to deliver this is an ‘area-based curriculum’.

3.2 Holistic, place-based, integrated models of schooling

Over the last decade many schools have become highly creative in working with different agencies and providers to make available a range of services and activities for young people and, indeed, for parents. These include a variety of extra-curricular opportunities and the provision of support services in health and social care for children and parents. A number of initiatives encouraged this provision and made funding available for management and for the activities themselves. The initiatives include the full service extended schools initiative, extended schools roll-out and the extended services initiative (Cummings et al. 2007; Cummings et al. 2011). The DCSF also investigated making direct provision to commission activities for young people deemed economically disadvantaged by funding directly to schools (Carpenter et al. 2010). Box 13, adapted from Cummings et al. (2005, p. 19) shows how one school made a range of opportunities available, in support for both well-being and after-school activities.

Box 13 Fair practice

Holistic integrated provision located within a secondary community school

Strawberry Hill Community School is a large multi-ethnic community secondary school and uses a full service extended approach (FSES) to service provision that is integral to the work of the school. The school drew many of its population from an area characterized by a high level of deprivation and with a largely transient school population, including refugees and asylum-seekers.

The school had several outcomes that it wanted to influence, including initiating a change in local people's perceptions of the school and greater representation of the middle-class community; inclusion (understood as a school that is valued by the whole community); a stable school with improved social and emotional health; community cohesion; and the raised achievement of young people. The school wanted its intake to reflect the diversity of its whole catchment area, which also included a significant middle-class population.

To create a more mixed and stable intake, the school pursued initiatives to encourage this. Community use of the school attracted a wider population including Japanese and Armenian families. Trying to meet these expectations simply from within the schools' own resources, however, was seen to be impracticable, and it became a priority to link with other community organisations and work with them. This was facilitated by the appointment of a FSES co-ordinator. This had the effect of improving the perception that local families have of the school. Out of school activities, especially around the arts, encouraged greater community involvement, and targeted support for families identified as in need by the Youth Service helped to maintain community links. Within school, early intervention strategies included the addition of learning mentors, the learning support unit, counselling and outreach support undertaken through the Child and Adolescent Mental Health Service (CAMHS). Additional specialist help, for instance from the Somali Liaison Group, was also provided. The package of extended services that was available through this work was seen by the school as an essential part of enabling it to achieve its intended outcomes.
This represents a more holistic approach to the delivery of education and other services and also is likely to be a more effective vehicle for the fair delivery of teaching and learning such as an area-based curriculum. Part of this approach is more authentic partnership with parents (see Box 14). Bagley gives a vivid account of a Sure Start project for which in its early days parents were involved in planning the centre (Bagley and Ackerley 2006), a process that was one of ‘civic entrepreneurship’ that built social capital within the community:

The parents report how the project built holistically on existing strengths within the community, how professionals valued, listened to, and acted on their views, how the project changed them personally, and how collectively they became increasingly involved with the programme and empowered in the social capital building process. but more recently this ethos has disappeared (p717)

Whilst we do not have the space in this report to discuss fairness in adult learning in detail, the different ways that extended schools have involved parents has played an important role in increasing the access of parents to learning opportunities.

**Box 14  Fair practice**

**Parent Leadership**

One secondary school identified that parents' were not actively involved with the school, and that their perspectives were missing. The head teacher decided to set up a parent forum to encourage parents to become more engaged with the school. For about a year, only one parent took part, but the head believed that it was important to persevere, and eventually the group took shape. The parents group was then instrumental in transforming the transition agenda by coming up with an alternative way to support parents through the process that the school then implemented. They are now involved heavily in engaging and supporting other parents, including providing peer support, open mornings and drop-in sessions, and producing guides to parents on issues of concern, such as healthy packed lunches. They also advise the school on issues such as how to present school reports and how to communicate effectively with parents. Parents at this school can see they are making a difference and they feel listened to.

