

Agenda Item	5
Report No	LA/20/17

HIGHLAND COUNCIL

Committee: Lochaber Committee

Date: 4 October 2017

Report Title: Proposals for Changes to the Governance of Education

Report By: Director of Care and Learning

1. Purpose / Executive Summary

- 1.1 This report outlines the Scottish Government's recently announced proposals for the reform of education governance and asks Members to seek views on the proposals in their communities and particularly through discussion with their respective Parent Councils.

2. Recommendations

2.1 Members are asked to:

- (i) Note that the Council has agreed to seek to work with Government, including through CoSLA, the Northern Alliance and other fora in an endeavour to influence these proposals in a more positive and constructive direction.
- (ii) Discuss the proposals at this meeting.
- (iii) Seek views on the proposals through discussions in their communities and particularly through discussions with their respective Parent Councils.

3. Background

- 3.1 The Scottish Government proposals for changes to the governance of Education, follow a wide-ranging consultation that ran from September 2016 to January 2017, generating 1154 written responses in addition to the views of 700 people who took part in face to face consultations. A summary of the views garnered can be found at – *Empowering Teachers, Parents and Communities to achieve Excellence and Equity in Education: An Analysis of Consultation Responses* on the Scottish Government website.
- 3.2 The Government published their proposals in a *Next Steps* report on 15 June 2017. This can be found at: <http://www.scot/Publications/2017/062941>
- 3.3 Members discussed the proposals at the meeting of the Council on 29 June. The report by the Director of Care and Learning can be found at: https://www.highland.gov.uk/download/meetings/id/72220/item_12_education_governance_review
- 3.4 This paper allows an opportunity for further discussion and to consider how these proposals might impact on local communities across Highland.
- 3.5 The publication of *Education Governance Next Steps* was accompanied by a consultation on funding, due to close on 13 October 2017. Although education governance and funding form two streams of work, they are clearly inter-connected.

4. Reaction to the Proposals

- 4.1 Initial reaction to the proposals was mixed.
- 4.2 The largest teachers' union, the EIS, welcomed many of the proposals, including the promise of pedagogical leadership, improved support for schools and new career pathways for teachers. They were less convinced by the need for changes to the General Teaching Council for Scotland (GTCS) and felt that clarification was still required on several of the proposals. Overall, they welcomed the fact that many of the proposals would be subject to further consultation.
- 4.3 The Scottish Parent Teacher Council (SPTC) also welcomed aspects of the report but remained concerned about budget cuts, *".....this will significantly increase the autonomy of schools, the role of parents in school life and ensure schools are rooted in their communities. If standards drop, parents will now be able to take complaints straight to their local school, with head teachers being liable..... Although parents are not interested in running their child's school, they do want to know the best way to support their child whether that is at home or in school. We realise this will mean a real culture change in many schools and hope that school leaders see this as an opportunity to build meaningful partnerships with all in the school and wider community.....The fact remains though that for most parents, the*

impact of education service cuts is a major current concern which they want Government and local authorities to address.

- 4.4 CoSLA issued a statement at the time of the launch which included the following:

“The Scottish system has worked tirelessly towards a co-ordinated approach – health, social work, the third sector and others rally around a child and provide them with the help both they and their family need. Schools are only one facet of this. If the Scottish Government continue down this path of isolating education, the whole system approach is lost and it is the most vulnerable and disadvantaged children in our society who will suffer as a result..... We will embrace change which promotes better outcomes but we will resist any change which does not. We are clear that what has been announced today erodes local democratic accountability and most certainly will not close the attainment gap.”

- 4.5 The Highland Council Leader stated: *“I believe that local democratic accountability must be at the heart of the delivery of Scottish education. We are committed to continuous improvement in education, to achieve the best outcomes for children as part of an integrated children’s service.*

At first read, these proposals go further than we were led to believe and could sever the long established and productive links of accountability between schools and local government. We need to read these proposals carefully and respond, however at first reading I find little here to welcome and am concerned this is a first stepping stone to more centralisation.”

5. The Case for Change

- 5.1 In *Education Governance Next Steps*, it is acknowledged that there was considerable opposition to the proposed changes in the 1154 written submissions and from the 700 people who took part in the consultations.

- 5.2 In response, the Cabinet Secretary cited three areas of concern in attainment that suggest an urgent need for change:

- a) *..... the latest results from the international study PISA found that Scotland's overall performance has declined in science and reading compared to 2012, and is unchanged in maths. Our relative performance compared to other countries has deteriorated across all three areas. Performance has measurably deteriorated in science and maths since 2006.*
- b) *The Scottish Survey of Literacy and Numeracy (SSLN) which monitored national performance in literacy and numeracy has shown a decline in numeracy (2011 to 2015) and literacy (2012 to 2016).*
- c) *There is still a clear gap in attainment between children from more deprived and less deprived backgrounds.*

5.3 In looking at strategies to address these issues and to improve children’s educational outcomes, the report emphasises the importance of the quality of teaching and leadership in the schools. The Cabinet Secretary identifies variations between local authorities in attainment, the levels of support they provide to schools and the levels of funding they devolve to schools, as the basis for major change of the governance of Scottish education.

