

CHAPTER 9

Pedagogical Leaders' Use of Professional Judgement in Early Childhood Education and Care A Case from Norway

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Abstract

In this chapter, we discuss the exercise of professional judgement according to the *Framework Plan for the Content and Tasks of Kindergartens in Norway*. Our empirical bases consist of semi-structured interviews with a total of eight pedagogical leaders, who emphasise the importance of practical knowledge and intuition in unpredictable and complex situations. This chapter also illuminates the dangers of the extensive use of professional judgement, and how pedagogical leaders work to ensure that their pedagogical work is in line with sound professional judgement. Arbitrariness, uncertainty, and insecurity in pedagogical work can result from the widespread use of professional judgement in order to maintain children's best interests. Leadership

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strategies that pedagogical leaders use to ensure consensus in the employee group around the matter of professional judgement include mentoring, joint reflection, motivation, and support. The extent of professional judgement also depends on the current restrictions and the complexity of the situation.

Keywords: pedagogical leadership, professional judgement, leadership strategies, wicked or tame problems, early childhood education and care

Introduction

Uncertain decision-making situations are one distinctive feature of all types of professional work (Abbot, 1988; Freidson, 2001; Monteiro, 2015). According to Freidson (2001, p. 17), professional performance is so specialised that it cannot be standardised, rationalised, or commodified. As per definition, professional judgement must of necessity be linked to pedagogical work and teaching as a profession (Carr & Kemmis, 1986, pp. 7–9). This is also typical for pedagogical leaders in Norwegian early childhood centres (ECCs); empathy and flexibility are needed to solve all situations that arise. However, the research on the exercise of professional judgement says little about the factors that affect the use of professional judgement. The existing literature also says very little about the possible dangers of using professional judgement in work with children in ECCs.

In this chapter, we discuss the exercise of professional judgement according to the *Framework Plan for the Content and Tasks of Kindergartens in Norway* (Directorate of Education, 2017). It states (p. 16) that ‘the pedagogical leader is tasked with implementing and overseeing the kindergarten’s pedagogical practices using sound professional judgement’. In Norway, the pedagogical leader is the formal leader of one department of an ECC, typically with 15–20 children and 3 employees, often skilled or unskilled assistants. This position requires a bachelor’s degree. The formulation in the Framework Plan implies a great trust and credibility on the part of the profession and of the pedagogical leaders (Førde, 2018, pp. 209–225). Using this as a starting point, we will examine what professional judgement entails, the dangers of the extensive use of professional judgement, and how pedagogical leaders work to ensure that their pedagogical work is in line with sound professional judgement.

Pedagogical Leaders, Pedagogical Leadership, and Professional Judgement

Professional judgement or discretion enables professionals to take contextual considerations into account when making decisions about clients (Freidson, 2001; Lipsky, 2010). It would seem that the use of discretion is unavoidable when professionals need to apply general knowledge in a particular case, and professionals are thus granted discretionary power (Wallander & Molander, 2014). Scholars seem to agree that discretion is desirable as well as necessary to deal with the complexity of social work practice (Møller, 2018). As Zacka (2017, p. 4) also states, frontline professionals are caught in a predicament that calls for them to act as sensible moral agents who are able to 'interpret vague directives, strike compromises between competing values, and prioritize the allocation of scarce resources'.

Pedagogical leadership is a complicated concept that has several definitions, but in the Nordic context the pedagogy of ECEC combines education and teaching, as well as caregiving (Kvistad & Søbstad, 2005; Fonsén, 2013). Exercising pedagogical leadership therefore involves leading the educational work and initiating and leading development processes to ensure quality in the work. Leading the pedagogical work must also take place in accordance with the social mandate, values, and goals set for the organisation (Modise, 2019; Gotvassli, 2019). Like all other professional work, this work is characterised by the fact that one often has to use one's professional judgement as a basis for one's leadership.

Pedagogical leaders' use of professional judgement is rarely highlighted in the research on early childhood education and care organisations (ECECs). However, the topic is indirectly dealt with in works that address the areas of leadership, judgement, and profession (Bratterud & Emilsen, 2011; Åmot, 2014; Blaafalk et al., 2017; Pettersvold & Østrem, 2017; Andersen et al., 2017). Common to these studies is that ECEC teachers develop a sensitivity to working with children; this is described as both a gut feeling and a knowledge-based process. Common to the studies of Ulla (2017), Evertsen et al. (2015), and Eik and Steines (2017) is the idea that employees believe it is necessary to use many professional judgements in their work. Bøe (2016) uses the term 'qualified improvisations' to refer to how ECEC teachers see the complexity of their work and new opportunities in both the work group and the community.