It would make sense to use appropriately from these past initiatives such as the original Sure Start model and extended schools. What has been effective in previous models has been an integrated approach (ie education with other agencies such as housing, employment, infrastructure) that is collaborative, engages with the community rather than doing to the community and is locality-based (see Box 15).

**Box 15  Fair practice**

**Local authority leadership**

One LA senior leadership team identified that, although much innovative work was going on within and between schools to address disadvantage, many of these schemes were running independently of each other. This was identified as partly being caused by the overseeing departments and staff at Local Authority level having little understanding of elements outside their direct remit, and a lack of communication between project teams such as Parenting Support; Study Support; Extended Services; Integrated Youth Services; and School Improvement Officers about what was happening on the ground. The LA responded by providing training to School Improvement Officers so that they were able understand and link up strands of work going on in schools, ensuring a more coherent and effective response to need.
There is currently an unprecedented level of government support for the development of new forms of schooling. Whilst time and rigorous research will judge the effectiveness of these models and their level of fair practice, one valid perspective is that this represents, given the reduction in public funds, a waste of effort and resources and it channels middle-class fears and efforts away from the local community school (Benn 2012). Given government support of an increasingly diverse school system, in which academies and Free Schools have financial incentives and freedoms from certain regulations (ie national curriculum) not open to schools that choose to remain part of the local authority, there is a need to consider the relationship between such changes and any likely increase in privilege to the already advantaged.

The approach to dealing with fairness that we advocate is some form of progressive universalism that recognises that a fair education system should be provided for all children, but that some form of targeting will be necessary with a scale and intensity proportionate to some assessment of need. This has similarities in the approach needed to reduce inequalities in health (Marmot et al. 2010). However, we also advocate some more critical and reflective thinking about the nature and purpose of education, and about the ways that the identity and abilities of a child are a reflection of the socio-cultural culture that includes home, school and community, rather than aspects of an individual identity. We give strong support to the development of more holistic locality-based provision involving groups of schools that collaborate with each other and with other institutions and services, including industry, to offer a range of activities and services for families and the community.

**Recommendation:** Highly important is the removal of attainment gaps between lower-income children and those better off. However, fairness is wider than such concerns. This report advises some form of progressive universalism that recognises that fairness is for all, but that some form of targeting will be necessary with a scale and intensity proportionate to the level of disadvantage. However a critical approach should be taken to targeting systems in schools in order to remove institutionalised low expectations.

**Recommendation:** We encourage the Council to continue to facilitate holistic and collaborative approaches to the development of fair education in Newcastle. The Learning Trust has the potential to be just such a development. With the increasing range of types of schools that have individual contracts directly with central government, there is a danger that, instead of more choice for individual children and families, this will mean greater fragmentation and inequalities. We also support the development of locality-based groups of schools that collaborate with each other and with other institutions and services, including industry, to offer a range of activities and services for families and the community and to develop area-based curricular. This represents a more holistic approach to the delivery of education and other services and also is likely to be a more effective vehicle for the fair delivery of teaching and learning.
Towards a dialogic fairness audit

Any decision on what action to take in improving fairness is highly context specific, and dependent on the view or meaning of fairness that is adopted. Fairness in education is also a process – it is never arrived at but needs to be continually brought into being. We therefore suggest that in order for actions to be identified, a fairness ‘audit’ should be conducted as a reflective and inclusive exercise designed to enable thinking and understanding across and between partners and to enable them to prioritise action together. This is a process for the Council itself with its partners with the aim of surfacing meanings and tensions and encouraging practice that is effective, critical and informed. This will be act as a tool for staff development and reflective practice rather than representing a pass/fail standard.

Whilst schooling has the potential to reduce inequalities and to be made fairer, it can also become less fair and increase inequalities. It is not difficult to identify instances of ‘unfairness’ in schooling experienced by individuals, including by those who go on to succeed in the educational system. Many key areas for action to develop fairness were discussed in the last section. However, there is no single initiative or action or even sets of actions that will improve fairness in education. It depends on many aspects of a situation, the people involved and the resources available.