5.4 The Cabinet Secretary’s intention is to create a school, teacher and practitioner-led education system supported by up to seven Regional Improvement Collaboratives. In this model, the local authority would carry out a largely administrative role, with responsibility for the quality of a pupil’s education resting with a Regional Director directly appointed by Scottish Government and responsible to the Chief Executive of Education Scotland.

6. Summary of Key Proposals

6.1 These are the key proposals.

- Establish up to seven Regional Improvement Collaboratives, bringing local authority staff and Education Scotland staff together under a Regional Director appointed by the Scottish Government and reporting to the Chief Executive of Education Scotland (see Figure1). Education Scotland resources will be decentralised to support regional support for schools. However, an anticipated separation of Education Scotland’s inspection and curricular development responsibilities is not planned.

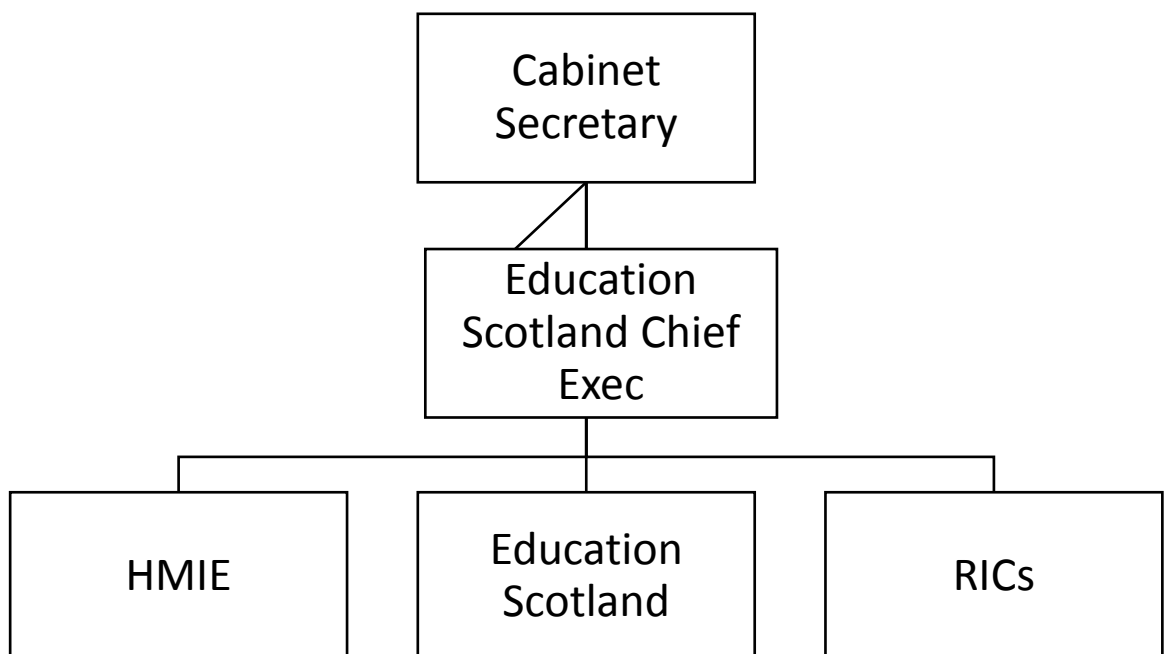


Figure1

- Head teachers will be given “sweeping new powers”, most notably:
 - responsibility for raising attainment and closing the poverty-related gap in their school;
 - choosing school staff and management structure;
 - deciding curriculum content within a broad national framework;
 - directly controlling more school funding.
- The local authority role will be to provide administrative, human resource and infrastructure services to schools and to contribute to school improvement via the Regional Improvement Collaborative by releasing head teachers and other staff. Specific responsibilities will include:
 - overseeing quality in the provision of early learning and childcare;
 - ensuring the supply of schools;
 - the provision of denominational and Gaelic medium schools where required;
 - the administration of placing and admissions procedures, including for children with additional support needs;
 - the provision of support services such as human resource functions;
 - planning for future requirements;
 - securing excellent headteachers for the schools in their area; head teachers will appoint all other teachers and school based staff;
 - a role in ensuring that public resources allocated for the delivery of education are properly accounted for.
- Reform the General Teaching Council for Scotland and bring it together with other professional development bodies in a new Education Workforce Council for Scotland.
- Enhance the role of parent councils; extend parental involvement and pupil participation. Every school to have access to a ‘Home to School Worker’.
- Ensure enhanced career development and opportunities for teachers.

7. Issues for Further Consideration

- 7.1 A report so far-reaching in its scope but relatively short, is bound to raise more questions than answers. The Highland Council has committed to work with Government, including through CoSLA and the Northern Alliance to mould the proposals into a more positive direction. Members are invited to consider some of the key issues in the context of their local areas.

7.2 Regional Improvement Collaboratives

Much of the post-launch discussion has centred on the proposal to make statutory provision for Regional Improvement Collaboratives (RICs). The RICs will share best practice, provide improvement support to schools and create an annual regional plan linked to the National Improvement Framework. The current Northern Alliance, in which Highland is a key partner, is cited as a model for the proposed new RICs.

