

The background of the slide features a large, light blue watermark of the Coat of Arms of the Government of Western Australia. The crest includes a crown with four flowers, a shield divided into four quadrants (ship, lion, shearer, and kangaroo), and a banner at the bottom with the motto 'AN E FOR A'.

Agenda Item 3

**Empowering Teachers, Parents and
Communities to Achieve Excellence
and Equity in Education –
Response to Governance Review**

Falkirk Council

Title: Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education – Response to Governance Review

Meeting: Special Education Executive

Date: 10 January 2017

Submitted By: Director of Children's Services

1. Purpose of Report

- 1.1 The purpose of this report is to allow the Education Executive to consider a response to the Scottish Government Consultation:- Empowering teachers, parents and communities to Achieve Excellence and Equity in Education – A Governance Review.**

2. Recommendation

The Education Executive is invited to approve the proposed response to the Governance Review for submission to the Scottish Government.

3. Background

- 3.1** The Education Executive considered a report at its September meeting entitled Delivering Excellence and Equity in Scottish Education – A Delivery Plan for Scotland advising that the Scottish Government would launch a consultation to review governance arrangements for education.
- 3.3** The consultation document was issued on 13 September 2016, with responses due by 6 January 2017.
- 3.4** Following discussions with Scottish Government civil servants it was agreed that Falkirk Council's submission could be submitted on 10 January.
- 3.5** The scope of the governance review includes the Governance arrangements relating to schools, but also seeks views on the Governance arrangements associated with national bodies, such as Education Scotland, the Care Inspectorate, the Scottish Social Services Council, the Scottish Qualifications Authority, the General Teaching Council for Scotland, the Scottish College of Educational Leadership and Initial Teacher Education.

3.6 There has been significant discussions concerning the Governance Review across the Scottish education sector as well as individual Council responses the Scottish Government will receive responses from a wide range of organisations including teacher's professional associations, COSLA, parent representative bodies and national education bodies such as Education Scotland and the SQA.

3.9 A proposed response is attached (appendix 2).

4. Considerations

4.1 The Governance Review asks seventeen questions and a response has been prepared to highlight the main points that Members of the Education Executive are asked to consider.

5. Consultation

5.1 Members of the Education Executive and all Elected Members of Falkirk Council were invited to a briefing session delivered by Council Officers on 8 November 2016.

5.2 Those in attendance had the opportunity to ask questions of the Officers and to comment on the issues under consideration within the Governance Review.

6. Implications

Financial

6.1 There are no financial issues associated with this report.

Resources

6.2 There are no resource issues associated with this report.

Legal

6.3 There are no legal issues associated with this report.

Risk

6.4 There are no risk issues associated with this report.

Equalities

6.5 There are no equalities issues associated with this report.

Sustainability/Environmental Impact

6.6 There are no issues associated with this report.

7. Conclusions

- 7.1 The attached response has been prepared after considering the content of the consultation document and the current Governance arrangements and operation practices for the Governance of Falkirk's schools and wider consideration of the inter-relationship between the Council and the various other stakeholders involved in the Scottish Education system.

Director of Children's Service

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Date: 16 December 2016

Appendices

1. Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education – A Governance Review
2. Falkirk Council's proposed response to the Consultation.

List of Background Papers:

None

EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION

A GOVERNANCE REVIEW



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EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION

A GOVERNANCE REVIEW

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FOREWORD BY THE DEPUTY FIRST MINISTER AND CABINET SECRETARY FOR EDUCATION AND SKILLS



Improving the education and life chances of our children is the defining mission of this Government.

I believe that the success of our education system depends on the quality of teaching and the exercise of clear and effective leadership. Teachers and practitioners want to secure the best possible outcomes for children. They are entitled to operate in a system where they are supported by leadership that adds value to their own professional input and are supported to collaborate to deliver for young people.

In *Improving Schools in Scotland: An OECD Perspective*, the OECD confirmed the many strengths in our education system. I have seen the positive impact that teachers are making to the lives of children and young people. I have

also heard about some of the challenges and barriers they face.

If we are to deliver our vision of excellence and equity in education, we must empower our teachers to make the best decisions for children and young people. Decisions about children's learning and school life should be taken within schools themselves, supported by parents and local communities.

We must be willing to consider and question how each part of the education system – from early learning and childcare provision through to secondary school education – supports the vision of excellence and equity. We must ask these questions holding true to the strong values which underpin Scottish education and which are supported by international evidence and best practice. Evidence shows that co-operation and collaboration, not competition or marketisation, drives improvement. Scotland pioneered publicly-funded comprehensive school education for all and the Scottish Government remains absolutely committed to this.

This governance review offers an opportunity to build on the best of Scottish education and to take part in a positive and open debate. I want to hear views from across every part of Scotland in the weeks and months ahead – from children and young people, from parents, teachers, practitioners and the wider community. I want to hear from those with a formal role in our education system and those who share a stake in its success.

Above all, during the course of this review, we must keep in sharp focus this shared endeavour of excellence and equity to deliver the world-leading education system our children and young people deserve.

A handwritten signature in black ink, appearing to read 'John Swinney', with a long horizontal line extending from the end.

John Swinney MSP

**Deputy First Minister and
Cabinet Secretary for Education and Skills**

September 2016

1. Responding to this review

This review asks a number of questions about the governance of Scottish education.

Responses should reach us by **6 January 2017**. Earlier responses would be welcome.

Responses can either be sent through the Scottish Government's Citizen Space consultation platform, by email or by hard copy (a paper copy through the post).

The most straightforward way to respond is on-line through Citizen Space. Details are available in the Consultation Hub on the consultation section of the Scottish Government's website: <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>

Citizen Space contains some mandatory fields asking for details of the person or body responding to the consultation and whether the person or body is happy for their response to be published.

Email or hard copy responses must include the Government's Respondent Information Form which is provided in the Annex. This asks for details of the person or body responding to the review and whether the person or body is happy for their response to be published.

Emails can be sent to: governancereview@gov.scot whilst hard copy responses should be addressed to:

Empowering Schools Unit
Scottish Government
2A-South
Victoria Quay
Edinburgh
EH6 6QQ

There is no obligation to respond to all questions. We welcome responses to some or all of the questions.

If you ask for your response not to be published we will regard it as confidential and we will treat it accordingly. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this review.

Engagement events are also being held throughout Scotland during the course of this review. You can find out how to get involved in these through the Scottish Government website: gov.scot/educationgovernancereview

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public on the Scottish Government Consultation Hub consult.scotland.gov.uk.

How will this be used?

Following the closing date, all responses will be analysed and considered along with other available evidence to help us shape future proposals for the governance of Scottish education.

2. Introduction

There is a strong and shared commitment to the vision of excellence and equity for all children and young people across Scottish education:

- **Excellence through raising attainment:** ensuring that every child achieves the highest standards in literacy and numeracy, set out within Curriculum for Excellence levels, and the right range of skills, qualifications and achievements to allow them to succeed; and
- **Achieving equity:** ensuring every child has the same opportunity to succeed, with a particular focus on closing the poverty-related attainment gap.

The improvements and reforms which have been driven forward across early learning and school education have been broad and deep – and include reforms to our curriculum and our workforce. The one area which has not been reviewed since devolution is the governance of the system itself.

