



## **Agenda Item 6**

**Forth Valley and West Lothian  
Improvement Collaborative –  
Progress Report and Update on the  
Scottish Government  
“Empowering Schools” agenda**

**Falkirk Council**

**Title:** Forth Valley and West Lothian Improvement Collaborative – Progress Report and Update on the Scottish Government “Empowering Schools” agenda  
**Meeting:** Education Executive  
**Date:** 4 September 2018  
**Submitted By:** Director of Children’s Services

**1. Purpose of Report**

**1.1** The report provides

- an update for the Education Executive on the work of the Regional Improvement Collaborative for Education involving Falkirk, Clackmannanshire, Stirling and West Lothian Councils; and
- an update regarding the Scottish Government’s Empowering Schools agenda and the decision of the Scottish Government not to progress the draft Education (Scotland) Bill at this time.

**2. Recommendations**

**2.1** The Education Executive is asked to note:

- (1) the letter received from the Deputy First Minister and Cabinet Secretary for Education (attached as appendix 1) which intimated that the Scottish Government has published a draft Education (Scotland) Bill but that it will not be introduced to Parliament at this time;
- (2) the Education Reform – Joint Agreement reached between the Scottish Government and COSLA (attached as appendix 2) and referenced in the letter detailed above;
- (3) the joint statement made by the Scottish Government and COSLA regarding this Joint Agreement (attached as appendix 3);
- (4) that the Cabinet Secretary, in his statement to Parliament on 26 June 2018, announced that up to £10m would be made available to enhance regional capacity to support schools (the full statement is attached as appendix 4);
- (5) the appointment of a Regional Improvement Collaborative Development Officer; and
- (6) the Phase 2 Forth Valley and West Lothian (FVWL) Improvement Collaborative Plan which was submitted to Education Scotland on 3 September 2018 (attached as appendix 5).

**2.2 The Education Executive is asked to agree that the Director of Children's Services provides further reports to the Education Executive which detail:**

- (1) feedback received from Education Scotland on the Phase 2 Regional Improvement Plan;**
- (2) the allocation of support to be received from Education Scotland officers;**
- (3) the level of financial support the FVWL Collaborative will receive from the Scottish Government; and**
- (4) the arrangements for evaluating progress regarding the Headteachers' Charter, Parental and Community Engagement, and Pupil Participation.**

**3. Background**

- 3.1 At its meeting of 7 November 2017 the Education Executive agreed that Falkirk Council would enter into a Regional Improvement Collaborative for Education and that this work would be led by the Director of Children's Services as the Regional Lead Officer.
- 3.2 The Education Executive also noted that the Director of Children's Services would be seconded to the role of Regional Lead Officer for an initial period of six months.
- 3.3 Progress reports on the emerging work of the Regional Improvement Collaborative were presented to the Education Executive on 23 January 2018 and 10 April 2018. A further verbal update was provided to the Education Executive by the Director of Children's Services on 29 May 2018.
- 3.4 Officers from across the four participating councils have continued to work together over recent months to develop approaches and strategies to support schools and agree the appointment of a Development Officer to develop the Phase 2 Regional Collaborative Improvement Plan.

**4. Considerations**

Lead Officer and Development Officer

- 4.1 The Director of Children's Services six month secondment to the role of Lead Officer ended on 13 May 2018. Although the Director has reverted to his substantive role, he will however continue to act as the lead officer and will engage with colleagues from Education Scotland and the Scottish Government on all matters associated with the FVWL Regional Improvement Collaborative.

- 4.2 In order to support the Lead Officer the four Chief Executives agreed to the appointment of a Regional Improvement Collaborative Development Officer, on a seconded basis.
- 4.3 The Development Officer was appointed in June 2018 and took up post at the start of the school session.

#### Education Scotland Bill

- 4.4 On 26 June 2018 the Deputy First Minister (DFM) and Cabinet Secretary for Education addressed the Scottish Parliament regarding the publication of a draft Education (Scotland) Bill.
- 4.5 The DFM announced that the Bill would not be introduced at this time and also intimated that, following extensive discussions over the preceding months, an agreement had been reached between the Scottish Government and local government to deliver the Headteachers' Charter, meaningful school empowerment, collaboration and pupil and parent participation across Scotland.
- 4.6 The DFM also announced £46m of additional funding over three years, targeted at school leadership development (£4m); support for Regional Improvement Collaboratives (£10m); and support for Looked After Children (£32m). **Note:** further details relating to the additional funding to support Looked After Children is provided in a separate report on this Education Executive agenda.
- 4.7 The Scottish Government advised the six Regional Improvement Collaborative Lead Officers on 10 August 2018 that the £10m allocated to support collaboratives would be broken down as:
- £4m to enhance regional capacity for collaboration and embed collaborative approaches to improvement;
  - £4m to support regional activities and strategies to close the poverty related attainment gap in schools; and
  - £2m to support region-wide approaches to address poverty related disadvantage in rural areas.
- 4.8 The Scottish Government have also advised that a bidding approach will be developed for each Regional Improvement Collaborative to access this funding. The Scottish Government will present a report outlining details of the proposed approach to the next meeting of the COSLA / Scottish Government Settlement and Distribution Group.

