
Report to: Council

Date of Meeting: 15 December 2016

Subject: Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education: A Governance Review

Report by: Chief Education Officer

1.0 Purpose

- 1.1 The purpose of this report is to advise Council of the Scottish Government's Governance Review on how education is run and to seek Council's views on a draft response to this consultation.

2.0 Recommendations

It is recommended that the Council:

- notes the Governance Review and the main questions it covers as attached at **Appendix 1**;
- agrees the draft response to the consultation on the review as set out in **Appendix 2** to this report.

3.0 Background

The National Improvement Framework was published in January 2016 and sets out clear priorities for everyone in Scottish education, providing a framework for how data and evidence will be used to monitor improvement. The Framework addressed some of the recommendations made by the Organisation for Economic Cooperation and Development when they carried out their review of Scottish Education in June 2015.

In June 2016, the Scottish Government then published a further document entitled "Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland". The Delivery Plan sets out the actions that Scottish Government will take to achieve further improvement, particularly in relation to

closing the attainment gap. Within the Delivery Plan, the Government set out plans for a Governance Review.

- 3.1 The Education Governance Review was launched in September 2016, as a consultation document. The Scottish Government have described the Governance Review as integral to the delivery of the overall Education Delivery Plan, allowing the Government to “examine the system changes required to deliver its commitment to empower schools, decentralise management and the support through the encouragement of school clusters and creation of new educational regions.”
- 3.2 The review focusses on:
- How governance can be improved to support delivery of ‘excellence and equity’ to children and young people.
 - Strengthening collaboration amongst teachers and practitioners.
 - Supporting children, parents, and the wider community to take a stronger role in school life.
 - Which support functions and services are best provided at school/ regional/ national level.
 - Further empowerment in early learning and childcare.
 - Establishing new educational regions.
 - Funding and accountability arrangements for education.
- 3.3 The Education Service has engaged on the Governance Review with early years staff, teachers, parents and young people. The Scottish Government is visiting on 1st December to facilitate a discussion on the Review with authority central staff, teachers and early year’s staff. The Chief Education Officer, Senior Managers and one of the Elected Members have also participated in national discussions with the Association of Directors of Education (ADES), Scottish Government and COSLA.

Response

- 3.4 The proposed Council response is attached at Appendix 2. Clackmannanshire Council shares the Scottish Government’s strong commitment to excellence and equity for all children and young people but we believe that an integrated approach to meeting needs, particularly for our most disadvantaged children, is essential. Synergy across services, including between early learning, school, out of school, community learning, housing, social work is crucial, and in line with GIRFEC principles.

The local authority is best placed to support teachers, schools and partners to work together to support families and children, and to ensure local accountability.

There is no evidence that teachers and head teachers are hindered by Local Authority colleagues in addressing the attainment gap and improving the delivery of education.

Clackmannanshire Education Service is already using the National Improvement Framework to drive improvement. It is also working collaboratively with partners and other authorities to improve outcomes. Introducing alternative structures of governance and supports will only get in the way of this activity and with the overall shared goal of closing the attainment gap.

Looking at the current structure and funding of national agencies and support organisations which engage with schools and education services should be an essential part of any Governance Review. This may address future local improvement needs in a more efficient way.

4.0 Sustainability Implications

4.01 The paper has no sustainability implications.

5.0 Resource Implications

5.1 The paper has no resource implications.

6.0 Exempt Reports

6.1 Is the report exempt? Yes No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) Our Priorities (Please double click on the check box)
- | | |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input checked="" type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input checked="" type="checkbox"/> |
| Our communities are safer | <input type="checkbox"/> |
| Vulnerable people and families are supported | <input checked="" type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input checked="" type="checkbox"/> |
| The environment is protected and enhanced for all | <input type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input checked="" type="checkbox"/> |

(2) Council Policies (Please detail)

Not applicable

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes No

9.0 Legality

- 9.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes No

10.0 Appendices

11.0 Background Papers

Appendix 1 – Empowering Teachers, parents and Communities to achieve Excellence and Equity in Education – A Governance Review.

Appendix 2 – draft response to the consultation.

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Anne M Pearson	Chief Education Officer	Signed: A Pearson
Elaine McPherson	Chief Executive	Signed: E McPherson

Empowering teachers, parents and communities to achieve Excellence and Equity in Education - A Governance Review

Summary of questions

Question 1

What are the strengths of the current governance arrangements of Scottish education?

Question 2

What are the barriers within the current governance arrangements to achieving the vision of excellence and equity for all?