This Government was elected to deliver a range of reforms to help us transform education to ensure it is world class for all our children and young people. This review of governance examines the system changes required to deliver our commitments to empower schools and decentralise management and support through school clusters and the creation of new educational regions.

This review is an essential part of our focus on empowerment. In particular, it seeks views on how we can further empower our teachers, practitioners, parents, schools and early learning and childcare settings, starting with a presumption that decisions about individual children's learning and school life should be taken at school level. References to parents include guardians and any other persons having parental responsibilities or care of a child.

These reforms are part of the Scottish Government's wider commitment to the reform of public services to ensure they are fit to serve communities across Scotland. We believe the best people to decide the future of our communities are the people who live in those communities.

What do we mean by the governance of education in Scotland?

We are reviewing the *organising system* of early learning and childcare and school education. References to education include early learning and childcare and school education unless otherwise specified. Like many education systems across the world, Scottish education is multi-level with the Scottish Government, local government, national agencies and other bodies playing different roles to govern, lead and support the delivery of education.

In Scottish education:

- **The Scottish Government** develops national policy and sets the overall direction of education policy. Scottish Ministers have a duty to secure improvement in school education provision and to use their powers to raise the standards of such provision. The Scottish Government provides funding to local authorities within the Local Government Settlement for the provision of early learning and childcare and school education.
- **Local authorities**, as the education authority, have a duty to provide adequate and efficient school education including early years provision in their area. They also have a duty of improvement as an education authority and on behalf of their schools. Local authorities set education budgets for their areas, including school-level budgets.

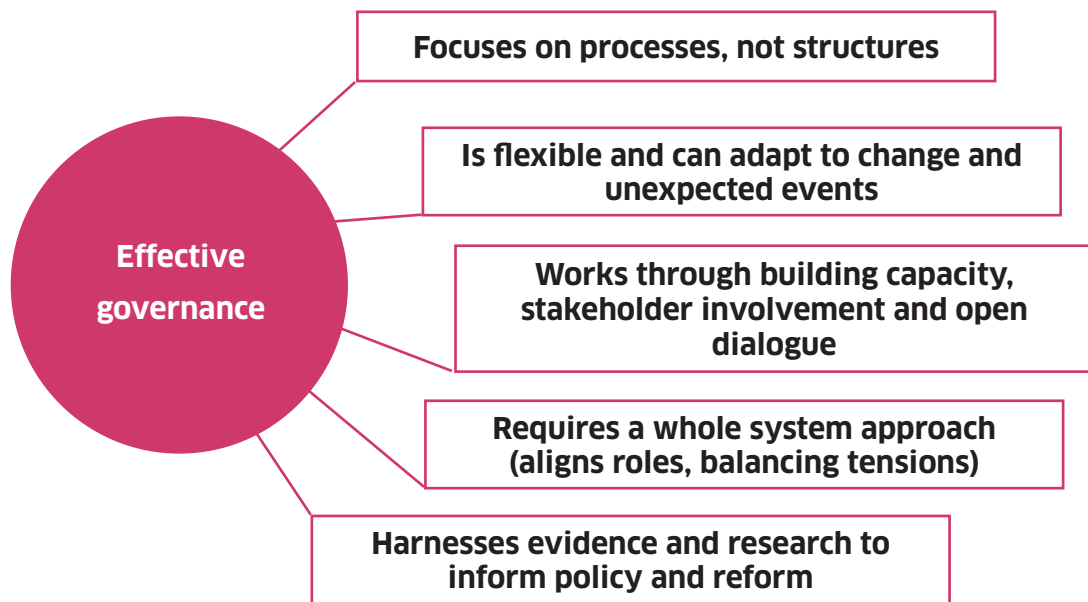
Local authorities have direct responsibility for the provision and quality of early learning and childcare and schools, the employment of educational staff, the provision and financing of most educational services and the implementation of Scottish Government policies in education.

Local authorities also have responsibility for a range of other services which support children and young people, families and communities such as child protection, social services and housing.

- **Education Scotland** is the national body for supporting quality and improvement in learning and teaching. It is responsible for inspecting schools, providing guidance on developing the curriculum at local level, and for organising an extensive range of professional learning opportunities and the sharing of effective practice.
- The **Care Inspectorate** regulates and inspects care services in Scotland, including in early years settings, residential schools and local authority-provided school hostels, to make sure that they meet the right standards.
- The **Scottish Social Services Council** (SSSC) is the regulator for the social service workforce in Scotland, including all those involved in day care of children services. They protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development.
- The **Scottish Qualifications Authority** (SQA) develops, reviews, validates and awards qualifications below degree level which are used largely by schools, colleges, private training organisations and some individual organisations. It quality assures all the centres that deliver SQA qualifications. It also has an accreditation role.
- The **General Teaching Council for Scotland** (GTCS) is the independent professional body which sets teachers' professional standards and accredits Initial Teacher Education. It also oversees a number of key programmes in relation to induction, professional learning and student placement.
- The **Scottish College for Educational Leadership** (SCEL) is responsible for developing leadership and programmes for the early learning and schools education system.
- **Initial Teacher Education** (ITE) is provided by universities in partnership with local authorities and is designed to bring students to a level of competence that allows them to work in schools. These ITE universities also offer professional learning to teachers and other education professionals including professional learning at Masters level and leadership programmes such as the Into Headship qualification.

In its recent publication, *Governing Education in a Complex World*, the OECD (Organisation for Economic Co-operation and Development) recognised that creating open, dynamic and strategic governance of complex education systems is not easy. Successful systems, however, are those where governance and accountability are inclusive, adaptable and flexible. Roles and responsibilities across the system must be clear and aligned; teachers, practitioners, schools, early learning and childcare settings and system leaders should collaborate across effective networks to improve outcomes; parents and communities require to be engaged; and funding and decision making should be transparent.

The OECD found that there are five key components to good governance of education systems:



Governing Education in a Complex World, OECD, 2014

The OECD also identified three themes vital for effective governance and successful reform:

- **accountability** – the challenge of holding different actors at multiple levels responsible for their actions
- **capacity building** – identifying gaps, skill needs and dynamics of implementation on individual, institutional and system level
- **strategic thinking** – the development of a long-term plan and set of common goals for the educational system among a broad array of actors

Why should we review education governance now?

Our Delivery Plan, *Delivering Excellence and Equity in Scottish Education*, builds on an impressive track record of improvements and reforms which have been driven forward across education and children's services in recent years. This includes Getting it Right for Every Child, Curriculum for Excellence and Developing the Young Workforce. The National Improvement Framework sets out how we will provide the information to drive improvement right across education and we are adopting a targeted approach to closing the attainment gap through the Scottish Attainment Challenge, backed by £750 million of investment over the next five years.

Whilst the main legislation underpinning Scottish education – the Education (Scotland) Act 1980 – has been amended and added to on a number of occasions, the broad framework of Scottish education has been in place since before devolution. Now is the right time to review that broad framework. Challenging our thinking and practice, building capacity to deliver in the right places and ensuring roles, responsibilities and accountability are clear and transparent, will also be critical to our success in delivering excellence and equity in Scottish education.

