

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

A GOVERNANCE REVIEW

A response from Education Scotland

Education Scotland welcomes the publication of 'Empowering teachers, parents and communities to achieve Excellence and Equity – A Governance Review' by the Scottish Government.

As the national improvement agency for education charged with supporting and promoting quality and improvement in Scottish education, we believe we make a strong and effective contribution to the Scottish Government's vision of achieving excellence and equity for all Scottish learners. We have a unique combination of roles and capabilities which gives us the ability to blend guidance, support, evaluation and inspection activities in ways which help increase the pace of improvement across the whole of the education system. We also have a unique perspective to offer to this consultation, based on the evidence we gain from seeing practice at first hand across the whole country and across all sectors of education from the early years to adult learning.

In this paper we offer comment against each of the questions posed by the review.

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

We see a number of strengths in the current governance arrangements:

- A well-established culture of partnership and collegiate working across the Scottish Government, local authorities, national bodies, professional associations and other partners, leading to a high degree of consensus around the aims, purpose and direction of travel in the development of Scottish education. The OECD review published in 2015, for example, highlighted this as a valuable asset in the development of Curriculum for Excellence.
- A clear and ambitious national policy framework built around progressive and complementary policies including Getting it Right for Every Child (GIRFEC), Curriculum for Excellence (CfE) and Developing the Young Workforce, which is supported by national bodies but which provides local authorities and front-line education providers a high degree of flexibility in designing provision to meet the needs of learners.
- Clear national priorities for improvement, particularly since the development of the National Improvement Framework, promoting alignment at all levels in the system, from national to local.
- A commitment to ensuring a high quality education workforce with recent steps being taken to raise expectations of leadership development and the career-long professional learning of all teachers.

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

We believe there are some key issues which are impeding full achievement of Scottish education providers' shared vision.

- Inconsistencies which exist in the implementation of national guidance at a local level leading to variability in the quality of learning and teaching within and across local authorities.
- Absence of data on pupil progress and achievement through the Broad General Education phase, aligned at local and national levels, to demonstrate how well children and young people are progressing throughout their learning. This is being addressed now through the National Improvement Framework.
- Variability in application of the substantial flexibility and autonomy afforded by CfE at local and school levels to design a curriculum which meets the needs of all learners in all schools.
- Substantial reductions in the capacity of local authorities to undertake key functions such as supporting quality improvement; monitoring and challenging school performance; and leading and co-ordinating professional learning.

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

We support the principles outlined in the review document. As work progresses it will be important to try to achieve consensus across the education system about the way in which the four pillars of reform identified by the Christie Commission, which are referenced in the review document, and the key principles of the Governance Review itself, are implemented at local, regional and national levels to support the delivery of excellence and equity.

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

Any changes in governance arrangements should focus on promoting a high level of local decision making about issues of curriculum and pedagogy. It should encourage leaders and practitioners to take proactive control of what and how they teach, adapting their provision to meet their local needs and taking responsibility for driving their own self-evaluation for self-improvement.

Changes to governance arrangements should strongly encourage and support the active development of innovative practice across the system. This should be done in ways that enable other practitioners to benefit from it through collaboration and sharing practice at local, regional and national levels.

The challenge at both national and regional level will be to provide the right amount of governance and accountability while at the same time allowing leaders and practitioners' flexibility and autonomy to meet their pupils' needs.

The extent to which leaders currently appreciate the range of freedom they have to make curricular decisions, or take the full opportunities within CfE to do so, varies substantially from local authority to local authority and from establishment to establishment. In many cases practitioners and leaders underestimate or fail to exploit fully the levels of flexibility and autonomy they have in this respect.

Changes to governance arrangements should take due account of the drive to avoid creating unnecessary bureaucracy or unproductive duplication of effort. There are a range of areas of more corporate or administrative functions where increasing delegated decision-making to schools would carry a risk of distracting staff from focusing on the decisions affecting the quality learning and teaching and learner achievement which should be their primary focus.