Question 3

Should the above key principles underpin our approach to reform? Are there other principles which should be applied?

Question 4

What changes to governance arrangements are required to support decisions about children's learning and school life being taken at school level?

Question 5

What services and support should be delivered by schools? What responsibilities should be devolved to teachers and headteachers to enable this? You may wish to provide examples of decisions currently taken by teachers or headteachers and decisions which cannot currently be made at school level.

Question 6

How can children, parents, communities, employers, colleges, universities and others play a stronger role in school life? What actions should be taken to support this?

Question 7

How can the governance arrangements support more community-led early learning and childcare provision particularly in remote and rural areas?

Question 8

How can effective collaboration amongst teachers and practitioners be further encouraged and incentivised?

Question 9

What services and support functions could be provided more effectively through clusters of schools working together with partners?

Question 10

What services or functions are best delivered at a regional level? This may include functions or services currently delivered at a local or a national level.

Question 11

What factors should be considered when establishing new educational regions?

Question 12

What services or support functions should be delivered at a national level?

Question 13

How should governance support teacher education and professional learning in order to build the professional capacity we need?

Question 14

Should the funding formula for schools be guided by the principles that it should support excellence and equity, be fair, simple, transparent, predictable and deliver value for money? Should other principles be used to inform the design of the formula?

Question 15

What further controls over funding should be devolved to school level?

Question 16

How could the accountability arrangements for education be improved?

Question 17

Is there anything else you would like to add regarding the governance of education in Scotland?

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Draft Consultation Response

Summary

Clackmannanshire Council believes firmly that legal responsibility for delivering education and raising standards in schools and in early years establishments should sit with local authorities.

It is absolutely right that schools and establishments should be taking decisions on a daily basis about children's learning and their progress, and about school life generally. It is entirely appropriate and correct that the professionals working directly with children are best placed to make these judgements and decisions. The existing governance system supports this flexibility and autonomy and the necessity to change this is not clear from the Governance Review, imposing; new regional boards and or removing the responsibility of local authorities for education would undermine local democracy and accountability structures.

Clackmannanshire Council supports community led decision making and distributive leadership which best meets the needs of children and their families. In line with GIRFEC principles, it is essential that we look at the whole family and the context of their local community, working across services such as Housing, Social Work, and Economic Development. Moving to a new regional model (without an obvious regional basis) cuts across the current Clackmannanshire strategic direction of working towards cluster/locality models and empowering local communities.

The Council, therefore, is not convinced of the relevance or necessity of these proposals or that they would result in improvements for children and their families, and their communities.

Background and purpose of the Review

It remains unclear the purpose of this Governance Review. The Organisation for Economic Cooperation and Development (OECD) carried out an independent review of Scottish Education in 2015. Their report gave a largely positive review of progress with Curriculum for Excellence and of Scottish education more generally. There was no indication in the OECD Review that governance structures per se are getting in the way of improvement in Scottish Education. Indeed the report states that "there is no one right system of governance." However, the Review team did recommend a shift to an approach which reinforced the "middle" rather than a top-down centralised approach.

They talk about collective autonomy, empowering teachers and of schools working together, to generate and drive change. We would support that approach, and indeed the cluster driven model which we are driving forward in Clackmannanshire is a clear example of such collaboration and change. However, the suggestion that there should be less of a role for a local authority in facilitating and enabling such improvement is not supported.

National Improvement Framework

The National Improvement Framework provides a clear structure and framework for schools and authorities to follow which is designed to bring about improvement for children. In particular, it sets out four priority areas and signals the importance of an integrated approach at all levels of the education system which will contribute to these priorities.

The importance of teacher professionalism, school leadership, parental engagement, supporting school improvement, is all recognised in the Framework. The purpose of the Framework is to ensure that all levels of the system have the right type of evidence which can support evaluation of strengths and areas for improvement, and that there are clear synergies and interconnections in addressing the agreed priorities.

Clackmannanshire schools and the Education Service have already embraced the National Improvement Framework, and are working hard to put necessary systems and structures in place to drive improvement. There is a real danger that the distraction of alternative structures of governance and supports will get in the way of this improvement activity, and with the overall shared goal of closing the attainment gap.

Supporting schools and teachers and establishments in meeting the needs of children and young people

The complex nature of Curriculum for Excellence, of our education system generally, and the increasing challenges facing our families and communities demand a high degree of partnership working to meet the needs of all our children and young people. It is widely recognised that schools alone cannot deliver the improvements that are required. The role of an education service in today's complex world of education is not to take decisions on a daily basis about individual children (if it ever was) but to help schools navigate the complexity of our systems, to support them in working with a range of partners, and to comply with the increasing level of requirements of national government and its agencies. There are also economies of scale and decreasing bureaucracy of some functions being retained centrally.