#### Education Reform – Joint Agreement

- 4.9 In his statement the DFM also announced the publication of the Education Reform - Joint Agreement between the Scottish Government and local government.

- 4.10 This document details the agreements reached regarding:
- The Headteachers' Charter;
  - Parental and Community Engagement;
  - Pupil Participation; and
  - Regional Improvement Collaboratives.
- 4.11 The agreement reached regarding Regional Improvement Collaboratives was as detailed in the guiding principles and functions agreed by the Joint Steering Group on Regional Improvement Collaboratives for Education in September 2017. This document was attached to the report entitled "Regional Collaborative" which was presented to the Education Executive on 7 November 2017.
- 4.12 The FVWL Regional Improvement Collaborative has developed both the Phase 1 (January 2018) and Phase 2 (September 2018) plans in line with these guiding principles and functions.
- 4.13 As yet Children's Services have not had any formal engagement with Education Scotland on the timescales, milestones, expectations and process for evaluating progress regarding:
- The Headteachers' Charter;
  - Parental and Community Engagement; and
  - Pupil Participation.

Further reports will therefore be presented to the Education Executive when more information is available.

#### Support for Regional Improvement Collaborative from Education Scotland

- 4.14 Education Scotland have intimated that it is their intention to allocate a team of officers with expertise in a number of different areas to support the work of the regional collaborative. A future report to the Education Executive will detail the level of this support and the arrangements for the deployment of Education Scotland staff.
- 4.15 As outlined earlier in this report the DFM has intimated that £10m will be allocated to support the work of the six regional improvement collaboratives across Scotland.
- 4.16 A future report to the Education Executive will intimate the amount allocated to the FVWL Regional Improvement Collaborative once this is known, together with a plan for its use over the next three year period.

## **5. Consultation**

- 5.1 The Phase 1 and Phase 2 Plans were developed in collaboration across all four local authority areas. A major event, *Building a Collaborative Culture*, held on 22 January 2018 in Alva Academy, allowed for consultation with

Headteachers, Early Years Heads, Parents, Young People, Elected Members, LNCT members, practitioners and Senior Officers to inform initial and subsequent areas to be included in the plans

- 5.2 The Lead Officer also engaged with wider stakeholders from each Council's Community Planning Partnerships and with trade union and parent representatives to ensure that they are included in the developing work of the collaborative.
- 5.3 Further consultation will be undertaken with all key stakeholders as the phase 2 plan is implemented and revised over the coming months. This will include engagement with:
- Practitioners;
  - Headteachers and Heads of Establishment;
  - Children and Young People;
  - Partners and Third Sector; and
  - Elected Members.

## **6. Implications**

### **Financial**

- 6.1 All work undertaken to date has been met from within the existing resources of the four participating councils. As outlined at paragraph 4.13 the FVWL Regional Improvement Collaborative will receive a share of the £10m to be allocated from the Scottish Government.

### **Resources**

- 6.2 The staff resources of the four participating councils have been allocated as appropriate by the senior education officers of each council to achieve the necessary progress to develop both the Phase 1 and Phase 2 Regional Improvement Plans.

### **Legal**

- 6.3 There are no legal implications arising from this report.

### **Risk**

- 6.4 No risk implications have been identified.

### **Equalities**

- 6.5 There are no equalities implications arising from this report.

## **Sustainability/Environmental Impact**

- 6.6 There are no implications for sustainability or environmental impact arising from this report.

## **7. Conclusions**

- 7.1 The work of the FVWL Regional Improvement Collaborative is ongoing and it is anticipated that the pace of progress will increase once additional staffing resources are received from Education Scotland and finance is received from the Scottish Government.
- 7.2 The various themed groups, led by officers from across the four councils are working effectively and identifying approaches to engage with front line staff to exemplify and improve practice in our classrooms.
- 7.3 Further reports will be presented to future meetings of the Education Executive to provide updates on the work of the collaborative and progress with the “Empowering Schools” agenda.