However, the Northern Alliance describes itself as a “collaborative of the willing” and points out that what is proposed is wholly different, both in structure and ownership. There are also concerns that having the RICs, HMIE and Education Scotland all reporting to the same Chief Executive who, in turn, will report to the Cabinet Secretary for Education, means that the Government will, in effect, “set and mark its own homework”.

In addition, some respondents, notably CoSLA, suggest that the imposition of RICs in this way, amounts to injecting a further layer of bureaucracy into the system. The proposal makes no mention of the likely costs associated with this layer bureaucracy, nor of any of the other proposals.

On the other hand, The Cabinet Secretary argues that the current system is too complex, and that inconsistency of approach between local authorities, in their funding and support for schools, is jeopardising efforts to raise attainment and close the attainment gap.

7.3 School Governance

The “sweeping new powers” for schools summarised in **6.2** and the administrative role envisaged for local authorities in **6.3**, signal a major change for both schools and local authorities. Some critics point out that education, from early years to the senior phase of secondary school, has gone through a decade of unprecedented and relentless change. They argue that a period of embedding and refinement is now needed.

During the consultation Children in Scotland’s Chief Executive Jackie Brock said:

“While we welcome the Scottish Government’s clear commitment to improving all children’s outcomes, we see virtually no evidence to suggest that departing from the current model of education governance would contribute in any meaningful way to closing the gap in attainment.”

Ms Brock added that it was important to view the proposals in the context of current financial pressures affecting councils, schools and families. *“Sustained cuts to local authority budgets, combined with increases in child poverty rates, represent the greatest barrier to eliminating the educational attainment gap in Scotland – not the current system of school governance,”* she added.

7.4 **Getting it right for every child**

The integrated Practice Model and SHANARRI wellbeing indicators at the heart of the GIRFEC approach were first devised in Highland, and ensure there is a common understanding amongst children, young people, families and all the services they engage with, of the importance of being Safe, Healthy, Achieving, Nurtured, Active, Respected Responsible and Included.

From being a pathfinder authority for GIRFEC, Highland has developed into a prime example of the value of inter-agency and inter-authority collaboration and the difference a local authority strategic approach can make to families and to the life chances of children and young people.

De-coupling school education from a local, strategic, system approach, it is argued, would put at risk the progress of recent years and disadvantage the children and families most in need of support.

At school level, expecting head teachers to be accountable for attainment in their own schools is perfectly reasonable, but to add on the full responsibility for closing the poverty-related attainment gap, when so many factors are beyond their control, would risk making an already demanding job an impossible one.

7.5 **Parental Involvement**

The report confirms that Government will introduce legislation to strengthen parental involvement by consulting on legislative changes to strengthen, expand and improve the Scottish Schools Parental Involvement Act 2006. The expectation is that changes will:

- strengthen the duties on schools to ensure that parent councils play a full part in the decision making of schools;
- expand relevant aspects of the Act to involve parents from early years settings;
- provide a stronger focus on parental engagement in learning within the legislation;
- improve and extend the duties on headteachers to engage the entire parent forum;
- and include proposals to extend the links between parent councils and pupils.

The report acknowledges that there is a difference between parental involvement in the running of the school and parental engagement in their own child's learning. Much research suggests that such wider involvement, unless directly connected to learning, does not have an impact on learning outcomes for pupils. However, research does confirm that, in terms of closing the various attainment gaps, what is needed is genuine parental engagement in the pupil's learning activities.

8. Conclusion

- 8.1 The publication of the Government's proposal for education governance confirms that education in Scotland is about to experience significant change.
- 8.2 As the recommendations in this report state, The Highland Council has committed to influence these proposals in a more positive and constructive direction. Briefing Papers on the above and wider issues are being prepared for elected members and it is anticipated that further discussion sessions will be held.
- 8.3 In the meantime, members are invited to discuss the issues raised above.

9. Implications

- 9.1 Resource – Many of these proposals are likely to involve additional costs. It is not clear how these will be met. There is a subsequent consultation on the funding of education, and this could lead to funding becoming ring-fenced, or provided directly to schools.
- 9.2 Legal – Some of these proposals will require legislative change, and the Government has committed to bringing forward an Education Governance Bill. The Cabinet Secretary says that he will work closely with partners to consult on the legislative changes, which will be introduced in the second year of this Parliament.
- 9.3 Gaelic - These proposals envisage the local authority retaining responsibility for organising Gaelic medium provision.
- 9.4 Community (Equality, Poverty, Rural) - Significant concerns were raised in the consultation on changes to governance arrangements, about how these proposals would affect children with Additional Support Needs, or living in more disadvantaged communities. There are obvious concerns about responsibility for activities in Highland schools sitting with a regional body, some distance away. There would also appear to be significant challenges for small rural schools, albeit these could be mediated through implementation of the new structures and administrative that Highland Council has already committed to.
- 9.5 There are no new implications regarding Climate Change / Carbon Clever issues, unless the new arrangements lead to significantly greater travel times for staff and managers..

Designation: Director of Care and Learning

Date: 31 August 2017