Some examples of the continued and evolving role of the education service:

- Supporting wellbeing and SHANAARI
- Consistency in excellence and equity for all children
- Quality assurance
- Implementing national policy and legislation
- Ensuring an 0-18 service (and beyond) planning and implementation
- Consistency in ensuring Curriculum for Excellence entitlements
- Integrated Service planning and use of data
- Identifying and supporting establishments in meeting the needs of our most vulnerable children including those with high levels of Additional Support Needs and Looked After
- Keeping up to date with the latest practice, research and development

Increased collaboration and regional working

There are already many excellent examples of school collaboration, regional and national working. An imposed model of regional working (with no obvious basis) does not seem necessary and risks adding an additional tier of interaction. At present, Clackmannanshire Education Service is working with other authorities in a number of regional and specific partnerships, including through Scotland's Attainment Challenge, Developing the Young Workforce, ADES groups and many others.

Role of national agencies

Partly as a result of Curriculum for Excellence, Developing the Young Workforce, GIRFEC and other national policy developments, the requirement for increased partnership working has become the norm in education. The range of partners, both at authority and school/establishment level, is much greater than pre-CfE. At the same time, there has also been a growing trend to promote, adapt and increase the role of national educational support organisations eg Scottish College of Educational Leadership, General Teaching Council for Scotland, Scottish Credit and Qualifications Framework, Scottish Qualifications Authority, Skills Development Scotland, College Network, Education Scotland, Care Commission, teacher professional organisations, parent organisations, children's organisations.

This creates a very complex, bureaucratic and crowded landscape for schools and communities to navigate and to keep up with. It would be beneficial if a clearer mapping and analysis of these supports be undertaken before any decisions are taken to establish if any simplification of these structures could lead to a more focused approach to empowering teachers, supporting collaboration and to improvement.

In addition, the range of information policies, legislation and demands from Scottish Government can feel very disjointed for local authorities. Often it is the role of the Education service to try and make sense of this landscape so that schools and early years establishments can get on with the day to day job of making decisions about teaching and supporting children. An overarching plan of activity from Scottish Government, which is clearly focused on outcomes for children would be very welcome, making the necessary connections with early years, economic and poverty activity, health and communities.

Funding and Accountability

The Review consults on changes to the current funding formula for schools and how alternative accountability arrangements could be introduced. However, it is unclear as to the basis of allocation of future funding from Scottish Government.

As can be evidenced from the information published by Scottish Government on pupil teacher ratios different local authorities choose to apply different funding levels to schools depending on their own priorities. If funding was coming directly from Government a national funding formula would be required, this would result in

winner and loser at school level and may require schools to reduce budgets and potentially course choices.

If funding was devolved to schools how would this fit in with national and European procurement regulations? Following the McClelland report, local authorities have been successful in obtaining efficiencies through collaborative procurement using Scotland Excel. If schools were given the power to purchase from any supplier the successful bidders for some national contracts may mount a challenge.

Currently local authorities employ all staff and issue contracts of employment. The local authority ensures that procedures are in place to ensure that no contracts of employment are issued unless safe recruitment is undertaken, ie PVG checks are undertaken, occupational health reports are received and Identity checks are undertaken to comply with national legislation. If this responsibility was devolved to schools there is a risk that in the eagerness to have new appointments in place that shortcuts may be taken. Similarly in relation to procedures around discipline and grievance the support is currently provided from HR professionals to ensure that the employees and employers interests are met and we do not have staff having to revert to tribunals.

It is unclear how the Governance Review fits in with legislation around support for children with Additional Support Needs - would accountability and responsibility be transferred from local authorities to schools?

In Clackmannanshire secondary schools administration support is provided centrally through the Business Support service. This is inconsistent with the Governance review.

If schools are to have significantly greater budget and HR responsibilities they will require to be more accountable for the use of resources than they currently are, this will require the support of someone with a finance or HR background to ensure. In Clackmannanshire, schools have not had the support of business managers this is additional expenditure that they do not currently incur.

Schools currently are able to reclaim VAT through the local authority and this advantage not only applies to purchases funded from public sector funds but can sometimes be used for items purchased from parent funding. The changes made around the governance of Police Forces at the time of creation of Police Scotland has given the Government an ongoing issue in relation to VAT.

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