

The Highland Council

Agenda Item	10.
Report No	EDU/30/24

Committee: Education Committee

Date: 21 November 2024

Report Title: Briefing Paper- Education (Scotland) Bill

Report By: Assistant Chief Executive – People

1. Purpose/Executive Summary

- 1.1 The Education (Scotland) Bill aims to reform Scotland's educational framework by establishing Qualifications Scotland, a new body responsible for overseeing qualifications and introducing an independent education inspectorate. The Bill includes measures to ensure more stakeholder involvement in governance, especially for teachers and learners. Key provisions also cover inspection reforms, aiming to improve transparency and accountability in Scotland's education system.

2. Recommendations

Members are asked to note the contents of this report, which provides an overview of the key proposals in the Education (Scotland) Bill and outlines potential impacts on governance, qualifications, and education inspection.

3. Implications

- 3.1 Resource - The Bill proposes transferring the roles and resources of the Scottish Qualifications Authority (SQA) to Qualifications Scotland. Adequate staffing and financial resources will be required for the smooth transition of these functions, alongside ensuring quality assurance and support for additional learning needs. Resource implications for The Highland Council are not yet known.
- 3.2 Legal - The Bill involves legislative changes that will formally dissolve the SQA and transfer responsibilities to the new qualifications body. It grants new regulatory powers to Scottish Ministers for the operation of Qualifications Scotland, and establishes the Chief Inspector's role, requiring legal frameworks for operational independence. There are no known legal implications for The Highland Council.
- 3.3 Risk - Responses to the Bill proposals are mixed. COSLA has expressed interest in co-sponsorship of a reformed Education Scotland; how might expertise be retained for accreditation with the new qualifications' authority; and whether the new inspectorate might scrutinise the qualifications' authority, Education Scotland, and relevant government directorates.

Teaching unions have raised concerns that the changes will amount to a rebranding rather than substantive reform; that there is a lack of clarity of roles and responsibilities within the new governance structure; and that there is a risk of a more bureaucratic approach affecting headteachers along with the dangers of lack of collaboration and support for the profession.

The General Teaching Council for Scotland (GTCS) seeks clarity around governance and collaboration with the teaching profession; clear definition of roles and the independence of the inspectorate.

- 3.4 Health and Safety (risks arising from changes to plant, equipment, process, or people) - There are no known risks for health and safety.
- 3.5 Gaelic - There are no specific provisions regarding Gaelic language education in the Bill other than to ensure that cognisance is taken of Gaelic education and the need to communicate effectively in the language. However, as the Bill impacts educational frameworks, it may influence broader education policies, including Gaelic education.

4. Impacts

- 4.1 The Bill introduces significant changes to the governance and management of qualifications and inspections in Scotland. Establishing Qualifications Scotland is intended to ensure fair, transparent qualifications, but concerns have been raised about whether these changes sufficiently empower teachers and students. Some teacher unions have called for stronger teacher representation in the governance structure to avoid the repeat of past mistakes with the SQA.
- 4.2 The establishment of an independent inspectorate will provide a new level of scrutiny for educational standards. COSLA supports increased scrutiny but seeks involvement in shaping these frameworks to address local challenges.

5. Education (Scotland) Bill

- 5.1 The Education (Scotland) Bill, introduced in June 2024, includes two main components:
- 5.2 The Education (Scotland) Bill includes provisions to replace the Scottish Qualifications Authority (SQA) with a new national qualifications body, Qualifications Scotland. The new body is expected to become operational in Autumn 2025. Key features of the new awarding body are outlined below:
 - A new corporate body responsible for developing, awarding, and accrediting qualifications, replacing the Scottish Qualifications Authority.
 - A Learner Interest Committee and a Teacher and Practitioner Interest Committee will ensure direct input from learners and educators. The Bill mandates the creation of charters for learners and teachers to guarantee transparency.
 - Qualifications Scotland will manage the accreditation of qualifications, excluding university degrees, and will establish mechanisms to ensure quality standards, especially for learners requiring additional support.

- 5.3 The legislation will also establish the office of His Majesty's Chief Inspector of Education in Scotland, with enhanced independence, to undertake the education inspection functions which currently sit within Education Scotland. The Bill establishes an independent office for overseeing education inspections, currently managed by Education Scotland. The Chief Inspector will have the authority to decide the frequency and focus of inspections, ensuring a more transparent system that is less influenced by political forces. The Chief Inspector will be required to produce annual reports assessing educational performance across Scotland.
- 5.4 The Bill emphasises stakeholder engagement and independence in both qualifications and inspections, aligning with the Scottish Government's long-term educational reform strategy focussing on the National Improvement Framework of curriculum design, professional learning, and improving support for students with additional needs. However, several stakeholders have expressed concerns that the Bill does not go far enough in ensuring meaningful change and may risk merely rebranding existing bodies.

6 **Next Steps**

- 6.1 The Lead Committee will publish a Stage 1 report summarising findings and recommendations. This report will inform the subsequent debate and vote on the general principles of the Bill. If these principles are approved, the Bill will progress to Stage 2 for detailed consideration of its individual provisions.
- 6.2 Overall, the Bill is likely to bring significant changes to the Scottish education system with potential implications for local authorities and schools in the areas of curriculum, qualifications and assessment as well as an inferred focus on accountability around improvement and performance.

Designation: Assistant Chief Executive - People

Date: 6 November 2024

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Background Papers: [Education \(Scotland\) Bill](#)

Appendices: None