Unpacking Professional Judgement

Discretion or professional judgement¹ is referred to as practical prudence—or *phronesis*—based on Aristotle's division of different types of knowledge (Gotvassli, 2020). Discretion can also be defined as the area where professionals can choose between permitted alternatives of action on the basis of their judgement (Molander, 2013). The term is related to concepts such as wicked problems, practical reasoning, intuition, tacit knowledge, pedagogical tact, improvisation, and the unforeseen. We will briefly look at these concepts to give an overview of the term.

Professional judgement can be associated with problems faced by professional practitioners. The distinction is between wicked or tame problems (Rittel & Webber, 1973, pp. 161–167; Head & Alford, 2015). Wicked problems are difficult to define. There is no objective correct solution, each situation is unique, the causes can be diverse, a solution can cause new problems to arise, and one problem is often intertwined with other problems. Solving wicked problems certainly affords the use of professional discretion. According to Grint (2008), wicked problems need us to go beyond internally coherent approaches and to adopt so-called 'clumsy solutions' that use the skills of a bricoleur to pragmatically engage whatever comes to hand to address these most complex problems. Tame problems are easy to define. There are clear cause–impact correlations, and it is therefore easier to find a correct solution to the problem.

Grimen and Molander (2008) note that discretion is a practical form of reasoning with weak normative evidence on which to base decisions. It is the exercise of practical reasoning leading up to a choice of action that is based on a situation description in combination with weak evidence of what is best. According to Kirkebøen (2012, p. 7), intuition is a thought process that provides an answer, a solution, or an idea, without effort and without awareness of the process behind it; that is, one cannot account for how one ended up at the result. Mastery of the practice situation therefore requires interpretation and empathy on the part of the actors. Tacit knowledge (Polanyi, 1969) is often associated with intuitive processes. Tacit knowledge means that we often think, assess, and act because of knowledge that is either not expressed or cannot be expressed verbally. Stråhle et al. (1989) argue that the following are characteristic of employees who use tacit knowledge in

their work: the abilities of immersion, responsiveness, taking the children's perspective, and being attentive to individual signals.

Pedagogical tact is associated with a complex question without a clear answer (van Manen, 1993). According to van Manen, it is challenging to distinguish between the learned and mechanical educational tact—whereby we interpret things automatically—and the tact that originates in sensitivity and authenticity in the face of the other. Torgersen and Sæverot (2016, p. 20) associate the concept of being unforeseen with phenomena such as judgement, creativity, and improvisation. Events that are unforeseen require improvisation and creativity in terms of how the situation should be handled; this is where pedagogy poses its opportunities and challenges. Oddane (2015, pp. 234–235) argues that unforeseen events often relate to uncertainty, unpredictability, inadequacy, and the absence of control. One way to approach such events is to develop the ability to improvise. Improvisation is about the ability to solve complex, unforeseen problems using the ingenuity of the moment.

Unfortunate Aspects of the Practice of Professional Judgement

The practice of judgement is mentioned as both important and necessary regarding achieving quality in one's work in ECECs. Restricting the use of professional judgement is portrayed as intervening in professional autonomy and as being incompatible with the purposes of ECECs (Pettersvold & Østrem, 2017).

These important points of view affect the responsibility of the profession and the need for a critical voice. At the same time, the extensive use of discretion can also pose a threat to the quality of the work. Grimsæth (2017, pp. 263–265) uses the concept of the burdens of discretion in a discussion about how newly qualified teachers find it difficult to exercise fair judgement.