Each year around £5 billion is spent on early years and school education across Scotland. It directly impacts on the life chances of over 680,000 pupils in primary, secondary and special schools and around 125,000 children in early learning and childcare. Young people are staying on longer in school, overall attainment is rising and the gap between the most and the least deprived pupils with qualifications is decreasing. On any measure, however, there continues to be a clear gap between the attainment of children and young people from the most and least deprived areas of Scotland. But deprivation alone does not explain the variation in outcomes achieved by children and young people in Scottish education.

The Accounts Commission and the OECD have both highlighted that attainment and achievement levels vary across local authorities and that some children from similar socio-economic backgrounds outperform children from similar backgrounds in other areas. The Accounts Commission report, *School education*, published in 2014, highlighted the significant variation in attainment between individual councils, schools, and groups of pupils. Deprivation and poverty undoubtedly have a large impact on attainment, but the Accounts Commission found that some schools have achieved better attainment results than their levels of deprivation would indicate.

Furthermore, whilst the financial context in recent years has been challenging for the whole of the public sector in Scotland, the Accounts Commission's findings also highlighted that differences in outcomes could not be explained by spend on education alone.

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?

3. Scope and principles

Scope

Early learning and childcare and schools, do not exist in isolation and a child's outcomes are strongly influenced by factors outside school. But schools, together with early years provision, are the universal services for children and young people. In short, they make a difference to every child.

The primary focus of this review is on publicly-funded school-age education and the system and funding which supports the journey of all our children and young people through Curriculum for Excellence from 3 to 18. The governance arrangements of publicly-funded early learning and childcare are also in scope.

The role and functions of the following bodies and organisations are within the scope of this review:

- all publicly-funded schools, including Gaelic medium and denominational schools
- all publicly-funded early learning and childcare provision, including local authority provision and that being delivered by private providers and the third sector
- all special publicly-funded provision for children and young people, including for those with additional support needs
- local authorities
- Education Scotland
- Scottish Government
- Care Inspectorate
- Scottish Social Services Council
- Scottish Qualifications Authority
- General Teaching Council for Scotland
- Scottish College for Educational Leadership
- universities providing Initial Teacher Education

We recognise that, in considering governance, a whole system approach is required. This means taking into account the wide range of relationships which education has with other people and bodies at a local, regional and national level which support children and young people, parents and wider communities in Scotland.

Principles

The focus of this review is on how governance can be improved to support delivery of excellence and equity to our children and young people. Our approach to public sector reform continues to be rooted in the four pillars of reform laid down by the Christie Commission: a presumption of prevention, integration and partnership, a sharp focus on performance, and investment in people.

We consider that the following key principles should also underpin our approach. Our education system must:

- be focused on improving outcomes, and support the delivery of excellence and equity for children and young people
- meet the needs of all of our children and young people, no matter where they live or their family circumstances
- support and empower children and young people, parents, teachers, practitioners and communities
- be supported by a simple and transparent funding system to ensure the maximum public benefit and best value for money
- support children and young people to make smooth transitions into formal learning, through school and into further education, training or employment

Question 3

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

4. Empowering teachers, practitioners, parents, schools and communities

Teachers and schools

Children flourish in education systems where there are high levels of professionalism and where teachers, practitioners and schools are empowered with the autonomy and flexibility to make decisions. In *Improving Schools in Scotland: An OECD Perspective* the OECD highlight that: 'Inherent in the principle of [Curriculum for Excellence] is the enhancement of the role that should be exercised by schools and teachers.'¹

We want to see more decisions about school life being driven by schools themselves, starting with a presumption that decisions about children's learning and school life should be taken at school level. Local authorities have different relationships with their schools and empower headteachers and teachers in a variety of ways, notably via devolved school management. Devolved school management (DSM) is essentially where local authorities pass control of a proportion of their education budgets to headteachers of secondary and primary schools or heads of early years establishments through detailed local DSM schemes which set out clear spending requirements. DSM statutory guidelines (revised in 2012) means that some management and funding decisions are already taken by headteachers at school level.

Currently, however, legal responsibilities for delivering education and raising standards in our schools sit largely with local authorities, not with the schools and teachers that teach our children and young people every day. We are committed to extending to schools responsibilities that currently sit with local authorities and to allocating more resources directly to headteachers to enable them to take decisions, based on local circumstances, to give all our children and young people the best chance of success.

Evidence shows that the quality of teaching and school leadership are the most important in-school factors in a child's outcomes. Investing in the professionalism and autonomy of our teaching profession means trusting teachers to make the best decisions for our children and young people and for our schools. That is why we are committed to empowering our teachers and schools and will ensure they have the flexibility and freedom to teach.

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.

¹ *Improving Schools in Scotland: An OECD Perspective* OECD (2015). (Ch 3, Page 100)

Children and young people, parents and wider communities

We know that when parents are fully involved in their child's learning, and in the life and work of their school, we see better outcomes for children, parents and schools. That is why we are committed to giving a stronger voice to parents and communities in our schools. Research from the Children and Young People's Commissioner in Scotland has also shown that the level of participation of children and young people within schools can have a significant impact on attainment, so empowerment matters for them too.

Children and parents are involved in school life in a variety of different ways, including through formal mechanisms such as parent councils and pupil councils and through formal and informal interactions with teachers, other professionals and schools. Schools and individual teachers work hard to develop effective relationships with children, parents and the wider community to support learning.

Our clear objective is to devolve decision making and funding to teachers, schools and communities and to open schools up and ensure that parents, the third sector, colleges, universities and employers can better support efforts to raise attainment and ensure that young people progress into positive destinations. The work being undertaken through Developing Scotland's Young Workforce is already making progress in this area but we are interested to hear what more can be done.

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?

Early learning and childcare

Evidence shows us that quality early learning opportunities are fundamental to supporting children and young people to succeed in life. Increasing the provision of quality early learning and childcare is a key element of the Scottish Government's approach to raising attainment. Quality early learning opportunities make a significant and lasting difference to the attainment of children and young people, particularly the most vulnerable.

The early learning and childcare sector has traditionally had strong links with communities and parents. We are committed to further empowerment in early learning and childcare settings. As we consider the expansion of early learning and childcare we are open to innovative delivery approaches where they can add value. There may be specific opportunities to encourage expansion within the social enterprise sector, and to explore how community empowerment could encourage and develop community-led provision, particularly in remote and rural areas which face unique delivery challenges.

Question 7

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

5. Strengthening ‘the middle’ – how teachers, practitioners, schools and other local and regional partners work together to deliver education

In *Governing Education in a Complex World*, the OECD highlights that effective governance in multi-level education systems requires models that balance local diversity with the ability to ensure delivery of national objectives, accountability with trust, innovation with risk avoidance and consensus building with decision making. Key to this is a strong and effective ‘middle’ and a focus on its processes rather than its structures.

It is important that education is based within, and is responsive to, local communities. Strengthening ‘the middle’ was a key recommendation of the OECD in their review *Improving Schools In Scotland: An OECD Perspective*. Strengthening the middle means, among other things, considering what happens above the level of the individual school or early learning and childcare setting and beneath the level of national government in Scottish education. This includes: enhancing the capacity of teachers, practitioners, early learning and childcare settings and schools to collaborate and become mutually accountable for improvement; how they work with other partners; and the role of local authorities and other partners in leading and supporting improvement in education.