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## **Director of Children’s Services**

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Date: 31 July 2018

## **Appendices**

- Appendix 1 Letter from Deputy First Minister and Cabinet Secretary for Education and Skills
- Appendix 2 Education Reform – Joint Agreement
- Appendix 3 Empowering schools agreement: joint statement between Scottish Government and COSLA
- Appendix 4 Depute First Minister Statement to Parliament (26 June 2018)
- Appendix 5 FVWL Regional Improvement Plan (Phase 2)

## **List of Background Papers:**

### **Reports to Education Executive**

- November 2017 – three previous reports re the Collaborative
- January 2018
- April 2018



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26 June 2018

Dear Colleague

Today I have set out in the Scottish Parliament the next phase of our action to empower schools across Scotland. This empowerment is crucial so that the important decisions which most affect the outcomes for children and young people are made in consultation with them and by those closest to them.

The Scottish Government has consulted extensively on how we can best empower and support our schools. I have listened carefully to our International Council of Education Advisers, our education professionals, local authorities, parents and pupils. They have told me that, whilst they strongly support the principle of empowering schools, they prefer approaches to achieving our goals which do not involve new legislation.

I have always been clear that legislation will not, on its own, deliver the cultural change and enhanced capacity that we want to see.

I have decided, therefore, to pursue an approach to reform based on consensus building and collaboration with partners. It is through such consensus building and collaboration that we have reached agreement on the establishment of the Regional Improvement Collaboratives. We have now achieved a landmark agreement with local government which will see the Headteachers' Charter, and meaningful school empowerment, collaboration and pupil and parent participation, delivered across Scotland.

That agreement is published today along with the draft Education (Scotland) Bill but I will not be introducing the Bill to Parliament at this time. Instead, I will monitor progress over the course of the next academic year. I look forward to seeing pace and ambition in delivering our joint commitment to an empowered system. However, if sufficient progress is not made across the system in implementing the roadmap agreed with local government, I will introduce the Education(Scotland) Bill to the Scottish Parliament.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

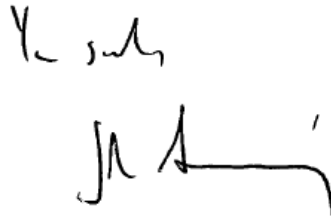
St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)





This way, we do not need to wait for the passage of legislation which cannot be fully enacted until 2019 or 2020 to begin work on implementing the reforms to which both local government and the Scottish Government are committed – that work can start immediately. I believe that this next phase will deliver a teacher and school-led system more quickly because of our investment in consensus building and collaboration.

I look forward to continuing to work with you as we continue on our journey to deliver further improvements in Scottish education.

A handwritten signature in black ink, appearing to read 'John Swinney', with a stylized flourish at the end.

**JOHN SWINNEY**

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# Education Reform – Joint Agreement

## **Education Bill Policy Ambition – Joint Agreement**

### **Background**

1. The Scottish Government's 2017 consultation 'Empowering Schools: A consultation on the provisions of the Education (Scotland) Bill' set out clear aims and objectives in relation to the forthcoming Education Bill: improving the education and life chances of our children and young people, closing the unacceptable gap in attainment between the least and most disadvantaged children and raising attainment for all. The Bill aims to create a school and teacher led education system, with children at the centre. The consultation emphasised the need for a collaborative effort in order to achieve the overall aims, starting with teachers and leadership in schools and complemented by Local Authorities and new Regional Improvement Collaboratives.
2. Local government representative organisations' responses to the consultation indicated broad agreement with the overall aims and objectives of the proposed legislation. However, concerns were expressed about whether legislation was required to deliver on the agreed aims. The consultation responses from COSLA, SOLACE and ADES indicated a desire to work with the Scottish Government to ensure that shared aims can be achieved within a framework that supports both improvement in Scottish education and wider integrated children's services.
3. Discussions took place between senior officers in the Scottish Government and local government in order to examine whether agreement could be secured on policy proposals for the Bill that met the shared policy objectives, to improve outcomes for Scotland's children and young people. The agreed remit for these discussions is attached at Annex A.

### **Joint agreement**

4. Improving the education and life chances of our children and young people is the defining mission of our Scottish education system. Our shared ambition is to close the unacceptable gap in attainment between our least and most disadvantaged children and to raise attainment for all. We are clear that our vision of excellence and equity cannot be achieved by one part of the system alone: all partners must work together in a collegiate and collaborative way, keeping the interests of children and young people front and centre.
5. Empowered, responsible and collaborative schools are an important part of our shared vision for Scottish education. The Education Bill proposals are focussed on the role of empowered schools in improving attainment and closing the poverty-related attainment gap. This is underpinned by Scotland's commitment to getting it right for every child, which brings together services and partners from across public services and the third sector in a collective endeavour to improve children and young people's outcomes. In discussion, it was agreed that legislation on its own cannot transform the culture, capacity and structure of Scottish education and that further discussion on other levers for change is needed and supported.