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.

The key focus of service delivery in schools should be to ensure the experiences, attainment and achievement of all learners are consistently of a very high quality and that support is provided where needed to ensure learners have full access to a quality experience. To enable this to happen, establishments and services need to develop strong and effective leaders at every level who are committed to their own individual and collective professional development.

The decisions leaders and practitioners currently make about the nature and focus of career-long professional learning and improvement activities undertaken are therefore particularly important, albeit these are set within the constraints of national and local agreements.

Ensuring leaders have a strong role with regard to decisions about the appointment and performance management of their staff is also important. The quality and performance of staff is a key factor over which school leaders should have maximum control, albeit within a framework which continues to ensure the availability of suitable posts for newly qualified staff and the potential for staff to be moved across establishments to address high priority need where necessary.

Leaders and practitioners already have high levels of autonomy to make decisions which will improve the quality of learning and teaching. Any additional responsibilities which are devolved should be designed to strengthen further the establishments' ability to customise the learning experiences and support they offer, and they should be evaluated to assess the extent to which they do help enhance learner outcomes.

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?

Our inspections often report that the involvement of pupils and parents in school life is a strength. Inspections find that most parents and pupils are positive about the approaches establishments and services take to seeking and taking account of their views. However, there are difficult to reach parents and families where more effort is required to secure their involvement. HM Inspectors are also seeing that schools are increasingly looking to strengthen their engagement with the school's wider community. For example, those who do this effectively to support implementation of CfE, involve all stakeholders in establishing the curriculum rationale and ensure its relevance to the community. They work with partners across the local community to put in place a framework with clear progression pathways and a broad range of high-quality experiences to support learners.

We would welcome approaches which strengthen further the involvement of parents in their child's learning and the role of parents and the wider community in determining how establishments and services develop their provision to suit local needs.

Since the publication of *Developing the Young Workforce, Scotland's Youth Employment Strategy* in June 2014, there has been a greater focus on developing children and young people's employability skills. Whilst significant progress has been made, there is a need for increased commitment and drive in developing partnerships with families, local businesses and community learning and development organisations to contribute to children and young people's learning.

Establishments and services need to have a clear strategy for growing existing partnerships and establishing new partnerships. All partners need to be clear about their roles and responsibilities. Partnership work must be based on mutual trust and respect and should be jointly evaluated regularly to ensure improved outcomes for learners.

There is merit in considering ways in which learners, parents, communities, employers, colleges and universities can come together in the same forum to ensure appropriate provision, progression and pathways for all learners at all stages across a local or regional area.

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

Our experience of inspecting early years provision across the country suggests that many parent-run groups find it challenging to establish and then maintain sufficient support for management committees. Steps should be taken to explore how such groups could be supported in more systematic ways. The positive role that the Scottish Parent Teacher Council and the National Parent Forum for Scotland play in the school sector provides an interesting parallel and may help suggest a way forward.

Development and support for child-minding services may be particularly helpful. Again international models of collaborative groupings of child-minders may have lessons for improving support in Scotland.

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

We endorse very strongly the view that a much wider spread of effective collaboration between education providers, potentially in many different forms and formats, will be key to improving Scottish education. This reflects very directly the recommendation in the recent OECD report that we should focus on strengthening 'leading from the middle' in the education system.

Effective collaboration within, across and beyond establishments and services has significant benefits. Through sharing best practice and engaging with research and evidence, leaders and practitioners can make changes to their own practice and improve outcomes for learners.

We believe that both national bodies and local authorities should actively promote the further development of existing subject-based and topic-specific networks; and build capacity in self-sustaining and effective collaborations. This could be a key task for educational regions.

We have a lead role at national level in supporting the creation and facilitation of networks which focus on national priority themes in order to initiate and support capacity building. We have a strong track record of developing successful teacher-driven networks on specific topics and issues. There are many examples which range from the very active science community supported by a range of online resources, networking opportunities and events, to the work we have led on promoting positive behaviour and violence reduction or the networking we support for community learning and development practitioners.

