

**Midlothian Council response to the Education Governance Review:
*Empowering teachers, parents and communities to achieve excellence
and equity in education*****Report by Dr Grace Vickers, Head of Education****1. Purpose of the Report**

The purpose of this report is to present the final Midlothian Council consultation response to the Scottish Government's consultation called *Empowering teachers, parents and communities to achieve excellence and equity in education: A Governance Review* which was launched on 13 September 2016 and closes on 6 January 2017. A full copy of the Midlothian Council response is filed in appendix 1.

2. Background

The delivery plan for Education, published by the Scottish Government on 28 June 2016, is presented in four main sections:

- A relentless focus on closing the attainment gap.
- A curriculum which delivers for children and teachers.
- Empowering our teachers, headteachers, practitioners, parents, communities, children and young people.
- A clear focus on improvement.

The rationale for the delivery plan is to address the significant challenges which face Scottish Education. The delivery plan acknowledges it is still the case that where a child is from, where they live and their family circumstances still have a disproportionate impact on their chance of success. The delivery plan highlights that "despite some progress over the last decade, a pupil from the 20 per cent least deprived areas of Scotland is almost twice as likely as one from the 20 per cent most deprived areas to leave school with a qualification at SCQF 6 or better" (2016: 3). Each section of the delivery plan includes an overview of the ambition and a series of 86 actions in total that the Scottish Government will implement in order to deliver the overall ambition.

The Midlothian Council Cabinet report dated 11 October 2016, presented in detail each part of the delivery plan. Within section 2.3 of the Cabinet report, attention was drawn to the ongoing Scottish Government consultation on the Governance Review for Education to enable a wide range of stakeholders to share their view on how Education in Scotland is run, including who should take decisions in relation to the education of children and young people, and how funding can be made fairer. The consultation also asks about the support teachers and practitioners need to do their jobs well and how this can be improved. Further information on the national consultation can be located by clicking on the following link: <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>.

As agreed by Cabinet on 11 October 2016, the following actions were undertaken in response to this national consultation:

- A series of consultation events in Midlothian took place with Parent Council Chairs and Head Teachers in order to raise the profile and to seek the views of our local stakeholders on the Scottish Government consultation called *Empowering teachers, parents and communities to achieve excellence and equity in education: A Governance Review* <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>
- A seminar with elected members took place on 21 November 2016 outlining the ongoing Midlothian Consultation on the Education Governance Review.
- The Midlothian Survey, which closed on 30 November, was also launched and the outcome of this survey forms the basis of the Midlothian Council response which can be found in appendix 1 and a full copy of the Education Governance Review has been circulated to Members electronically and copies are available in the Members' Library.

2.1 The outcome of the Midlothian Survey

In total forty-nine people responded to the survey. In addition, the 32 Primary Head Teachers submitted a group response and the 6 secondary Head Teachers submitted a group response. In total there were fourteen fully completed responses. A summary of respondents is shown in table 1:

Respondent	Completed	
	Initial question	responses
Member of staff	20	5
	24	4
Parent/carer	5	3
Group (2 CPP, 2 CC, 1 PC)		
Primary Head Teacher group response	1	1
Secondary Head Teacher group response	1	1
Grand Total	51	14

Table 1: Summary of respondents

It should also be noted that separate responses will also be submitted by a range of other bodies including SOLACE, COSLA, ADES, the individual Trade Unions and Religious Representatives.

Overall, Midlothian is in agreement with the national endeavour to close the poverty related attainment gap. The Council is also broadly in agreement with the ambition and the key principles. However, it remains unclear what educational benefit this governance review seeks to achieve. In line with COSLA, we have serious concerns about the premise of this governance review and the flawed assumptions which are fundamental the document; that schools are not currently empowered to make decisions about individual learning and school life, that regional collaboration does not currently occur. We also know that schools alone cannot tackle poverty and disadvantage and we believe that this requires a full council approach. Key themes have emerged throughout including the challenges of recruiting suitably qualified teachers, the lack of supply and the Devolved School Management Scheme (DSM).

A number of concerns were raised by Parent Council Chairs, the Education Advisory Group and the Head Teacher Executive on the lack of detail stated in the consultation document which makes it challenging to answer the large number of open questions contained within the national survey. Therefore Midlothian, as part of their response, request more detail and clarity on what is actually being proposed. Overall, this lack of detail in the consultation document and the complex open questions may have resulted in a low response rate to both the Midlothian consultation and consequently may be the same in terms of response rate to the national survey. It should be noted that more respondents started the questionnaire than completed the questionnaire.

A full copy of the final Midlothian Council consultation response which will be submitted to the Scottish Government is filed in appendix 1.

3 Report Implications

3.1 Resource

The resource to deliver the pace of change within the delivery plan will be challenging. We have already experienced an increased resource demand through the number of on-going consultations, response to a number of requests for data and data checking exercises for the upload of pupil level data. In addition, at very short notice each local authority were expected to participate in a CfE workload review at the beginning of term and ADES sought an extension to enable local authorities to verify and provide further evidence to reports where local authority performance was being evaluated in terms of their approaches to reducing workload demands and tackling bureaucracy. The most significant resource implications of the delivery plan are contained within section 3: Empowering our teachers, headteachers, practitioners, parents, communities, children and young people. In September, the results of the Financial Review of the Early Learning and Childcare sector were published and this review explored the expenditure on funded childcare to enable us to better predict the cost implications of different delivery models as we move towards the forthcoming expansion to 1140 hours by 2020. In addition, the launch of the Governance Review on 11 September alongside the Programme for Government will examine the system changes required to deliver the Scottish Government's commitments to empower schools, decentralise management and the support through the encouragement of school clusters and creation of new educational regions and will implement any proposals arising from the Governance and Parental Involvement reviews at the earliest opportunity. In particular the Scottish Government will support the development and expansion of school clusters and increased regional working throughout 2017-18.