6. A willingness to explore the options for implementing change, using additional or new levers already in the system, is welcomed by all partners.
7. The following agreed principles should form the basis of system-wide improvement and support the provisions in the Education Bill.

#### **Agreed principles:**

- Effective system-wide improvement requires strong leadership, collaborative working and clarity of purpose at all layers of the system – school, local, regional and national
- Headteachers are the leaders of learning and teaching in their school. They are senior officers of the local authority and have operational responsibility for the service they provide, therefore the majority of decisions should be made at school level
- Schools are empowered to make the decisions that most affect their children and young people's outcomes, while being part of a collaborative learning community, the Local Authority and working with others
- Empowered schools require both strong and distributive leadership, working in partnership with pupils, parents, staff and the wider community
- The principle of headteacher empowerment will be applied consistently across Scotland
- Local Authorities' duty to provide education for children and young people means that they must be able to intervene in decisions made by headteachers where statutory, financial, or contractual obligations would be breached
- Local Authorities and their headteachers should have a mutually respectful and supportive relationship, with clear processes in place to minimise the need for such intervention
- Decisions by all parties should reflect mutually supportive and respectful relationships.

#### **Content of the Education Bill**

8. Following discussion, there was consensus that the following policies will be pursued in the Education Bill.

#### **Agreement on the Headteachers' Charter**

9. The Education Bill will aim to establish a Headteachers' Charter that will require Local Authorities to empower headteachers in the following areas:

#### Curriculum:

- Headteachers are responsible for deciding how best to design their local curriculum in line with Curriculum for Excellence;
- Headteachers must work collaboratively with their staff, parents, pupils, and wider partners including other schools and their local authority on curriculum design and improving learning and teaching.

#### Improvement:

- Headteachers and their schools work together towards improvement and reducing inequalities of outcome;
- Headteachers are responsible for deciding their school's improvement priorities and publishing their school improvement plan, reflecting the National Improvement Framework;
- The requirement on local authorities to develop and produce improvement plans will continue alongside regional improvement plans; and
- Improvement planning at all levels of the system must be responsive to the needs of schools, communities and children and young people.

[In relation to improvement planning, the group agreed that there should be a review of the range, purpose, and alignment of improvement planning across the system.]

#### Staffing:

- Headteachers are involved in the design of recruitment and appointment processes;
- Headteachers design the staffing structure that best supports learning and teaching in the school, within the staffing budget delegated to the school by the local authority;
- Headteachers choose the staff who work in their school, with due regard to employment law and the contractual obligations of their local authority;
- Local Authorities and headteachers have regard to supporting guidance developed by SNCT and LNCT (where appropriate) on the processes that should be observed when resolving disagreements about staffing matters between headteachers and Local Authorities.
- The principle that the local authority must be able to intervene should any statutory duty or contractual obligation be in breach will be upheld in any legislative instrument.

#### Funding:

- Local Authorities will continue to be responsible for the local authority education budget and the delegation of funding to schools. Headteachers will make decisions on the spending within that delegated budget;

- Decisions about education spending at local authority and school level are made in a collegiate and transparent way paying due regard to Getting it Right for Every Child (GIRFEC) and local authorities' role as Corporate Parents;
- Local Authorities have regard to updated statutory guidance setting out a clear national framework for the delegation of funding to schools. This guidance is being co-produced through the Fair Funding Reference Group.

10. It was agreed that the Headteachers' Charter should apply to school based learning only.

### **Agreement on parental and community engagement**

11. Parental engagement in the life of the school and their child's learning is central to improving outcomes for children and young people. The Education Bill will aim to build on existing good practice in the Scottish education system to ensure that:

- Headteachers work collaboratively with their Parent Council, and wider parent forum and wider community on substantive matters of school policy and improvement. This should be based on the principle of co-production;
- Local Authorities continue to be responsible for promoting the involvement of parents and supporting schools in this, including through the development and review of the Local Authority parental engagement strategy; and
- The principles of parental involvement and engagement extend to early learning and childcare settings, but with appropriate flexibility to reflect the particular context.