We also believe we can play a strong lead role, working with partners, to promote the development and spread of more generic approaches to collaborative improvement work. In that regard, Education Scotland established the School Improvement Partnership Programme which promoted Collaborative Action Research across local authority boundaries and evaluated the factors necessary to ensure collaboration supports school improvement. Through our work on the Scottish Attainment Challenge we are investing heavily in promoting national networking and collaboration in addressing the challenge of closing the poverty-related attainment gap.

We see our role in encouraging and supporting the growth of local peer-to-peer collaboration to drive innovation, and the spread of knowledge about effective practice as an increasingly important role for Education Scotland going forward, working with other national bodies and with local authorities.

There are many different types of networks that should be encouraged to flourish simultaneously. In addition to networks of practitioners organised by local authorities and national agencies there will be a variety of other groupings of practitioners who come together with common interests such as subject or stage-based associations or others with specific special interests. There will also be networks created and promoted by professional associations. A rich ecosystem of collaborative networking should be encouraged to thrive rather than a single uniformly-structured approach.

Continuing to improve the extent to which practitioners have easy access to digital technology will be important in ensuring the successful spread of collaboration on a wider scale. This should be a key consideration in the context of the implementation of the national Digital Learning Teaching Strategy and the decisions made by national and local government around enhancing the digital infrastructure available to establishments and services. Education Scotland's role in maintaining and developing GLOW is a key contribution to this national digital infrastructure, designed to promote collaboration and exchange of practice between practitioners on a nationwide basis.

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

Cluster working between schools and other services makes sense in a variety of areas and has developed in many areas in different ways. When delivered well, effective cluster working adds value through:

- promoting joint 3-18 curriculum development between early learning settings, schools and stages to ensure progression through the learner journey, especially through transition points;
- supporting effective moderation of teacher professional judgements on children's progress and achievement of curriculum levels;
- enabling joint activity to support self-evaluation and targeted programmes of improvement;
- enabling the effective deployment of specialist staff across boundaries to support and enhance children and young people's learning; and
- promoting collaborative activity with children's services and broader public services to support children and young people in the community.

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.

The proposal to develop more fully the delivery of services and functions at a regional level provides an opportunity to address some of the issues created by the reducing and increasingly uneven capacity across the 32 local authorities. We work with Audit Scotland and other public service scrutiny bodies to undertake an annual shared risk assessment of each of the 32 local authorities. We have recently seen a worrying increase in the risk identified for the delivery of education services through this process. There is a heightened risk in a number of authorities and Education Scotland is actively monitoring and supporting nine authorities to improve their work.

We are aware that, in the past, local authorities have shared services to improve their capacity to manage their education services through joint arrangements (primarily East and Midlothian, and Stirling and Clackmannanshire). We are also conscious, however, that, whilst they appeared to have benefits, these arrangements were not sustained. A more solid and sustainable basis for regional arrangements will need to be established, learning from these past experiences.

We are actively supporting the initiative taken by ADES to promote regional collaboration across clusters of local authorities. This has included working directly with the 'Northern Alliance' group of authorities, the Tayside group and GERI group including Glasgow, East Renfrewshire, Renfrewshire and Inverclyde. While these collaborations are positive and enable staff to work across local authority boundaries on identified priorities they are at an early stage and, as such, there is not yet evidence of impact on improving outcomes for learners. The pace of progress of regional collaboration across clusters of local authorities has been variable and, as the collaboration is currently voluntary, it is not yet clear how this approach will progress across all local authority areas.

We believe that the key services and functions that would benefit from being delivered at a regional level include:

- Monitoring and evaluation of school performance and support for school improvement.
- Planning and delivery of leadership development and professional learning.
- Support for curriculum development and the development of pedagogy and assessment practice, including moderation of achievement standards, including subject-specific support.