A fairness audit should have the following qualities, the ‘five Cs’ (Todd 2012):

- **Contextualised** – by taking account of the current context and examining practice within, between and beyond educational institutions;
- **Collaborative** – with all those involved in delivering and participating in education;
- **Critical** – the importance of a dialogic process to critique policy, practice and the language we use to talk about education that might draw on the traditions of action research or use theory of change approaches, possibly supported by an external ‘critical friend’, making use of educational research findings;
- **Capability-driven** – concentrating on expanding the capacities of young people and valuing their contributions;
- **Conceptualised** – making sense of the situation and prioritising action.

These five Cs are explained as follows:

1) **Contextualised** by taking account of the current context and examining practice within, between and beyond educational institutions. The audit should encourage staff to reflect on three main contexts that provide spaces for fairness: within school; between schools; and beyond school.

Looking within school means considering the internal practices or outcomes of the school organisation. Those involved in the fairness audit are responsible for drawing up a set of appropriate questions, based on the seven types of fairness listed in this report (Todd 2012). To give some examples, the following non-exhaustive set of questions is appropriate when the focus is on schools:

- Are children being treated the same, no matter what their capabilities, interests, background, or attainments?
- Are processes within school fair in deciding on allocation of support, assigning to groups or sets, and giving sanctions for behaviour?
• What actions are taken to reduce outcome differences on the basis of income, gender, ethnicity, disability, etc?
• What provisions in school mean that diverse needs are catered for?
• What opportunities do children or young people have to be included in decision-making in school, a) about the school and b) about matters that concern them personally?
• In what ways does the school develop the engagement of children in learning and in enrichment activities?

Between schools means looking at how schools work with each other to support the development of fair education and what opportunities they can offer together. Fairness between schools includes: who gets to go to which school, either formally or informally? Who benefits at the expense of other schools? When children are excluded, where do they go?

Beyond school is the environment not directly under the control of schools that can make an enormous difference to what school can be like and what to can do. This involves a consideration of the fabric of the locality, of families, of the different aspects of the local community, and the different practitioners and agencies that visit and in other ways relate to the school. ‘Beyond school’ also enables a consideration of fair education that is not just about schooling but encompasses educational opportunities for adults of all ages. The vital need to continue to offer educational opportunities throughout people’s lives is conceptualised in terms of mental capital through life for the population in the future (Kirkwood et al. 2008). Possible questions might include: how can all parents be given improved opportunities to participate in their children’s learning? What kind of adult learning can assist adults to improve their health? What opportunities are available to adults for greater access to award bearing education and learning that is for enrichment?

2) **Collaborative with all those involved in delivering and participating in education.** With respect to schools, the process should be one of collaboration with those involved in delivering and participating in education, including children, parents, non-teaching staff and practitioners that visit the school from time to time. Discussion with a range of parties will help develop the ideas about and, indeed, a common language as to how fairness is understood, what is unfair and what actions should be taken as a result. The Fabian Society report on fairness and education urges the importance of consensus building as a precursor for policy reform in fairness (Bamfield and Horton 2010).

3) **Critical of policy approaches, of practice and of the language we use to talk about education:** Achieving greater fairness is not straightforward; it is possible to seek to produce fairness yet at the same time unwittingly undermine it. We can all think of previously accepted educational practices we would never think of doing today, so what are today’s practices, either taken for granted or consistent with current ideas of psychology, pedagogy and ethics, that we might yet start to think of differently? There are also practices that may make worse the situation they are designed to influence, or that may fail to have any measurable impact. For example, initiatives to involve parents in education are widely understood to be amongst those most likely to have a positive impact on educational attainment (Desforges and Abouchaar 2003; Cummings et al. 2012), and yet it is also know that the broad policy of improving parent partnership with schools has been of far greater benefit to middle-class parents with little benefit to working class parents (Reay 2004a).

This criticality involves, we suggest:
• *A dialogic process*. The fairness audit will focus on dialogue rather than simply a collection of data, although this dialogue will require the examination of data. It will moreover involve a genuinely shared exploration of issues, reflection that has the potential to change perspectives.