### **Agreement on pupil participation**

12. Ensuring that the views of children and young people are heard, respected and taken seriously is central to the United Nations Convention on the Rights of the Child. The Education Bill will aim to build on existing good practice in the Scottish education system so that:

- Headteachers ensure that children and young people participate meaningfully in their own learning, in decision-making relating to the life and work of the school; and in the wider community.

### **Agreement on Regional Improvement Collaboratives**

13. The Education Bill will seek to require Local Authorities to work collaboratively in Regional Improvement Collaboratives as detailed in the guiding principles and functions agreed by the Joint Steering Group on Regional Improvement Collaboratives for Education in September 2017.

## **Education Workforce Council**

14. It was agreed that the provisions relating to the Education Workforce Council were not central to the relationship between the Scottish Government and local government and therefore they were not discussed in detail. There was consensus on the principle of widening registration to others involved in learning and teaching but that significant change in this area should be carefully considered.

May 2018

## **Appendix A: Discussions between Scottish Government and Local Government on the Education Bill**

**Context:** The Scottish Government has set out clear aims and objectives in relation to the forthcoming Education Bill: improving the education and life chances of our children and young people, closing the unacceptable gap in attainment between the least and most disadvantaged children and raising attainment for all. The Bill aims to create a school and teacher led education system, with children at the centre. The consultation emphasises the need for a collaborative effort in order to achieve the overall aims, starting with teachers and leadership in schools and complemented by Local Authorities and new Regional Improvement Collaboratives.

Local Government responses to the consultation indicate broad agreement with the overall aims and objectives. However, concerns are expressed about whether some of the specific measures proposed for the Bill will deliver on the agreed aims. The consultation responses from COSLA, SOLACE and ADES indicate a desire to work with the Scottish Government to ensure that shared aims can be achieved within a framework that supports both improvement in Scottish education and wider integrated children's services.

**Next Steps:** Discussions will take place between senior officers in the Scottish Government and Local Government in order to examine whether a shared proposal can be developed for the Bill that meets the shared policy objectives and secures agreement on the method by which those objectives will be secured, to improve outcomes for Scotland's children and young people.

In the spirit of collective leadership, the work will be overseen by an officer level commissioning group, consisting of Sally Loudon (COSLA), Joyce White (SOLACE) and Paul Johnston (Scottish Government). They will be responsible for inviting senior colleagues to play a full part in the discussions and will receive a report on the outcome of the discussions.

The discussions will be convened by Gayle Gorman in her capacity as Chief Inspector of Education for Scotland.

The conclusions of the discussions will be shared with the Deputy First Minister and the COSLA Education Spokesman for further consideration. It will not restrict the Scottish Government in terms of any aspect of the legislation that it will introduce, nor will it restrict COSLA or any other party in the view that it will adopt in relation to that legislation.

**Scope:** The discussions can cover the range of topics within the consultation on the Education Bill, with a particular focus on the extent to which agreement can be reached on the central proposals in the Bill, in particular (but not restricted to) the headteachers charter.

**Timing:** There is a need for the discussions to be focussed and to progress at pace, with a report being provided to the commissioning group by 29 March 2018.



## **Appendix B: Education Bill Policy Ambition – Joint Agreement**

### **Measures and enablers to promote school empowerment**

The Scottish Government, COSLA, SOLACE, ADES and Education Scotland are committed to creating the conditions for school empowerment. The second meeting of the group reached collective agreement that the following enablers and measures will support and encourage the empowerment of schools in Scotland. Empowering schools will help us accelerate progress in achieving excellence and equity for children and young people across Scotland. The agreed actions below will ensure appropriate checks and balance to empower schools and deliver improved outcomes for Scotland's children.

#### **School level**

##### **Support:**

- There will be new co-produced guidance for schools on what good looks like in an empowered school sector, along with accessible tools for school leaders, parents and pupils
- Schools will be encouraged to self-evaluate their approaches in light of the Headteachers' Charter, parental engagement and pupil participation to deliver improved outcomes
- The annual Professional Review and Development process will provide an important opportunity to reflect on increased empowerment for all headteachers [and teachers], and the ways in which decisions have been made in collaboration with staff, parents and pupils
- The update of the Standards for Leadership and Management by the General Teaching Council for Scotland is an opportunity to reflect empowered school leadership.
- The professional learning and leadership offer for school leaders will be enhanced at national, regional and local level to build understanding of empowerment

##### **Action and scrutiny:**

- Schools to continue to design their curriculum to meet the needs of young people in their community
- Schools and Local Authorities to access and participate in peer to peer support within Regional Improvement Collaboratives
- From August 2018 onwards Education Scotland will inspect school empowerment through the Leadership of Change quality improvement indicator in How Good Is Our School 4
- Education Scotland will deliver three new focus reviews in 2018-19 academic year looking at the following themes: readiness for empowerment; curriculum leadership; parent and pupil participation
- This programme will be outlined in Education Scotland's Annual Programme to be published in June 2018