Services for Additional Support for Learning, and Educational Psychology may also benefit from being delivered at a regional level, enabling greater flexibility and capacity to provide access to a full range of specialist expertise and services, especially where these are currently constrained in small authorities.

11. What factors should be considered when establishing new educational regions?

It will be important to clarify how new educational regions will be resourced both during the initial set up period and implementation period. The governance of the educational regions will also need to be defined, including roles and responsibilities, the relationship between local authorities and educational regions and arrangements for accountability.

In developing educational regions care will need to be taken to ensure that they remain fully and coherently connected with broader children's services and support fully the GIRFEC approach rather than inadvertently encourage the development of a narrower focus on education services in isolation.

Education Scotland is well placed to play a key role in supporting the creation and development of educational regions. That includes promoting new ways of working across local authority boundaries and building capacity in the educational regions to develop their improvement models and manage and drive their own improvements.

We would also be keen to align our resources and support to provide customised engagement to support the regional improvement function. That would mean aligning the work of our teams of national development and improvement specialists closely with the regions to provide a two-way flow of knowledge and expertise, whilst also ensuring exchange and transfer of knowledge across the regions on a nationwide basis. Our staff could support actively the early phase of development by providing advice and working alongside staff within the educational regions. This would build on current arrangements we have with local authorities and other networks. Examples of teams within Education Scotland currently carrying out such a role include Area Lead Officers and Attainment Advisors.

As the regions become more established we would envisage re-focusing much of the work of our teams to provide on-going support and constructive challenge to the regions. Our staff could provide an overview of implementation of national guidance and priorities and promote sharing effective practice within and across the regions. The teams would use their specialist skills in quality improvement to support the educational regions to set priorities; draw upon local success and share it more widely to promote collaboration across regional boundaries.

Consideration will need to be given to establishing appropriate accountability arrangements, including scrutiny and reporting on the effectiveness of services and functions delivered at a regional level. It should be straightforward for Education Scotland to adapt its activities to provide independent, external evaluation of the quality of services being delivered through the regions and the impact they are having on improving outcomes for learners in their areas.

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

Key national services and support functions are currently delivered through a range of national bodies, including Education Scotland. We work hard to maintain strong partnership arrangements with the other national bodies to support the coherent and effective delivery of services.

In addition to the development of national legislation, national policies, strategies and associated guidance, we believe that key services or support functions that should continue to be delivered at national level include:

- Development and maintenance of the national framework for the curriculum with associated guidance on learning, teaching and assessment. Curriculum for Excellence needs to keep evolving to ensure it remains up to date and development in key priority areas needs nationally co-ordinated leadership (e.g. STEM, 1+2 Languages, Gaelic etc.)
- Educational leadership of key national improvement initiatives addressing priorities in the National Improvement Framework, such as the Scottish Attainment Challenge.
- Provision of appropriate independent inspection and review of education providers, and evaluation of particular themes or aspects of education across the country as a whole.
- Scrutiny of local authority performance and their performance of key functions (e.g. school consultations).
- Development and award of National Qualifications.
- Co-ordination of national professional learning programmes for leaders and practitioners.
- Planning, regulation and accreditation of the education workforce, including setting competence standards and strengthening 'professional update' arrangements.
- Planning and quality assurance of the overall provision of initial teacher education.
- Development of quality improvement frameworks and leading the development and spread of improvement methodologies.

We believe there are clear benefits in Education Scotland continuing to develop as a national improvement agency which delivers a range of complementary functions, each of which contributes to driving an overall cycle of continuous improvement across the system. That includes leading on the development of the curriculum nationally and support for its implementation; providing national educational leadership for key national improvement initiatives; building capacity for self-evaluation and improvement amongst providers; and undertaking inspection and review activities designed to help promote improvement whilst also gathering evidence on the impact of policy and developments at the sharp edge of practice across the country.