• *A 'critical friend'*. A possible collaborator in the audit is an external ‘critical friend’ due to the difficulty in asking challenging questions from within an institution. This may be someone from a voluntary organisation or researcher from a higher education research centre or think tank. The Learning Trust may prove a useful forum for such collaboration.

• *The engagement with research findings*. Research can provide important material with which to develop a critical approach to fairness. It is one of the central purposes of this report to demonstrate the importance of a research-based approach to fairness, by repeatedly making references to research that informs the creation of different aspects of a fair education system. Whilst the importance of research is usually not contested, it is not always easy for practitioners to have access to research findings. One purpose therefore of the critical friend is to help in the process of translating research from the academic to the practitioner context.

• *A critical approach to language*. A critical approach involves a recognition of the role language plays in influencing our thinking and actions and the need to question the taken for granted assumptions of some of the concepts of professional practice (Corbett 1993; Todd 2006). For example, there has been a focus in much education policy on *aspirations* over the last 10 years and yet research has now demonstrated that the focus of policy on raising aspirations is not likely to improve educational attainment (Carter-Wall and Whitfield 2012; Cummings et al. 2012). There is a danger that the phrases that tend to be associated with looking at fairness – 'reducing inequalities', 'gaps in educational attainment' and 'tackling underachievement' – become over-used and their precise meaning unclear.

• *Challenging negative assumptions* of characteristics, abilities and personal resources of disadvantaged communities. There is a need to 'stop thinking about the education system in ways that anticipate division and failure’ (Bamfield and Horton 2010) and to respect the perspectives and values of the parents the schemes are designed to help and to recognise the forms of social capital that such parents already possess and routinely access’ (Gewirtz et al. 2005, p. 653).

There are examples of effective processes. Researchers in the Research Centre for Learning and Teaching at Newcastle University have achieved change in many schools and several hundred classrooms though the use of action research (Baumfield et al. 2008; Hall 2009). Dyson and Todd (Dyson and Todd 2010) have used a change theory approach to assist the development of schools to achieve over time varied goals to do with addressing educational disadvantage. A theory of change model enables schools to map expected intermediate outcomes to their objectives. In addition, it helps schools assess the likelihood of these outcomes leading to identified goals and to revise strategy so that actions are more likely to achieve overall goals. The effectiveness of these examples (using action research or theory of change) has involved working partnerships between local authorities, schools and higher education researchers.

4) **Capability driven by concentrating on expanding the capacities of young people and valuing their contributions.** A fair education system is one that enables children’s formulation of their capabilities. Capabilities, a concept from economics (Sen 2002) that is becoming useful to educationalists, are the ‘real and actual freedoms (opportunities) people have to do and be what they value being and doing’ (Walker...
2010). They are the actions one values doing, the approaches to living one's values: one's 'valued doings and beings'. A 'capabilities' approach emphasises the expansion of children's capacities rather than just test scores. A fairness audit looks at, for example, how the education system restricts capabilities based on gender, ethnicity or disability. Our analysis of how to do this can be hampered by the language and ideas of education, for example that achievement is easily equated with exam results despite there being many other aspects of ability and experience that children may wish to develop at school. A capability driven process focuses on capacities and not on deficits.

5) Conceptualised by making sense of the situation and prioritising for action. The audit involves a reflection on the different types of fairness (a–g) that can be observed in an educational environment and the types that seem to be compromised. Instances of fairness or injustice need some way to be grouped and conceptualised, to help prioritise for action. This conceptualisation needs to be such that it assists a discussion about what is unfair, what needs to be addressed and then, within this, some way of prioritising for action. Given the tensions between different types of fairness, conceptualisation is not likely to be a simple process.