## **Local authority level**

### **Support**

- System Leadership: There will be a new mechanism to support and challenge local authorities on their delivery of the joint agreement. COSLA/ADES/SOLACE/ES will facilitate a peer review and challenge process that will draw evidence from inspection, self-evaluation and other data sources (including headteacher, parent and pupil feedback) and reflect current improvement frameworks e.g. How Good is our Council or PSIF
- A partnership approach/improvement team would be instigated (COSLA/ADES/SOLACE/ES) to enhance capacity to enable improvement at pace
- Local authorities will reflect school empowerment consistently throughout their strategic planning during 2018-19 (e.g. Integrated Children's Service Plans; Local Outcome Improvement Plans; and local National Improvement Framework plans)
- Local authority professional learning programmes for school leaders will reflect the joint agreement

### **Action and scrutiny**

- Education Scotland and partners will develop a self-evaluation framework for local authorities to review progress towards an empowered system
- During the academic year 2018-19, local authorities will complete the self-evaluation of school empowerment in the local area
- Local authority annual National Improvement Framework reports will reflect school empowerment as a key theme from 2018 onwards

## **Regional level**

### **Support**

- Regional Improvement Collaboratives will develop and share models of best practice in empowerment and effective decision making within the regional context
- Regional Improvement Collaboratives will take action to increase pupil and parent participation in learning
- Education Scotland will further develop their core offer of support to Regional Improvement Collaboratives and therefore to schools over this academic year.

### **Action and scrutiny**

- Headteachers across Regional Improvement Collaboratives will evaluate and feedback on levels of headteacher empowerment
- Regional Improvement Collaboratives will promote and develop teacher voice and agency at regional level e.g. through regional teacher panels

## **National level**

### **Support**

- There will be further collective work to develop joint guidance to support the implementation of the joint agreement on Headteachers' Charter, Regional Improvement Collaboratives, Parental Engagement and Pupil Participation.

- Education Scotland will enhance its national offer in relation to curriculum, pedagogy and leadership
- The Scottish Negotiating Committee for Teachers will be asked to develop a Code of Practice on the headteacher role in selection and appointment of staff
- The GTCS's Review of Professional Standards will reflect empowered, collaborative teachers and school leaders
- SCEL will enhance the leadership support packages to build capacity and confidence in the system (e.g. Into Headship and Excellence in Headship)

#### Action and scrutiny

- Education Scotland will report termly on the new focus reviews on school empowerment
- The annual National Improvement Framework report will draw together evidence from the focus reviews, school self-evaluation and inspection and local authority self-evaluation
- An evaluation strategy will be developed by August 2018 to review the impact of the school empowerment
- The Teacher Panel will feed back the views of the profession on progress towards an empowered system
- National scrutiny bodies, where appropriate, will reflect implementation of the joint agreement when agreeing Local Scrutiny Plans through Local Area Networks.

#### Intervention:

All partners recognise the importance of effective support and intervention where the evidence suggests that further action is needed to ensure excellence and equity for young people. A suite of intervention and support options will be developed and agreed as part of the next phase of the work. This will reflect the principles of an empowered system, with a strong emphasis on peer-to-peer support and challenge, and will draw on the following evidence sources:

- Feedback from school leaders
- School and local authority self-evaluations
- Inspection reports
- National Improvement Framework report
- Use of improvement data to spot trends and potential issues - e.g. through SEEMIS and Summary Statistics on Scottish Schools.

Where evidence suggests there is cause for concern, the following approaches will be deployed as appropriate:

- Concerns will be shared with all partners
- The SNCT will collectively address concerns if there is evidence of non-compliance by local authorities with the Code of Practice on staff selection
- COSLA will facilitate challenge and support drawing in expertise from ADES/ES and others. This will include evidence review and challenge sessions leading to a clear action plan, offer of peer support and follow-up activity to monitor impact and improvement
- Evaluation of progress
- Clear line of escalation to audit and scrutiny inspection bodies if insufficient progress.



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## Appendix 3

### **Empowering schools agreement: joint statement between Scottish Government and COSLA**

An agreement has been reached between Scottish local government and the Scottish Government which sets out our shared commitment to empower our schools. This work will start now and be taken forward with pace over the summer. The Education Bill will not be introduced to Parliament at this time.