The OECD highlighted the importance of building teacher leadership and social capital in improving Scottish education and increasing the capacity for collaborative working and learning across Scottish education. They also highlighted the need for greater clarity about the kinds of collaboration that work best. The Scottish Government recognises that increased collaboration and greater leadership ‘from and in the middle’ is essential.

Our ambition is for systemic, widespread and effective collaboration and professional learning across Scotland, including, but not limited to, the network of regional, inter-regional and inter-school ‘cluster’ partnerships required to innovate and lead improvement. This was a key recommendation of the OECD in their report *Improving Schools in Scotland: An OECD Perspective*. We are therefore seeking views on the ways in which groups of schools, early years providers and other local and regional partners work together to deliver and improve education.

Clusters

Collaboration and partnership working are already strong features of Scottish education. School clusters – most commonly understood as the early years, primary schools and secondary schools associated within one locality or learning community – are working right across Scotland. There are also schools which are working together in clusters or learning communities and some examples of funding being shared across clusters to deliver particular projects.

The OECD stressed the importance of creating coherent and cohesive cultures of system-wide collaboration. Not all kinds of professional collaboration are equally effective. We agree that collaboration in improving teaching, assessing, and connecting schools to take collective responsibility for each other’s improvement and results should be prioritised.

The Scottish Government is committed to encouraging school clusters and other forms of collaborative working between schools and other partners across Scotland.

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?

Educational regions

The Scottish Government is committed to freeing teachers of unnecessary burdens and is taking a range of actions to de-clutter Curriculum for Excellence. We recognise there may be some functions which are best delivered at a local or regional level rather than at school level.

Currently, local authorities have primary responsibility for the delivery of education in their areas. This is supported by a range of other local and national partners such as Education Scotland and from within local communities.

The Scottish Government is committed to introducing new educational regions to ensure best practice is shared more systematically and to ensure improvement is driven collaboratively, deliberately, and continuously across Scottish education.

Whilst there are some examples of partnership working across local authorities, the OECD highlighted in particular the need for greater and more effective partnership and collaboration amongst local authorities in Scottish education. Effective and sustainable collaboration amongst partners at local and regional levels is a key component of a strengthened middle and is essential to the delivery of excellence and equity in Scottish education.

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?

6. A clear national framework and building professional capacity in education

It is important that every part of Scottish education understands the role it plays in empowering our professionals and creating the collaborative and innovative culture required to ensure Scottish education can be amongst the highest performing in the world.

National government is responsible for setting clear priorities for Scottish education. Getting it Right for Every Child, Curriculum for Excellence, Developing the Young Workforce, the National Improvement Framework and the Scottish Attainment Challenge are part of the national framework which the Scottish Government has put in place to support improvement and deliver excellence and equity.

The Scottish Government aims to provide clarity and purpose in the actions we take and this is demonstrated through our Delivery Plan for Scotland: *Delivering Excellence and Equity in Scottish Education*. We are rightly ambitious for our children and young people and want to provide the right support and challenge to our education system to ensure our teachers and practitioners can deliver. We also want national priorities to be joined-up across different policy areas and for there to be coherence and alignment.

We are taking a whole system approach. This means that in addition to taking action to empower schools and communities and strengthen the middle, we must consider the role of national government, other national bodies and the wider framework (including, but not limited to, the legislative framework) which supports Scottish education. This includes considering the functions of the range of national bodies which support the delivery of Scottish education such as Education Scotland, the Scottish Qualifications Authority, the General Teaching Council for Scotland, the Scottish College of Educational Leadership, the Care Inspectorate and the Scottish Social Services Council.

Leadership and support for learning comes from different places in Scottish education: the Scottish Government, local authorities, other bodies such as Education Scotland, the Care Inspectorate, the Scottish Qualifications Authority, the General Teaching Council for Scotland and the Scottish College of Educational Leadership, universities; through joint governance arrangements such as the Curriculum for Excellence Management Board; within schools themselves; through regional local authority partnerships; and a wide range of other relationships.

We need to ensure the Scottish Government and other national bodies provide the right support to deliver the empowered and flexible education system we want to see. They must support the empowerment of our teachers and build their capacity to drive improvement and raise the attainment and achievement of children and young people.

Question 12

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

Teachers and practitioners access a range of support starting with their accredited qualifications and via continuous professional development throughout their careers. This support is currently provided within schools and early learning and childcare settings and through formal provision such as training opportunities provided by a range of different bodies. Professional learning is both an expectation and an entitlement. In seeking to empower practitioners and teachers we must ensure that they can all access high-quality development opportunities.

The Scottish Government is committed to strengthening the professional leadership of Curriculum for Excellence, as recommended by the OECD and bold new ways of thinking are required. We are committed to encouraging school clusters and other forms of collaboration and networking amongst teachers, practitioners, schools, early learning and childcare settings and the wider community, including employers, colleges and universities, to drive improvement across Scottish education.

Question 13

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

7. Fair funding – learner-centred funding

Effective governance requires funding to be fair and transparent and for resources to be available to support good decision making. The Scottish Government is committed to establishing a fair and transparent needs-based funding formula for schools.

The Scottish Government provides local authorities with the majority of their funding which is allocated using a needs-based formula. The formula takes into account a number of measurements of need including population, pupil numbers, levels of deprivation and the distances over which the services have to be delivered. It is then the responsibility of local authorities to allocate their total funding as they see fit taking into account local and national priorities.

Local authorities delegate responsibility for some aspects of the administration and management of schools to headteachers. In line with the Devolved School Management guidelines (2012), local authorities currently provide financial resources (with certain restrictions) to headteachers.

We will consult on proposals for a funding formula in March 2017 but this review offers an opportunity to comment on the principles which will underpin this formula. The way we fund schools needs to support the collaborative and flexible culture which we are seeking to develop.

If schools are to have greater control over the decisions they take, there is a clear rationale for changing the current allocation of resources to support this.

We consider that the design of a funding formula should:

- **support excellence and equity** – ensuring every child and young person has the same opportunity to succeed
- **be fair** – placing the needs of all children and young people at the centre
- **be simple, transparent and predictable** – ensuring the costs of delivering education can be easily understood and explained and that schools are able to manage and plan ahead with certainty
- **deliver value for money** – ensuring that every penny spent is used effectively

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?

8. Accountability

Empowering our teachers and headteachers is key to delivering our vision of excellence and equity. A more empowered system requires clear and effective accountability. Accountability is described by the OECD as the challenge of holding different actors at multiple levels responsible for their actions. Ensuring an effective balance of flexibility and accountability is a challenge that is faced by all modern education systems.

Our accountability system currently includes a range of bodies with formal roles including: the Scottish Government, local authorities, Education Scotland, the Care Inspectorate, the General Teaching Council for Scotland and the Scottish Social Services Council. Education Scotland and the Care Inspectorate provide independent inspection with a clear focus on self-evaluation and improvement. The General Teaching Council for Scotland and the Scottish Social Services Council provide the professional standards for their members.

At a system level, the Accounts Commission and Audit Scotland hold local authorities and the Scottish Government to account and help them to improve. As democratically-elected representatives, local and national governments are accountable to their electorates. Scottish Ministers have powers under section 70 of the Education (Scotland) Act 1980 to intervene if local authorities are failing to fulfil their duties under the Act or any other education-related legislation.