There are strong synergies gained from keeping these functions together, with appropriate safeguards to ensure the independence of inspection judgements. It means we can ensure that inspection and support for self-evaluation is well aligned with national priorities, as evident in the latest edition of *'How Good is Our School?'* and the planned flow of inspection evidence into the National Improvement Framework. It also means we can ensure that the findings of inspection influence directly improvements in national guidance. This was evident for example in how our national thematic inspection of provision for the technology subjects has informed the revision of the experiences and outcomes for that curriculum area – the first such revision that has been undertaken. In some local authority areas we have been able to quickly organise bespoke programmes of support to assist the authority in addressing specific issues, responding directly to the findings of inspections in their area. This includes supporting improvement in primary education in Aberdeenshire, for example.

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

As yet the partnership working envisaged within *Teaching Scotland's Future* to support practitioners through the career journey of practitioners and leaders is not fully effective. There is scope to review and improve the model of governance across initial teacher education, career-long learning, leadership, professional standards and professional update to clarify roles and responsibilities national bodies in ensuring coherence across teacher education.

Leaders create the conditions for effective leadership at all levels and ensure staff undertake leadership roles which focus on leading learning. Governance arrangements should ensure a sufficient focus on leadership at all levels impacting on improving learning and teaching and outcomes for all learners.

National bodies provide a range of professional learning, in their specific areas of expertise, to help build the professional capacity in leaders and practitioners. Professional learning will need to pay particular attention to preparing leaders and practitioners to respond to any demands of increased professional autonomy and responsibility which may result from this governance review.

14. Should the funding formula for schools be guided by the principles that it should support excellence and equity, be fair, simple, transparent, and predictable and deliver value for money? Should other principles be used to inform the design of the formula?

We support these principles. As work progresses it will be important to maintain openness, transparency and a shared understanding of the design of the formula. Ensuring that the formula has sufficient weighting with regard to social deprivation and Additional Support Needs will be particularly important, and the impact of rurality will also need to be addressed.

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

The response to question 5 addresses devolution to school level. The key consideration guiding decisions about further devolution of funding to schools should be the extent to which it helps schools improve the learning experiences of their pupils. Headteachers will be best placed to comment on specific budget delegations, which can vary considerably from one local authority to another. With that perspective in mind, care needs to be taken to ensure that the managerial demands placed on head teachers by any specific funding delegations to schools is not disproportionate to its benefit, and does not result in distraction from their focus on improving learning and teaching.

16. How could the accountability arrangements for education be improved?

The National Improvement Framework (NIF) developed by the Scottish Government, with support from Education Scotland has established a new framework for accountability at all levels in the system. This represents a major step forward in the coherence and alignment of the national accountability approach. We will contribute to these accountability arrangements as set out in the NIF through inspection and our other evaluative activities.

The National Improvement Framework Evidence Report, which is now published with the Framework annually to provide evidence of the progress being made on the national improvement agenda should also improve accountability arrangements substantially. Importantly it is bringing together a broad range of evidence, including traditional measures of attainment and new attainment information from primary and early secondary stages based on teacher professional judgement with a broader range of evidence about children and young people's development and wellbeing. Ensuring that accountability arrangements reflect the full breadth of achievement across the four capacities in CfE remains a key challenge.

We will take forward the commitment with the Scottish Government to clarify further the national accountability arrangements through the publication of a new Standards and Evaluation Framework by June 2017. This framework will set out clear expectations for schools and the focus and frequency of school inspection. We have already re-designed early learning and childcare and school inspections to align with the key 'drivers' identified in the NIF and action is being taken to increase the numbers of school inspections.

It will be important to continue to develop Parentzone as a key source of transparent information for parents and the public, incorporating teacher professional judgement data. There should also be a continued investment in improving establishments and services' ability to evaluate and report on their own performance as a primary source of public accountability.