Goodin (1986, pp. 232–261) points to some dangers related to the widespread use of discretion. He does not link it to work with children, but it is not difficult to see that the points made may also be relevant to the exercise of professional discretion in ECCs. First, the right to discretion carries a high risk of manipulation and exploitation. For example, a pedagogical leader can assign a children's group more employee resources over time and justify it as a need based on

a professional judgement. Second, discretion can lead to arbitrariness in the workplace; it is difficult for others to see what lies behind different decisions and priorities. Such unpredictability can also lead to insecurity and uncertainty among employees and children in ECECs. Goodin's last argument is that discretion affects privacy and intrusiveness. In some cases, for example, the pedagogical leader may go too far in collecting information about the child and the family regarding the child's development and interaction in the family, even though this is done so that the child will receive the best possible pedagogical offer in ECC. On this basis, it is important to stop and discuss the use of professional judgement in pedagogical work—there is both good and poor professional judgement. Studies of decision-making processes (Kahnemann, 2012; Kahnemann et al., 2021) suggest that our intuition may have inherent cognitive strokes such as bias, prejudice, and past negative/positive experiences, which can lead us to fallacy.

Discretion and Leadership Strategies

One question is what leaders can do to ensure that discretion is exercised appropriately and is well considered. Molander (2013, pp. 44–54) presents the terms structural and epistemological mechanisms—or leadership strategies. Structural strategies tend to restrict the scope of professional judgement and/or place restrictions on the behaviour of an individual who has the authority to make judgements, while epistemological strategies seek to improve the basis for and the quality of reasoning that leads to assessments and decisions within the individual's discretion (Gotvassli & Moe, 2019, p. 266). Grimen and Molander (2008) refer to Dworkin's (1977) metaphorical image of professional judgement as a doughnut. The structural strategies form the ring around the hole and consist of restrictions and standards established by the authorities and others. The empty space in the middle of the doughnut denotes the latitude with which the professional must exercise their professional judgement. The question is thus how pedagogical leaders handle the dynamic relationship between structural and epistemological strategies.

Research Methods

We chose a qualitative research design to enable us to delve into a more nuanced understanding of how pedagogical leaders work with professional judgement (Blaikie, 2010, p. 8). The empirical material consists of four semi-structured in-depth interviews with eight pedagogical leaders—seven women and one man—who work across seven different ECECs. Five of the ECECs are in middle Norway, while two are in Arctic areas, and they have between two to six departments each. Four of the individuals have between six and twelve years of experience, and four have between twenty and thirty years of experience. The overall goal of in-depth interviews is mainly to create a situation for a relatively free conversation about specific topics defined by a researcher (Tjora, 2017). Each interview lasted approximately one hour. We created an interview guide whereby we started with some background questions and the following main question:

The new Framework Plan has the following formulation in terms of responsibility for the pedagogical leader: The pedagogical leader is given the responsibility for implementing and directing educational work, in line with his or her sound professional judgement [this text is displayed]. What are your reflections on this?

In the usual way, we sent an information letter in advance, and informed consent was obtained. The interviews were recorded, transcribed, and anonymised.

Data Analysis

As an analysis strategy, we used qualitative research as stepwise-deductive induction (Tjora 2019, pp. 27–52). In this type of model, detailed data analysis and generalisation through the development of codes and concepts are central. For this strategy, Alvesson and Skjoldberg (1994, p. 4) suggest the use of the abductive process, which uses both deductive and inductive approaches and moves from empirical to theoretical dimensions of analysis (Lukka & Modell, 2010). Our research process began with raw data, with theories and perspectives drawn in advance. We then summarised the essence of the data material by coding it with empirically close codes. This reduced the amount of material and helped us to generate concepts based on details within it (Tjora, 2019).

We then grouped the codes into distinct thematic groups—for example, the use of training and feedback by leaders. Then, looking at the group codes, we attempted to develop a typology of the pedagogical leaders' work with their staff members' use of professional judgement in various contexts in their services (Tjora, 2017, p. 213).

The selected sources of empirical material are not a statistically representative selection. Nevertheless, they should provide insight into how different aspects of the exercise of professional judgement in pedagogical leadership are viewed by groups of individuals who have extensive experience. Tjora (2017, pp. 195–226) identifies this as a type of conceptual generalisation, while Simons (2009, pp. 164–165) refers to it as naturalistic generalisation. Here, we use earlier research and theories that support the broader application and generalisability of our findings over and above the individual case. Flyvbjerg (2006) identifies this as a way of learning from individual cases that is applicable in many policy and practice contexts. It can be used to encourage professionals to act in relation to the findings of a case or to research their own situations.