Schools should primarily be accountable to parents and their local communities. The development of the National Improvement Framework will support parents and communities to make informed decisions and choices by providing accessible data to drive improvement and allow everyone to play their part effectively. It is important that accountability aligns with the allocation of responsibilities and resources and that there is a clarity about the level of responsibility at different levels in the system. We want our accountability and scrutiny arrangements to be joined-up where possible and to reduce the burden of scrutiny on those delivering education. It is important that we have the right governance arrangements in place to continually review the range of accountability and scrutiny systems and to ensure that these approaches are delivering improvement. Those providing scrutiny also need to be held to account on the quality and impact of their work and to ensure that approaches to scrutiny are fair, transparent and consistent.

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?

Summary of questions

Question 1

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

Question 3

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What factors should be considered when establishing new educational regions?

Question 12

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

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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?

10. Evidence and reference materials

The Scottish Government is committed to taking an evidence-led approach to the reform of Scottish education. Our approach to this review is underpinned by current evidence on the performance of Scottish education and best practice internationally of what leads to effective governance of education systems. In particular the following reports and sources have been key.

Accounts Commission (2014) School education

http://www.audit-scotland.gov.uk/docs/local/2014/nr_140619_school_education.pdf

Scottish Government School education statistics

<http://www.gov.scot/Topics/Statistics/Browse/School-Education>

OECD (2015) Improving Schools in Scotland: an OECD perspective

<http://www.oecd.org/edu/school/improving-schools-in-scotland.htm>

OECD (2016) Governing Education in a Complex World

http://www.oecd-ilibrary.org/education/governing-education-in-a-complex-world_9789264255364-en

Mckinsey and Company (2007) How the World's Best Performing School Systems Come Out On Top <http://mckinseysociety.com/how-the-worlds-best-performing-schools-come-out-on-top/>

Mckinsey and Company (2010) Capturing the Leadership Premium

<http://mckinseysociety.com/capturing-the-leadership-premium/>

Programme for International Student Assessment (PISA) – Highlights from Scotland's results

<http://www.gov.scot/Topics/Statistics/Browse/School-Education/PISA>

Scotland's Commissioner for Children and Young People (2015) How Young People's Participation in School Supports Achievement and Attainment -

<http://www.cypcs.org.uk/ufiles/achievement-and-attainment.pdf>

The following information may also be useful in responding to this review:

What is GIRFEC (Getting it Right for Every Child)?

<http://www.gov.scot/Topics/People/Young-People/gettingitright/what-is-girfec>

Scottish Government, Delivering Excellence and equity in Scottish Education – a delivery plan for Scotland (2016) <http://www.gov.scot/Publications/2016/06/3853>

Scottish Government, National Improvement Framework for Scottish education – Achieving Excellence and Equity <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework>

Education Scotland, Curriculum For Excellence – Building the Curriculum materials

<http://www.educationscotland.gov.uk/learningandteaching/thecurriculum/buildingyourcurriculum/curriculumplanning/whatisbuildingyourcurriculum/btc/index.asp>

Devolved School Management Guidelines (2012) The Improvement Service

<http://www.improvementservice.org.uk/documents/DSM/DSMguidelines.pdf>

Teaching Scotland's Future (2011) <http://www.gov.scot/Publications/2011/01/13092132/0>

The Crerar Review (2007) <http://www.gov.scot/Topics/Government/PublicServiceReform/IndependentReviewofReg/latest-news/TheCrerarReview>

General Teaching Council for Scotland, Professional Standards
<http://www.gtcs.org.uk/professional-standards/professional-standards.aspx>

Engaging with Families, Key Statistics
<http://engagingwithfamilies.co.uk/strategy/key-statistics/>

Engaging with Families, Further Evidence
<http://engagingwithfamilies.co.uk/useful-links/further-evidence/>

Commission on the Future Delivery of Public Services (2010)
<http://www.gov.scot/About/Review/publicservicescommission>



Annex

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

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- ☐ Individual
- ☐ Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response.
Please indicate your publishing preference:

- ☐ Publish response with name
- ☐ Publish response only (anonymous)
- ☐ Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- ☐ Yes
- ☐ No



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Empowering teachers, parents and communities to achieve Excellence and Equity in Education

A Governance Review

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- ☐ Individual
☒ Organisation

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- ☒ Publish response with name
☐ Publish response only (anonymous)
☐ Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- ☒ Yes
☐ No

QUESTIONNAIRE

Question 1

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

There are a number of key strengths of the current governance arrangements of Scottish education. These can be summarised as follows:

- Local education authorities oversee the delivery of local educational provision and outcomes through local decision making within the context of national statutory requirements and national guidance.
- In Falkirk, the Education Executive comprises local elected members, church, parent, pupil and trade union representatives meet regularly to take decisions relating to local policy and strategic and service planning and to consider and scrutinise the performance of individual schools and the education authority.
- The education authority oversees a scheme of delegation of resources (DSM) that ensures that schools receive adequate funding to support the implementation of national and local policy priorities and to facilitate a degree of localised (school level) decision making to meet the needs of the school within a local context.
- The education authority organises and delivers appropriate training and leadership development for teachers and other groups, either directly, or in partnership with national bodies and agencies.
- Quality assurance arrangements are well embedded and the education authority works in partnership with agencies such as the Care Inspectorate and Education Scotland to improve standards of educational provision and to share best practice. The programme of Validated self assessment in place in Falkirk encourages peer evaluation with school staff involved in reviewing the work of colleagues in other establishments.
- Across Scotland local authorities, working within their Community Planning Partnerships have made significant progress in implementing and embedding GIRFEC. Through the implementation of GIRFEC there is evidence that partnerships have, in recent years, made significant progress in both keeping children safe and ensuring that some of the most significant barriers to early years and school learning are reduced, leading to improved outcomes for some of Scotland's most vulnerable and disadvantaged children.
- The interrelationships between schools, councils, bodies such as Education Scotland, the Care Inspectorate, the Scottish Qualifications Authority, the General Teaching Council for Scotland, the Scottish Social Services Council and others, while complex, enables schools to have access to developments in policy and practice to support their individual work with children and families.

The delivery of school education is supported by centrally deployed local government officers through provision of a range of support functions. These include (not exclusively): catering and cleaning; personnel and payroll management; ASN and mainstream transport; school estate improvement and investment planning; health and safety advice; financial management; and legal and policy advice.

Local authorities also provide specialist support for schools (and early years provision) through educational psychology services; family support teams; coordination and advice for supporting children with additional support needs including ensuring access to specialist services such as speech and language therapists and child mental health services.

In addition to school level parent councils, centrally deployed staff engage regularly with parent council representatives and local elected members take a keen interest in the work of their local schools and contribute to their activities and plans.

Falkirk Council believes that there are considerable strengths in the existing governance arrangements in that they provide opportunities for sound financial management and school estate investment; the continuing development of policy and practice to support improved learning and teaching and consequently improved outcomes for children and young people; and they provide opportunity for local member scrutiny and accountability as well as affording a national overview of the quality of local provision.