Under the agreement, headteachers will be supported to make more of the important decisions on learning and teaching and the day-to-day running of their school. This agreement between the Scottish Government and local government is an important step towards more empowerment for schools over key aspects of school life and will make a real impact on the ongoing commitment of both Scottish Government and local government to raise standards and close the poverty-related attainment gap.

The joint agreement which sets out the agreed principles underpinning the development of an empowered school led system will be supported by an Action Plan to be taken forward between the Scottish Government and local government. This should lead to empowered schools delivering improved outcomes for Scotland's children and young people in collaboration with Scotland's Local Authorities and Regional Improvement Collaboratives.

Deputy First Minister John Swinney said:

"Closing the poverty-related attainment gap and raising standards for all is a priority for both the Scottish Government and local authorities. We are already working in partnership to achieve this shared vision through Regional Improvement Collaboratives, for example.

"I very much welcome this latest landmark agreement which will fast-track the empowerment of schools, with the support of the local authority, to take key decisions to improve the life chances of our children and young people – a central plank of our education reforms."

Councillor Stephen McCabe, COSLA's Spokesperson for Children and Young People, said:

"I am pleased that our concerns have been recognised by the Scottish Government and I believe that the principles we have agreed will allow us to focus on improving outcomes for children and young people. We welcome the commitment by Scottish Government to co-produce any framework and guidance which supports this work going forwards. We will of course need to ensure that additional requirements on

local government are fully funded. As always, the focus for COSLA remains to ensure that the needs of children and young people are central to all decision making."

26 June 2018

## **Appendix 4**

**Deputy First Minister John Swinney**

**Scottish Parliament**

**26 June 2018**

The aim of this Government's education policy, is to ensure that we achieve excellence and equity for all of our children and young people in a highly performing education system.

To make this a reality, we must raise the bar for all and close the attainment gap in our schools.

Our education system is already delivering improving results. For the third year in a row we have seen more than 150,000 Higher passes – despite falling pupil numbers - and nearly 60,000 skills-based awards and achievements.

We are seeing the proportion of young people getting qualifications at SCQF levels 4, 5 and 6 – mainly Nat4s, Nat5s and Highers - increase and increase fastest in the most deprived areas.

We are seeing almost 23% of school leavers in the most deprived areas going into Higher Education – compared with 16.5% seven years ago.

International evidence demonstrates that successful education systems are those where decisions about children's education are made as close to them as possible. That is why our approach is to empower schools – to empower headteachers, teachers and parents and the wider school community – to make these key decisions which affect the educational outcomes of children and young people.

We set this out when we said we will “put teachers, parents and communities in the driving seat”.

We have a great many high quality professionals working in Scottish education but I do not believe they are currently sufficiently empowered to work together and to use their skills, judgement and creativity in the way they think best. That is critical to ensure the potential of Curriculum for Excellence is achieved.

Empowered professionals must also be supported by specific measures in the National Improvement Framework to secure improvements in Scottish education.

The combination of the Scottish Attainment Challenge and Pupil Equity Funding are already delivering results by empowering the teaching profession. Teachers and headteachers are taking radical, focused and innovative approaches to improve outcomes – because this funding puts them in the driving seat.

The interim evaluation of the Attainment Scotland Fund, showed that 78% of headteachers had already seen an improvement in attainment and wellbeing as a result of the fund. And nearly all headteachers (97%) expected to see further improvements in the coming five years.

Some would say that all of this is progress enough – that the system does not need further interventions from government.

Some would say that many schools already enjoy the kind of empowerment that our reforms are aiming for – that there is great work already being done in a number of areas. And there is.

In other words, that some children and young people have got the sort of education system they need and that some of them will reach their potential.

“Some children” is simply not good enough.

We must raise the bar and close the gap for all.

That is why we published Education Governance: Next Steps a year ago. Since then a significant amount of progress has been made.

We worked intensively with local government to reach agreement on Regional Improvement Collaboratives to provide additional support to schools.

All six Regional Improvement Collaboratives are now up and running with their leadership appointed and already collaborating with Education Scotland to respond to local needs and aspirations. The first set of regional improvement plans have been developed and the second plans are due in September. All of this has been achieved, at a pace that would previously have been thought highly unlikely if not impossible – but achieved as a result of creative joint-working between national and local government.

Next Steps also committed the Scottish Government to work with partners to support readiness for a school- and teacher-led system. This led to rationalising the existing structures and governance arrangements in Scottish education.

I now Chair the Scottish Education Council which brings together young people, education leaders and representatives from local authorities, the teaching profession and our partners in COSLA. It works collaboratively to ensure that there is a system-wide focus on improvement, and to agree priorities for improvement activity and delivery.