Alongside the Governance review, the Scottish Government will begin to develop proposals for a fair and transparent national funding formula immediately and will listen to the views of teachers, parents, system leaders, local authorities and communities through the Governance Review. Building on the responses to this review the Scottish Government will consult on proposals for a funding formula in March 2017. This will build on the approach being adopted for the Scottish Attainment Challenge, where £100 million will go direct to headteachers from April 2017. The ongoing growth of Gaelic Medium Education in schools through the implementation of new rights for parents and by providing more resources for teachers and learners, by February 2017 will also have resource implications for Midlothian and there is ongoing dialogue with ADES to explore the best method to deliver this aim.

Finally, the Scottish Government believe that “legal responsibilities for delivering education and raising standards in our schools sit largely with education authorities, not with the schools and teachers that teach our children and young people every day. The Scottish Government intends to address this imbalance by extending to individual schools responsibilities that currently sit with local authorities and will introduce a new Education Bill in the second year of this Parliament. Building on the responses to the Governance and Parental Involvement reviews, a consultation on a Bill will be held early in 2017” (2016: 11). It is the position of ADES that Headteachers are officers of the Council and as such the current legal responsibilities for raising standards in schools is a shared responsibility as the role of the headteacher is a dual one – to lead and manage their school and to be an officer of the Council.

3.2 Risk

The Cabinet report dated 11 October 2016, highlighted the following risks: we welcome the relentless focus on closing the attainment gap in Education but we recognise that this requires a total Midlothian approach; although the delivery plan clearly states in the opening ambition statement that in order to close the attainment gap “our efforts must also extend beyond the classroom and across our communities and wider public services if we are to succeed in our ambition” (2016: 4); the delivery plan then continues with a narrow focus on the school level leavers without recognition of the critical role that other services including the Community Planning Partnerships and the third sector play in supporting education to close the poverty related attainment gap.

The proposed changes to governance structures which will be consulted on early in 2017 is maybe challenging to Local Authorities as the delivery plan clearly states a commitment to regional working although there is little detail within the delivery plan to establish what this may look like. ADES is already committed to working together and sharing best practice on a regional basis and this way of working does not require the proposed legislative change suggested. If we are all to focus on the national endeavour to close the poverty related attainment gap then we should be focussing on what delivers improved outcomes rather than a review of structural governance arrangements. Caution should also be applied to the reference of funding directly to schools with an enhanced role for central government related to the attainment challenge, the role of Education Scotland, standardised testing and the transparency of attainment data proposed to be published on a school by school basis on Parent Zone similar to what is in place at present for the Senior Phase qualifications through Insight. We need to question the role of the Local Authority in these changes.

3.3 Single Midlothian Plan and Business Transformation

The ambition in the delivery plan is already clearly embedded in the Single Midlothian Plan – reducing inequalities. Last year the transformation project on Early Years was concluded in order to ensure that we have a strong foundation from which to plan for the delivery of 1140 hours by 2020. Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

GIRFEC 5: Our people will be successful learners, confident individuals, effective contributors and responsible citizens.

3.5 Impact on Performance and Outcomes

To close the gap by improving 'attainment versus deprivation' and 'attainment for all' outcomes for children and young people.

3.6 Adopting a Preventative Approach

This report aims to take preventative action in order to close the attainment versus deprivation gap by implementing key policies and programmes which are designed to target support to children and young people from disadvantaged communities.

3.7 Involving Communities and Other Stakeholders

This report presents the final Midlothian Council response to the Governance Review following a series of events and an online survey with key stakeholders.

3.8 Ensuring Equalities

The recommendations in this report should continue to promote equity of attainment for disadvantaged children and support the steps being taken towards narrowing the attainment gap.

3.9 Supporting Sustainable Development

There are no impacts arising directly from this report.

3.10 IT Issues

Ongoing dialogue is taking place with SEEMiS and Digital Services to ensure that we are on target for the ongoing data collection in line with the guidance on the National Improvement Framework.

4 Recommendations

Council is requested to approve the following:

- To note the content of the report; and
- To agree that the formal Midlothian Council consultation response contained in appendix 1 be submitted to the Scottish Government before 6th January 2017.

06 December 2016

Report Contact:

Name: Dr Grace Vickers, Head of Education Tel No 0131 271 3719

julie.currie@midlothian.gov.uk

Supporting Papers for on-going reviews in Scottish Education:

Standards in Scotland's Schools Act (2000):

http://www.legislation.gov.uk/asp/2000/6/pdfs/asp_20000006_en.pdf

Statutory Guidance: Standards in Scotland's Schools etc. Act 2000: Scottish

Government Consultation: <https://consult.scotland.gov.uk/strategy-and-performance-unit/statutory-guidance>

Education (Scotland) Act 2016:

http://www.legislation.gov.uk/asp/2016/8/pdfs/asp_20160008_en.pdf

Updated guidance on Chapter 3 of the Standards in Scotland Schools Act, August 2016: <http://www.gov.scot/Publications/2016/08/5386/4>

Scottish Schools (Parental Involvement) Act 2006 by the National Parent Forum of Scotland: <http://www.gov.scot/Resource/Doc/148166/0039411.pdf>

Financial Review of Early Learning and Childcare in Scotland: the current landscape (Scottish Government; September 2016):

<http://www.gov.scot/Resource/0050/00506148.pdf>

Empowering teachers, parents and communities to achieve excellence and equity in education: A Governance Review: <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>