Falkirk Council also believes that there is scope for the Governance Review to explore further the inter-relationships that exist between the various partner agencies involved in delivering school level (and early years) provision to simplify and potentially de-clutter the landscape to ensure that learning and teaching remains at the forefront of activity in our schools.

Question 2

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

The overall landscape of Scottish education is complex and, although well understood by those operating within the system, is difficult for parents and frontline workers including teachers to understand. There are many key pieces of legislation and various amendments to earlier Acts and some more modern policy frameworks (such as GIRFEC) which require head teachers and others to devote considerable time keeping up to date with national and local requirements and expectations. In addition there are different regulatory and inspection bodies, such as GTCS, SSSC, SQA, the Care Inspectorate and Education Scotland - each with their own requirements for employees registration and indicators of quality. This can lead to confusion and in some instances competing priorities in developing practice in the context of GIRFEC / CfE (3-18) / and the National Improvement Framework (NIF).

In recent years practitioners have been in receipt of significant quantities of policy advice and guidance from the Scottish Government; Education Scotland; the Scottish Qualifications Authority; and their local education authority. This multiplicity of advice and guidance can and has proved to be difficult to navigate and can detract from the core business of focusing on developing high quality learning and teaching approaches to drive up standards of achievement and attainment in the classroom. Recently issued revised guidance seeks to clarify and simplify previous guidance and this has been welcomed by teaching staff.

Falkirk Council would therefore endorse an outcome from the Governance Review that sought to create greater coherence across the various legislative requirements and a simplification and unification of the standards and expectations defined and promoted by the various national bodies included within the scope of the review.

Question 3

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

Falkirk Council agrees with the five principles given on page 8 of the governance.

In addition however we believe that a further guiding principle should be added to reflect that our education system must be part of a wider “whole system” approach that in particular includes Integrated Children’s Services and makes reference to the contributions that are made to outcomes for children and young people across wider Community Planning Partnerships.

Question 4

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

As outlined in the response to Q1 Falkirk Council believes that some changes to the existing governance arrangements may lead to more localised decision making to specifically target approaches and initiatives to address challenges with localised contexts.

We believe however that the provisions of the existing DSM scheme allow for this to a degree at present. It would be therefore our view that further support of school level decision making could best be achieved by further developing the current review of DSM arrangements. This review should involve not just local government officers, head teachers and wider schools staff but should include parents and community planning partners such as Health, Police and the Voluntary Sector. Falkirk Council is committed to the Tackling Bureaucracy and Reducing Workload agenda and has undertaken considerable work with our schools to minimise the need for repetitive reporting and have sought to simplify systems that take up significant amounts of administrative time for schools. This work will continue through a local authority working group supported by members of the Local Negotiating Committee for Teachers (LNCT).

We have concerns that there is potential for additional bureaucracy for schools following the recently announced £120m of Attainment Fund monies which will be allocated directly to schools. While it is accepted that there will need to be greater local accountability for the spending of centrally delegated funds it will be important that in accounting for this funding, schools are not required to implement cumbersome additional monitoring and reporting mechanisms but that existing accountability arrangements and systems are utilised.

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.

Falkirk Council agrees fully with the empowerment of headteachers, teachers and schools. We share the view of the governance review that the best decisions on children's learning are taken at school level and within the classroom, supported by parents and other groups from within the school's local community.

Within the existing DSM scheme head teachers already have significant autonomy, working in partnership with their staff and parent councils to plan their curriculum and learning and teaching approaches and to take decisions regarding the deployment of staff to meet learning needs. The additional level of direct funding to schools (currently understood to be on the basis of a school's individual FME entitlement) will further extend the opportunity for allocating resources where they are most needed. However, as outlined in the response to Q4, care will need to be taken not to create another level of bureaucracy regarding the accountability that sits alongside the aspiration for greater local autonomy of decision making.

Outcomes for children and young people are improved by having the right individuals leading learning and supporting children on a daily basis. In addition to high quality learning and teaching children need to be supported to have good outcomes in each of the SHANNARI indicators. This is achieved by the deployment of multi-disciplinary support staff.

Falkirk Council believe that there is a need to further explore the Scottish Government's thoughts regarding school autonomy, particularly in the light of the parallel suggestion within the consultation document on expanding and enhancing the role of school clusters. There is undoubtedly scope for cluster arrangements to be improved and enhanced. Falkirk Council, as the employer of all school staff, believe that in the event that additional funds are used to augment existing staff groups with specialist support staff that this would be best achieved and managed through consideration of the needs of a wider cluster of schools. This would also sit more comfortably with the emerging national agenda of the development of locality plans within wider Community Planning arrangements.

Falkirk Council does not believe that services currently delivered to schools by the local authority such as: catering and cleaning; personnel and payroll management; building maintenance and repairs; health and safety advice; financial management; and legal and policy advice; would be improved by being devolved to schools. We are of the view however that there is scope within emerging cluster arrangements to devolve elements of support services such as educational psychology; CLD; and specialist ASN support to clusters of schools.

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?

Parent councils and parent forums afford opportunities for parents to have a voice within schools. They can contribute input to certain decisions regarding operational arrangements and have the opportunity to offer views on the school development plan and the setting of priorities. For example, some parent councils have worked closely with schools on revising school anti-bullying approaches or increasing pupil participation in physical activities etc.

Pupils too have opportunities within pupil councils to be consulted on aspects of the life and work of schools and there are many good examples from across Scotland of where pupil councils make highly effective contributions to school life.

There is also scope for both the role of parent and pupil council arrangements to be re-visited.

While there are undoubtedly examples of highly effective practice schools do not consistently have best-practice arrangements in place. Sometimes schools have difficulty in recruiting sufficient parent members to make parent councils effective.

The experience of Falkirk Council officers is that even where there is significant engagement by parents in particular schools both within wider parent forums and parent councils there is no sense in which parents want to take on any formal responsibility for decision making regarding the operational running of schools. It should also be noted that, on occasion, head teachers are of the view that parent council members are not always representative of the wider parent body.

Within Falkirk there are some very good examples of employer engagement within schools.

Although this tends to be in the secondary sector it is increasingly the case that there is engagement (sometimes through the actions of the parent council) for there to be engagement too in primary schools. Through progression of the Developing Scotland's Young Workforce agenda there is increasing focus on engagement with employers and with the local college where programmes have been developed to assist young people toward college places prior to them reaching school leaving age. In addition, in Falkirk, our college partnerships have led to young people accessing several HNC courses while still at school.

To promote school engagement with parents, pupils, employers and the wider community there should perhaps be better exemplification of best practice in this important work by Education Scotland and perhaps a more specific focus within school inspections on the success of individual schools in harnessing the local potential available to them.

Question 7

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

As the lead provider of early learning and childcare in the Falkirk Council area the Council believes that the existing governance arrangements afford a robust platform to support the planning and implementation of 1140 hours of provision.

As provision expands it is recognised that there will be a need for a greater number of partnerships with the private and voluntary sector and the need to develop more extensive partnerships with the providers of child minding services.

Falkirk Council is best placed to be the lead agency in planning for this expansion, working in partnership with local communities to meet the needs of our children and our families as 96% of 3&4 year old places are currently provided by the council. We do not anticipate that early learning and child care provision will be community led as the non-Council sector does not currently have sufficient capacity to meet local need. However, the Council does have strong links through community planning arrangements with the third sector and we will work with them to support the delivery of flexible services to meet local demands.

