

Scottish Government: Education Governance Review - Next Steps**Report by Grace Vickers, Head of Education, Education, Communities & Economy****1. Purpose of the Report**

Further to the previous report on Education Governance which was presented to Council on 20 December 2016, the purpose of this report is to draw Cabinet's attention to the Education Governance: Next steps report which was published by the Scottish Government in June 2017.

2. Background

On 13 September 2016, the Scottish Government launched a consultation on Education Governance called *Empowering teachers, parents and communities to achieve excellence and equity in education: A Governance Review*. The consultation closed on 6 January 2017 and a full copy of the Midlothian Council response was approved by Council on 20 December 2016.

In June 2017, the Scottish Government published the outcome of this national consultation in their report entitled *Education Governance: Next Steps*. A copy of this report is filed in appendix 1. This publication is in five main sections:

- Chapter 1: Introduction
- Chapter 2: The Case for Change
- Chapter 3: A school and teacher-led system - Empowering teachers, parents and communities
- Chapter 4: Educational improvement services to support a school and teacher-led system.
- Chapter 5: Delivering an empowered system: next steps

A number of the changes outlined will require legislative change and the Scottish Government will consult on a new Education Bill in autumn 2017.

Chapter 4 outlines the proposed changes for local authorities and states that this devolution of power to the school level means that the traditional roles of national and local government will change. Headteachers will be empowered to make high quality decisions to drive up attainment and close the equity gap; putting the needs of children and their families first and helping to build a more open, flexible and dynamic system.

Local government's role and importance is clear. A range of local authority provision, such as Children's Services and Community Learning and Development, have a very important role to play as we continue to improve outcomes for children and families. Local authorities will remain democratically accountable for the provision of early learning and childcare and of schools. Local authorities will focus on delivering excellent educational support services for children and young people – their role will be key in supporting schools and establishments to drive improvement and deliver better outcomes for children (2017: 33).

Section 4.2 also outlines the proposed functions which will be undertaken by local authorities as follows:

- provide education support services, including: 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 (including independent sector where appropriate); planning for future requirements; and securing excellent headteachers for the schools in their area;
- provide HR services for all school staff and respond to HR requests from headteachers;
- be the employer of the education workforce within their schools and local authority early learning and childcare settings;
- support the provision of early learning and childcare delivered by funded providers (in the private and voluntary sector) as well as local authority nurseries in various establishments to maximise its educational benefit to young children;
- appoint headteachers with the appropriate involvement of parent councils;
- be accountable to local communities for the provision of education support services including early learning and childcare in their area;
- appoint a Chief Education Officer as set out in the Education (Scotland) Act 2016 in order to fulfil their responsibilities in relation to education support services;
- have a new duty to collaborate to support improvement on a regional basis;
- be responsible for improvement through their provision of education support services,
- their regional collaboration and securing leadership in their schools;
- collaborate with other local authorities and national agencies to provide staff (including headteachers and teachers) to work within the regional improvement collaborative;
- ensure that other local authority provision, such as Children's Services, Library and Community Services, Community Learning and Development and third sector partners work effectively with schools and regional improvement collaboratives to provide care and education to children and their families;
- continue to channel the vast majority of funding for school education, including their role in Attainment Challenge funding, ensuring that public resources allocated for the delivery of education in Scotland are properly accounted for.

Section 5 outlines the short, medium and long term actions which will be undertaken. In the short term, the Scottish Government will focus on engagement with teachers and practitioners, with parents, children and young people, and with all partners involved currently in the delivery of education, to take these changes forward. Work will begin immediately to ensure that enhanced improvement services are available to teachers and practitioners

as early as possible, and so that when the legislation and structural changes are in place, this support is widely available to schools and functioning well.

The specific priorities in the short term will include:

- Commencing appointment **in summer 2017** of a substantive Chief Executive for a strengthened Education Scotland, with the appointment of Regional Directors, to follow thereafter.
- Working in partnership with local authorities and partners to develop the shape and composition of the regional improvement collaboratives. We will ensure that the experience of current and emerging partnership working informs the establishment of regional improvement collaboratives.
- Strengthening of parental involvement and parental and community engagement, consulting on legislative changes to strengthen, expand and improve the Scottish Schools (Parental Involvement) Act 2006. We will consult on these changes as part of our consultation on our Education Bill in **autumn 2017**.
- Strengthening parental and community engagement by working with the Scottish Parent Teacher Council **over the next year** to learn from their Partnership Schools initiative to ensure that schools support parents to play an active part in school improvement.
- Strengthening the voice of children and young people by supporting all schools to promote and support pupil participation, consulting on a requirement that every school pursues the key principles of pupil participation. This will be included in our consultation on our Education Bill in **autumn 2017**.
- Consulting on an approach to fair funding, as set out in
 - Education Governance – Fair Funding to achieve Excellence and Equity in Education, published alongside this document.
- Developing the Headteachers' charter and consulting on a proposed approach to the legislation to underpin this, in time for the introduction of an Education Bill by **June 2018**.
- Beginning work from **June 2017** on transferring relevant functions from national bodies, ensuring that there is continued stability for schools, children and young people during this period. This will include national support for professional learning and leadership development which will become part of Education Scotland.
- Establishing a Scottish Education Council by **October 2017**, chaired by the Deputy First Minister and Cabinet Secretary for Education and Skills, to ensure a system-wide focus on improvement can be delivered.
- Consulting on establishing an Education Workforce Council for Scotland which will take on the responsibilities of the GTCS, the Community Learning and Development Standards Council and register other education professionals. The full scope of the functions to be undertaken by this body will be included in our consultation on our Education Bill in **autumn 2017**.
- Working with the wider school workforce to introduce professional standards for these staff. We will start this work from **September 2017** onwards.
- Making clear our expectations by **early autumn 2017** of the SQA, including the importance of listening and being open to the voices of learners, teachers and parents. We will ensure that the Chair regularly reports to Ministers on the

improvements being made in relation to these matters. We will request that SQA outline in their annual corporate plan their strategic communications and engagement plans.

- Working with our partners, and particularly the profession, to establish new Career pathways for teachers allowing greater opportunities for development and progression into leadership, specialist or improvement roles. We will start these discussions in **September 2017**.
- Enhancing the leadership support package to build the capacity and culture for teachers and headteachers to take on their new more empowered roles. This is an ongoing commitment but one we will start working on from **August 2017**.

3. Report Implications

3.1 Resource

The resource to deliver the pace of change within the Education Governance – Next Steps 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. The most significant resource implications of the actions required are contained within section 5. 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. Further submissions are required by September 2017. In addition, the launch of the Fair Funding Review in June 2017 alongside this Education Governance report will examine the system changes required to deliver future finding 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.

3.2 Risk

The previous 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.

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 Scottish Governments response to the national consultation on educational governance.

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 by imposing duties on education authorities and the Scottish Ministers in relation to reducing pupils’ inequalities of educational outcome together with a duty to report on progress.

3.9 Supporting Sustainable Development

There are no impacts arising directly from this report.

3.10 IT Issues

There are no IT issues to consider within this report

4 Recommendations

Cabinet is requested to approve the following:

- To note the short, medium and long term actions proposed in the Scottish Government's report entitled *Education Governance – Next Steps*

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>

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