Understanding the Concept of Professional Judgement

Several of the pedagogical leaders note that it is difficult to formulate any precise understanding of the concept of professional judgement. Some associate professional judgements with both theory and experience, not to mention intuition. This is illustrated in the following quote:

I think it is ... theory, practice, experience together that constitute good professional judgement, and then you must use a great deal of intuition ... (Pedagogical leader F)

The pedagogical leaders associate professional judgement with ethics and morality. One overall theme is that good professional judgement must be considered against what is in the child's best interests.

Both theory and practical experiences give you wisdom and intuition. The use of professional judgement may feel more challenging for newcomers than for those of us who may have worked more in a lifetime. (Pedagogical leader E)

Furthermore, pedagogical leaders associate the concept of discretion with daring to make decisions, assess them afterwards, and learn from them.

Wicked Problems—What Is in the Child's Best Interests?

The pedagogical leaders associate the exercise of professional judgement with what is in the child's best interests, which can be challenging and difficult to figure out. Even though all our informants have been working for a long time, they still sometimes find themselves unsure of what it is best to do. Very subtle and complex situations can arise where it is not always easy to know what is best for the child.

It says in the Framework Plan what is 'the best for the child' and so we must consider what the best is for the child. There is no fascination with that, but we need to determine what we believe based on our background with both theory and practice, our wisdom and intuition. (Pedagogical leader F)

Extensive Use of Professional Judgement—A Danger?

In the interview, we asked the pedagogical leaders to reflect on whether they had great freedom to exercise professional discretion. To illustrate this concept, we used the metaphor of either a cage or a ballroom. All the pedagogical leaders reflected that what they experience is more like a ballroom than a cage. Given that the possibilities of exercising discretion are so wide, this can be problematised. One of the leaders says the freedom implies the confidence that they can exercise good professional judgement, which is good. Restrictions related to the exercise of professional judgement, she says, may be too different in the different departments and lead to arbitrariness in the work.

That is what I'm saying about it, that it can spread too much. It becomes a negative consequence if we are unable to talk together and come to a common understanding of the content ... (Pedagogical leader C)

Some of the informants also said that there could be more guidelines regarding what is considered sound professional judgement. The

consequences of the widespread use of discretion can also result in uncertainty and lower quality regarding pedagogical work. Another dilemma related to the use of discretion is the source of power and how it can be difficult to argue against the professional's judgement.

There is much power behind the word. I have heard this from teachers about assessing students, how to meet the needs of the student and be aware of one's power. It is important to be aware of how you exercise that power. You shall not abuse your power. (Pedagogical leader G)

Leadership Strategies or Customs Used by Pedagogical Leaders

Pedagogical leaders use different strategies when they try to ensure that the work carried out by the staff is done with sound professional judgement. They use involvement, motivation, expectation, clarification, and guidance—which may be termed epistemic leadership strategies. It is important to involve all employees, parents, and children in decisions. Storytelling based on practice, videos, drawings, and other forms of pedagogical documentation are used to stimulate reflection and discussion.

At meetings, we often have reflection groups where we divide up and are then given an assertion, to which we have to say whether we agree, partly agree, or disagree. Then, we go round, and we must justify our answer before we go into a discussion, so everyone has to say something. (Pedagogical leader A)

The pedagogical leaders further say that it is important to motivate employees by providing them with the challenges they need. This is also about developing and applying the expertise at the disposal of the leaders within the employee group. *Guidance* is highlighted as a situation where professional discretion is largely used.

I think we use discretion a lot in terms of guidance. Most of the staff are skilled workers, but there are new employees with less experience, and there we need to be able to reflect on discretion in kindergarten. (Pedagogical leader G)

Pedagogical leaders also mention structural leadership strategies to frame the use of discretion. This process is about legislation, frame-

work plans, routines, meetings, and other structures that are essential to ensure proper framing of professional judgement.

Discussion of Concepts in Relation to the Findings

In our analysis of the material, we attempted to search for patterns and typologies. To discern these, we looked at group codes or main topics from the material we had gathered in the previous stage, keeping relevant theories (such as the use of leadership strategies) and other research in mind. We can discern that the work of the pedagogical leaders to make good use of professional judgement must be viewed in light of the context—a context that can limit or enhance the use of professional judgement. Including staff in discussion and reflection is important in leadership. However, doing so is complex, and requires ongoing work with the staff to strengthen their professional judgement. It also involves balance, with many situations not providing much opportunity for staff to engage in professional judgement.