Question 8

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

As models of cluster working are expanded and improved there will be further scope for collaboration amongst teachers and other practitioners. The Integrated Children's Services agenda has provided new and exciting opportunities for the sharing of practice and expertise across the education system.

The existing national focus on improving the consistency of moderation and teacher judgement regarding the monitoring and tracking of pupil progress is already incentivising greater collaboration between staff both within individual schools and across clusters.

Although collaboration between practitioners is already well established it is recognised that engagement in such activity is and can be inconsistent and that there will always be room for improvement. This function will best be supported through the support and challenge provided by local education authorities. However there is scope for Education Scotland to share and publicise the positive outcomes emerging from collaboration that is evaluated as being effective more widely. Schools need to be fully staffed and supply staff need to be available to cover classes while teachers are engaged in collaborative activity out-with non-contact time or as part of annualised CPD activity. In this respect there is a need to continue the national workforce planning arrangements already in place.

Question 9

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

In Falkirk, schools have worked as part of clusters for a number of years and produce annual cluster plans for areas of common development work. Clusters are organised around secondary schools with the primary schools associated by catchment areas forming the cluster membership. The work of clusters has involved work on transitional arrangements, curricular liaison, moderation activity and a variety of shared initiative on wider aspects of school life such as equalities and environmental issues. Cluster working works best when there are strong positive relationships amongst senior leaders across the cluster. This cannot be imposed but needs to be nurtured.

Falkirk Council believes that there is scope for the further development of a range of support functions to be provided via cluster arrangements and working more closely with community planning partners. In addition to those areas already outlined in the response to Q5 there would be scope to further review the deployment of staff on a cluster basis. This could include as examples: children's health services (school nurses); mental health nurse/workers; children and families social work services; pupil support assistants and would significantly strengthen GIRFEC.

We believe however that the coordination of such cluster working will be best be achieved by the cluster schools working in partnership with the local authority, as the governing body, and with partners such as NHS, Police Scotland and the third sector. It is not necessary to review or amend the existing governance arrangements to allow work in this area to develop. In Falkirk, through the establishment of Children's Services, there are already significant work-streams in place to re-provision former services (such as education and C&F Social Work Family Support Teams) to work with clusters of schools.

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.

There is scope for benefits to be derived from certain services which are currently delivered by individual local authorities being delivered on a regional basis.

These principally include areas where local authorities have previously employed Quality Improvement staff charged with the responsibility to “support and challenge” schools and to take lead roles in being responsible for leading developments in the curriculum. In recent years specialisms have also developed in the areas of early learning and childcare and in leading and developing the Developing Scotland’s Young Workforce agenda. The work of these teams has also included the delivery of staff training; leadership development; and the increasingly more sophisticated use of data to evidence and drive school improvement.

There is therefore scope for there to be greater collaboration in these support functions across local authorities. As an example, a council that recognises that it needs to improve its leadership capacity at school level (perhaps at DHT level) could work with an authority that has recognised good practice in that area. An authority that has well developed systems and processes to derive benefit from analysing attainment data may help others avoid the inefficiency of “re-inventing the wheel”.

Falkirk Council has now met with four other local authorities as part of an emerging regional partnership. These are: Clackmannanshire Council; Fife Council; Stirling Council and West Lothian Council. Discussions have already taken place on areas of shared interest and potential areas of joint working. It is the view, however, of all authorities that they would wish to retain the flexibility to work with any other local authority on a needs basis, rather than entering into a formal partnership.

The examples of partnerships that have been highlighted as part of the governance review – including the Northern Alliance and the Tayside grouping (Angus, Dundee and Perth and Kinross) have emerged as a result of shared identification of local need. The professional view of the emerging Falkirk partnership is that this should be the basis on which work progresses at this time but that there should be greater involvement and support from Education Scotland to help identify best practice from across the authorities involved and from further afield.

As partnerships evolve there is the potential for collaborative work in developing and delivering specialist services. For example a regional partnership may wish to explore the creation of specialist teams in educational psychology or to support children with specific additional support needs. Regional support structures came to the fore and demonstrated leadership and professionalism in the introduction of the new National Qualifications Framework. Principal teacher subject groups used existing networks for professional enquiry and development to ensure expert advice, feedback and capacity for curriculum and qualifications development.

Question 11

What factors should be considered when establishing new educational regions?

The focus of collaborative work among emerging educational regions should be on providing support to schools rather than on any additional bureaucracy associated with rigid or formal governance structures.

As outlined in the response to Q10 the principle factors should involve consideration of shared interest and/or need as well as practical considerations of geography. There would be little prospect of an effective partnership between, say, Falkirk and Orkney Islands Council but Falkirk should not be precluded from working with the Lanarkshires or Dunbartonshires if there is a shared need or commonality of development requirement.

What will be important as regional partnerships emerge will be that those involved develop a clearly agreed purpose in what they hope to achieve through collaboration. Regional partnerships hold the potential to avoid duplication of effort and provide access to broader learning and ultimately better outcomes for children and young people. The areas selected for collaboration should be those where there is a clearly identified need and it will be important that elected members and other stakeholders are kept informed of the partnership working that is undertaken and the outcomes arising from collaborative work to ensure that local accountability arrangements are not compromised.

The social media presence as a vehicle and mode for development and collaborative improvement work amongst education workers and professional should be recognised as a significant cultural practice change which should be explored in a digitally and technologically advancing nation. It can prove to be a useful and effective tool for developing professional enquiry and collegiate support. The use of GLOW and other free to use collaborative platforms should be encouraged and supported across the education system.

Question 12

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

(see also Q16 re accountability arrangements)

There is a need to maintain national bodies to govern inspection arrangements across the education sector. There is scope to combine the functions of Education Scotland and the Care Inspectorate to ensure that there is a commonality of standards, quality and expectations across all early years and school education provision. There is scope too to combine the activity, currently undertaken by the Care Inspectorate, regarding the GIRFEC agenda to ensure that there is localised and on-going monitoring of the achievement of the SHANNARI indicators for all children on an on-going basis. The Integrated Children's Services approach which is embedded with community planning should not be subject only to periodic one-off inspection processes. A combined inspection approach, such as this, could also provide on-going re-assurance within the system that Child Protection policies and procedures were fit for purpose within localities.

There is clearly a role for the Scottish Qualifications Authority in providing robust and reliable measures of attainment in curricular learning. There is scope however for other awards from other bodies (such as Duke of Edinburgh, John Muir Trust, City and Guilds) to receive the same accreditation within the (relatively) new Insight analysis tool. Although work has already been progressed in this area it should be accelerated so that non-academic achievements in learning can be recognised more fully for our young people.

In recent years there has been increasingly effective partnership working between local authorities and the Scottish Government in areas such as workforce planning and estates management. This should be continued. There has also been effective partnership working between local authorities, Scottish Government and Education Scotland. However, improvements could be made in the development of policies and guidance (such as the National Improvement Framework) to more directly involve schools and front-line practitioners in reaching consensus on the actions that will be most effective in driving school improvement.