4.1 Concluding comments

The role of Newcastle Council in developing the environment within which some kind of reflective audit can take place is crucial. The Council itself can engage in the process in addition to providing appropriate data. It can also help encourage the climate within which the kind of process we suggest can fit into the usual strategy development undertaken by all institutions. Box 16 is a summary of key elements of the reflective audit process including the key questions that might be addressed by each.

| Box 16 |
| Model of reflective audit of fairness |
| Contextualised | Ask questions about fairness: within school, between schools and beyond school. |
| Collaborative | Who is involved in the audit process? |
| Critical | Who acts as ‘a critical friend’? What process will encourage a genuinely shared exploration of ideas? How do those involved ensure that questions are asked that question the ‘taken for granted’? How will the fairness audit engage with research findings? |
| Capability-driven | How can restrictions on the formulation of children’s capabilities be removed? |
| Conceptualised | How can the following be considered and priorities agreed: • What kinds of fairness are in evidence in your setting? • What tensions in different claims to fairness can be identified? • What aspects of fairness need to be put more into practice? |
What is considered fair is shaped by notions of public consensus. What this report is advocating is the deliberate revision of how fairness is conceptualised in education leading to priorities for action. Our reflective audit model is a form of participative democracy, as a wide range of people involved in education are actively involved in the re-shaping of the response to fairness.

In Appendix 1 we suggest some open questions that can be used to facilitate discussion and reflection in the audit process. We also give permission for the reproduction of the case studies of the third section of this report for use in the discussions.

5 Final reflections

Fairness is not easy to define, although most people have a sense themselves of what it means. Fairness is defined in section 2 this report in terms related to the ideas of social justice from Nancy Fraser and adopts the ten fairness principles of the Newcastle Fairness Commission. The research literature in education that looks at how to bring about social justice is not one that can easily be summarised in a report. However, by taking the ten fairness principles as our structure we were able to focus in section 3 on some key areas that we suggest can be levers for action to develop fairness in education. Central to these areas is a locality or place-based approach to educational provision. We suggest that the Council focuses attention on community trust in and support of the local school as the excellent school. In addition, one of the main ambitions for fairness should be to maintain current situations of justice and equity. This is not a small ambition given the cuts to public funding. Nevertheless, we are optimistic about the capabilities of people to work with others to resist inequalities and foster fairness.

We encourage in section 4 a fairness audit: a process for the Council itself with its partners with the aim of surfacing meanings and tensions and encouraging practice that is effective, critical and informed. This will act as a tool for staff development and reflective practice. This will provide a process to develop a more integrated approach to fairness, one that carries greater consensus. What we are advising is in itself a process of research. It is also one that can take thinking and action beyond the school context on which we have had, for reasons of time, to focus. This would consider fairness in education in contexts that include all aspects of learning for adults, indeed for the whole community. Furthermore, we also recommend that many of the issues raised and actions recommended in section 3 are those that provide promising areas for research.
Appendix 1  Questions for a Dialogic Fairness Audit:

General questions

• What examples of activities/ways of working in your setting/community can you think of that apply these fairness principles/put them into action?
• What do you know about the impact of adopting these ways of working on your students, your families, your staff, your wider community?
• How could you find out the difference adopting these principles or some of them has had? Would you need to think more broadly than just measuring impact on attainment and consider measures around self-confidence, self-belief, self-advocacy as well as measures around the well-being of the community as a whole and its resilience and ability to identify and manage its own risks?
• What are the barriers you can identify in your setting/community to applying these fairness principles?
• Which of these barriers are more to do with values and beliefs/understanding/perceptions/attitudes and which are to do with the extent of the resources available?
• What are the enablers to applying these fairness principles?
• Which of these enablers are to do with staff development opportunities-shadowing/mentoring/personal experience/listening to what your clients/customers/students/families have to say?
• Which of these enablers are to do with leadership and a shared commitment to changing the culture and challenging 'it's just the way it is around here' attitudes?
• Which are to do with tenacity and determination of key champions?
• Who do you think these champions might be at the frontline, the management and the strategic levels in your setting/community and Newcastle as a whole?
• Which enablers are to do with funding and resources? We know that funding is tight so what would you prioritise to take the fairness principles forward in your setting/community?
• How would you set about applying these fairness principles in your setting? What would be the first three steps you would take?
References