It is not always easy to discern the best way to deal with complex pedagogical situations, but leaders identify two different axes they consider to be important in their efforts to encourage professional judgement among their staff: 1) the degree of complexity—namely, how wicked or complex the situation is; 2) the requirements for procedural accuracy and documentation. For example, there may be procedures and rules that should be followed or there may be great freedom to find different solutions and decisions. We will look at some typical examples of how the pedagogical leaders themselves explain how they try to manage the dimensions of complexity in each situation and the level of requirements for certain procedures, documentation, and structures.

Detailed rules and routines, which leave little room for professional discretion, are often linked to the safety of children. One explanation, which is a very illustrative example, is the following:

The weapon in the office we use when we are on a trip, even if we are just going up to the church. If we are going on longer trips, e.g. out on the fjord, we must bring armed polar bear guards. (Pedagogical leader A)

We also have examples where the exercise of professional discretion is within certain limited frameworks—linked to structured pedagogical programmes, for example.

We have used some programmes, but there are relatively firm requirements for how they should be used. (Pedagogical leader B)

Many of the informants believe that they work from day to day with a great degree of professional discretion and accompanying professional responsibility:

Most of the things we do in the ECEC are very complex and often require the use of theoretical insights and experiences and you dare to trust your gut feeling. (Pedagogical leader C)

A typical example of freedom to use professional discretion in limited specific activities is:

Regarding the meal with fruit snack, etc., it is a matter of getting to it within the there-and-then situation, and it can vary regarding how much discretion it requires. (Pedagogical leader E)

The use of professional judgement is often related to how unclear and complex the situation is—what we have referred to as wicked or tame problems. This division means that exercising professional discretion is something that the pedagogical leaders must see in the context in which it is to be exercised. If it is not done, one may end up needlessly curtailing one's professional discretion or allowing more discretion than is professionally justifiable.

These findings are important for policy and practice in the sense that pedagogical leaders need to think carefully about the situations in which it is productive to use a lot of professional judgement and those in which it is important to reduce the use of professional judgement. It is also important to discuss this with the other staff in the workplace. Policymakers must also make it clear that the use of professional judgement is something that must be high on the agenda in pedagogical discussion in ECECs.

Limitations

The limitation of our findings lies primarily in the fact that a small sample of educational leaders were interviewed. Our study sheds some light on how pedagogical leaders perceive the concept of professional judgement and how they work with professional discretion. However, much more research is needed to gain more secure knowledge. It would

also be interesting to delve into situations in which pedagogical leaders feel confident about their discretion and those in which they are more uncertain. It could also be interesting to gain knowledge about how the rest of the staff in the ECEC experience their own professional discretion in working with children and parents.

Conclusions

The purpose of the current study was to determine how pedagogical leaders understand the concept of sound professional judgement, the challenging aspects of discretion, and how their work as pedagogical leaders is in line with sound professional judgement. The concept of professional judgement as explained in the literature is what can be called an eclectic term, that is, it is stretchable (Røvik & Pettersen, 2014, p. 61) and rarely precisely defined. The pedagogical leaders associate the term with unpredictability and complexities that require intuition and empathy and are linked to an assessment of the child's best interests. This can be difficult in many situations and requires a combination of experience and theoretical knowledge. The room allowed for professional discretion is perceived as large, with few limitations. Interestingly, many such leaders also suggest that the excessive use of professional discretion can cause too much variety and lack of transparency in pedagogical work. This arbitrariness can thus lead to insecurity in the children.

One important finding is that our informants primarily use epistemic leadership strategies such as guidance, common reflection, and motivation to ensure broad consensus within their employee group regarding pedagogical practices and the use of professional discretion. In their pedagogical leadership, the extent of professional judgement depends on the complexity of the situation and the limitations of the use of professional judgement. Complex problems require broad understanding; thus, different types of knowledge are used in the exercise of professional judgement.

This requires the skills of a bricoleur to pragmatically use whatever comes to hand to address these most complex problems (Grint, 2008). At the same time, it is important to frame professional judgement when necessary—for the safety of the children, for example. Leading pedagogical work that is in line with good professional judgement is

a vote of confidence and something with which one must work constantly and consciously.

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Notes

- 1 We use both professional judgement and professional discretion to refer to the same concept.

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