Question 13

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

The existing governance arrangements already have the capacity to support teacher education and professional learning. Much work has been undertaken in recent years to implement the recommendations of “Teaching Scotland’s Future” (Donaldson, 2011). Much work has also been undertaken to support the development of robust programmes to support probationer teachers in their first year within the profession.

When reviewing the support arrangements for teacher education and professional learning consideration should be given to education and professional learning for other staff groups either on a coordinated national scale or through the potential efficiencies afforded by emerging regional partnerships. There is a commonality of agenda across Scotland regarding implementation of the National Improvement Framework; the expansion of Early Education and Childcare; and the Developing Scotland’s Young Workforce agenda. There is therefore scope for national training programmes to be developed to assist and ensure greater consistency within the system. In addition there is scope to further develop the provision of specialist training to support staff, both during Initial Teacher Education (ITE), and beyond in areas such as behaviour management and meeting the needs of children with additional support needs. If we are to make significant progress in closing the attainment gap there is a need for the core skill set of our teachers to be enhanced in these areas. Consideration should also be given to the current arrangements whereby staff access training and professional development. Currently this is delivered/ accessed in schools during “collegiate” time, through the five “In-Service” training days and through teacher’s 35 hour contractual commitment to on-going Continuing Professional Development (CPD). There is potential for the current approaches to when and where teachers and others access appropriate training being reviewed.

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?

Falkirk Council believes that 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.

Guidelines for Devolved School Management were revised in 2012 and published by the Improvement Service. The guidelines were developed by a working group comprising input from local authorities; SOLACE; ADES; teacher's professional associations; LA Directors of Finance and the National Parent Forum (NPFS).

The provisions of the scheme allow for the equitable allocation of resources to schools and take account of a variety of factors.

Falkirk Council would not be opposed to a further revisiting of DSM arrangements particularly if the scheme was in some way able to adequately identify a methodology for the allocation of resources that took into account certain measures of localised indicators of socio-economic disadvantage. Officers believe however that the development of a national funding formula could prove to be significantly complex and there is scope to create greater inequity should such a formula not adequately take account of the variety of factors that are at play, including factors associated with roll size, rural/ urban considerations and disproportionate distributions of SIMD. (Eg a school with the majority of its pupils in SIMD 4-8 may not benefit at all from factors built in to support those living in the lowest SIMD deciles).

Whatever emerges regarding a funding formula for schools there will always be a need for proper accounting and budgetary control systems and processes provided via the local authority (centre) to be able to deal with unforeseen situations as they arise in individual schools through the course of a school year.

It should also be noted that certain central budgets, such as those relating to support of children with additional support needs, would better mitigate risk if retained at local authority level. There could be a significant risk if all resources were devolved on a per-capita formula basis (irrespective of the inclusion of a range of factors) that the needs of children with ASN may not be met, with the resulting additional costs of mediation and the potential for reference to Additional Support Needs Tribunal Scotland.

Question 15

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

The consultation document is not explicit regarding what is being proposed here in terms of further controls being devolved to school level.

The current DSM scheme offers head teachers the opportunity to vire funds from one area to another to assist with progressing areas of priority for the school. It also allows decisions to be made regarding the allocation of staff resources to meet the curricular needs of individual schools. Were further controls to be devolved to school level this would create the requirement for revised budgetary management arrangements at school level

Head teachers as employees of the council will still be required to work within agreed council governance procedures and regulations. Financial procedures and purchasing, procurement and HR policies will exercise control over how things are done. In addition, schools would still need to work within the internal system of controls that cover financial ledger and payroll systems.

The key to success is to ensure that accounting procedures are agreed in advance and the appropriate systems are set up to allow specific areas of school expenditure to be easily tracked, monitored and reported on. Achieving this will cut bureaucracy and reduce unnecessary workload for head teachers.

Question 16

How could the accountability arrangements for education be improved?

Section 8 of the consultation document sets out the range of bodies included in the current accountability arrangements in Scotland. These include: Scottish Government, local authorities, Education Scotland, the Care Inspectorate, the general Teaching Council for Scotland and the Scottish Social Services Council. In addition the document notes that the Accounts Commission and Audit Scotland also hold the Scottish Government and local authorities to account.

It is clear therefore that there is a multiplicity of accountabilities affecting schools. The principle accountabilities affecting schools relate to the roles of the local authority, Education Scotland and the Care Commission. Schools also however need to make sure that their workforce adhere to the requirements of both GTCS and SSSC.

Given this diversity of accountabilities and the overlap between the indicators of compliance and/or improvement there is scope to simplify and streamline the accountability for schools.

As schools are operated and run by local authorities and all school employees are employed by the local authority, which is governed by democratically elected local representatives, schools will continue to have accountability to their local communities and to the local authority. From the perspective of the maintenance and improvement of national standards of education it will remain important that there is a national inspection framework governed by an external autonomous agency.

However there may be scope to combine the roles of the Care Inspectorate and Education Scotland and to separate the inspection function of Education Scotland from its wider remit which includes curriculum development and advice. A new independent "Inspectorate" could then be focused on quality and standards across the delivery of CfE (3-18). Similarly there may be scope to explore the amalgamation of the regulatory requirements of the GTCS and the SSSC to provide more streamlined professional standards and CPD arrangements for all those working in early years and school education.

There may too be scope to combine the role Education Scotland plays in developing the curriculum and supporting professional practice development with the role currently fulfilled by the Scottish College of Educational Leadership (SCEL).

Given that one of the current goals within the Scottish education system is to reduce the bureaucracy affecting schools any diminution in the number of 'masters' served by schools would be welcomed. However, before embarking on significant changes to the current arrangements care should be taken to ensure that increased clarity and simplification would not adversely affect outcomes for children and young people in the interim.

Question 17

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

Negotiating Committees and Related Matters

The governance review does not consider the relationship between the negotiating arrangements that exist at national level through the Scottish Negotiating Committee for Teachers (SNCT), at authority level through the Local negotiating Committee for Teachers (LNCT) and at school level to reach agreement on collegial matters. These mechanisms work satisfactorily. They give teachers a strong voice at organisational all levels on the arrangements governing the terms and conditions of their work. The existence of these mechanisms should be considered when reviewing governance arrangements, and particularly the aspiration to greater empowerment of decisions at school level.

Community Learning and Development (CLAD)

CLAD is an important service in supporting the learning of children and young people but is not considered in the governance review. It plays an increasingly important role in community planning and integrated children and young people's service plan; the inspection of CLAD is undertaken by Education Scotland and schools are involved in inspections of learning communities. There is therefore a strong case to consider CLAD in the governance review. In doing so it should be noted that the pattern of delivery of CLAD varies significantly across Scotland with ten Councils separating CLAD by placing them in a department other than the one responsible for the delivery of educational or children's services.

When a Council Committee sits as an education authority, under the terms of the Local Government (Scotland) Act, 1973 as amended there requires to be three Church representatives, but authorities have extended this representation to include wider stakeholder involvement. This can include teacher, parent and young person's representation as is the case in Falkirk Council.

Given the scope of the governance review and its intention to seek greater involvement of parents, communities, teachers and young people in educational decisions there is clearly scope to review the models used across Scotland and identify best practice with a view to issuing guidance or other appropriate measures.