Education Scotland has taken significant action to deliver on its enhanced role and remit. The Scottish College for Educational Leadership is now integrated into Education Scotland - building further the culture and capacity of leadership throughout the system.

Last November we consulted on proposals for achieving empowerment through the Education Bill, including the Headteachers' Charter.



Our aim was to ensure schools had wide-ranging powers over their own management, staffing and what is taught in their classrooms - creating a culture of empowerment that enables all professionals to contribute to the agenda of improvement.

The analysis of the consultation, which was published in March this year, showed a great many people agree wholeheartedly with our aim of school empowerment but many were not convinced about all of the details of how we planned to achieve that aim.

These voices raised the question of whether we could deliver the Headteachers' Charter faster, with less disruption, in partnership with local authorities. And, if so, why wait 18 months for an Education Bill?

In light of these responses, I have been in detailed discussions with local government for some months.

This work has not always been easy but I can announce that we have reached a clear, shared commitment.

I am today fast-tracking the reform of Scottish education.

The Scottish Government and Scotland's local councils have reached an agreement that endorses and embraces the principles of school empowerment and provides clear commitment to a school - and teacher-led - education system.

And it does so without the need to wait 18 months for an Education Bill.

So, while I am publishing a draft Education Bill today along with its Accompanying Documents and appropriate Impact Assessments, I have decided that I will not introduce the Bill to Parliament at this time.

Instead of waiting for the passage of legislation which cannot be fully in force until 2019 or 2020, we have an opportunity to reform our schools more quickly through our investment in consensus building and collaboration rather than through legislation.

In coming to this decision, I have also reflected on the advice of the International Council of Education Advisers who encouraged me to consider the benefits of pursuing a collaborative approach rather than legislating. I have listened to this advice and taken the view that by building on the Joint Agreement with local government we have greater prospects of achieving more at a swifter pace.

This means that the Headteachers' Charter can become a reality faster. School leaders will be able to make the key decisions on the crucial areas of curriculum, improvement, staffing and budget – crucial to ensuring effective learning and teaching – and more quickly taking these actions.

And, by implementing jointly with local government and the education profession, we will develop guidance on empowerment and the Charter as a matter of priority – and more quickly than statutory guidance under an Education Bill.

On budget powers, we have already begun work with our local government partners on new guidance for Devolved School Management Schemes.

And on parental involvement and pupil engagement, we will launch a joint action plan on parental engagement next month and will continue the work started in this Year of Young People in relation to enhancing the voice of pupils in schools.

Finally, on the General Teaching Council for Scotland we will explore what can be done – within the scope of current legislation – to provide the benefits of regulation and registration to a wider group of education professionals. I do, however, accept the strength of feeling from teachers about the body's independence and its guardianship of professional standards.

By taking the steps I have set out to Parliament today, we are demonstrating a clear commitment to working with local government and education professionals.

We are fast-tracking progress and we expect progress to be sustained and swift.

But I must also make this very clear today - if sufficient progress is not made over the next twelve months to deliver the empowerment of schools we have agreed with local authorities, I will return to Parliament and introduce an Education Bill.

The approach I have set out today requires tailored and targeted support. I am therefore announcing a total of £46 million of investment to support the improvement agenda.

In addition to existing leadership development programmes, I can announce today a further investment of up to £4 million over three years to ensure headteachers can access high quality professional learning including further investment in the highly regarded Columba 1400 Leadership Academies.

I can also announce up to £10 million to enhance regional capacity to support schools. This funding, through Regional Improvement Collaboratives and Education Scotland working together, will help schools to close the attainment gap and tackle rural deprivation, support collaboration to share best practice and the delivery of regional interventions.

And, to ensure we maintain progress for Looked After Children, I will make funding available of around £8 million for the remainder of this year and £12 million in each of the subsequent two years to supplement funding Pupil Equity Funding and the Challenge Authorities and Schools Programmes and assist the opportunities available for Looked After Children.

This government believes that every child in Scotland - no matter their background - should have the very best start in life.

This landmark agreement published today marks the next phase in reforming our school education system.

It means it can be delivered more quickly than by legislation.

It means that we will empower teachers to drive improvement in schools and help pupils flourish.

It means the whole system – schools, councils and Regional Improvement Collaboratives - all focussed on improving the outcomes for Scotland's children and young people.

Teachers and parents will be the key decision makers in the life of a school.

Education remains, by far, the most effective means we have to improve the life chances of all of our young people. I am confident that this approach, one that builds consensus and fosters collaboration but with high expectations for what we can achieve together, is the right approach for Scotland.