A strength of current governance arrangements is the approach to inspection and review. Our approach to inspection draws on the unique first-hand knowledge and experiences of learning in action within services and establishments to: provide independent assurance and accountability to the users of education services regarding the quality of provision and outcomes achieved; promote improvement; and provide a rich evidence base to inform national policy development. Our approach provides a clear line of sight between national guidance and policy and its direct impact on the experience of children and young people. This strength should be capitalised on as a result of any changes in governance to ensure systematic evaluation of the impact of changes on learners and their attainment.

Inspection has been designed as a helpful process to identify areas for improvement and assist in securing it. The way we carry out inspection builds the capacity of establishments and services to self-evaluate and improve themselves. This is a distinctive approach to inspection which has broad support amongst stakeholders. It is also recognised internationally with many members of the Standing International Conference of Inspectorates looking to the Scotland to help them improve their own approaches. Our approaches to inspection are based on the premise that the best way of ensuring quality is to encourage schools to take responsibility for continuously evaluating and improving their own performance, with a carefully judged level of external support and challenge from Education Scotland to ensure this is happening effectively and that appropriate intervention occurs where it is not. Our inspections are based on evaluation against the quality indicators contained within the '*How Good is our*?' frameworks. This provides a consistent approach to improvement throughout the education system and ensures consistency in the application of the relevant quality benchmarks. We will continue to review and update our self-evaluation frameworks to promote improvement and ensure they are aligned to any changes in governance arrangements and national priorities.

A feature of current accountability arrangements which should continue is the joint working between scrutiny bodies. We have close partnership working with the Care Inspectorate. A model of shared inspections has been successfully developed to provide services with a joined up, cohesive approach to scrutiny, with reduced bureaucracy. This makes best use of the unique expertise of the specialist care and education inspectors from each organisation. Early learning and childcare settings report that this is leading to increasingly consistent messages. Development of joint planning arrangements between ourselves and the Care Inspectorate, in recent years, have aligned inspection activity so far as possible, to prevent over scrutiny of the sector. Post-inspection reviews indicate that those who have experienced the shared model value it as an approach, and highlight the valued added by the approach taken by HM Inspectors. At local authority level we engage in the shared risk assessment arrangements with other scrutiny providers to share evidence gathered about each local authority and decide on a joint risk assessment.

It is important that accountability arrangements promote appropriate transparency about performance at each level in the system, from individual establishments and services, through local authority level to national level, in ways that promote improvement. At local level, we have improved the communication of inspection findings for early learning and childcare settings and school inspections. A new format of report has been introduced and inspection evidence gathered during the inspection process is published online in a new and clearer format. At a regional level there is potential for us to develop more transparent ways of reporting on the educational performance of local authorities. This could then be extended to provide the public and stakeholders with clear and accessible information about the effectiveness of the services and functions delivered by educational regions.

It would be worth considering promoting shared cross-sectoral accountability to look at the direct impact that a range of services within a locality or region have on children and young people's learning. We have developed inspection models which would support this approach through our localised thematic and neighbourhood inspection models. A thematic review of the Moray area is an example of a localised thematic review. This inspection involved a cross-sectoral team of HM Inspectors, working across the local authority area to explore how well different learning pathways in the senior phase of CfE were leading to positive destinations for young people. There are clear benefits in us carrying out more cross-sectoral inspections within a locality or region to evaluate the impact of specific aspects of key educational policies and national priorities.

The approach to inspection and review is one which has continually developed. Future arrangements for inspection will ensure our approaches remain at the leading edge of practice. Plans are already underway to introduce a range of new inspection models to suit particular circumstances and contexts. These new models include:

- Full inspection model
- Short inspection model
- Localised thematic model
- Neighbourhood model

As future changes are implemented, we will keep under review the arrangements for inspection and reporting on the quality of education across sectors, including early learning and childcare settings, schools, community learning and development services, colleges and the education functions of local authorities. We will also regularly review the focus and purposes of thematic inspections of specific aspects of education at a national level based on key priorities. Such improvements to inspection will enable us to respond with agility and flexibility as key educational policies and priorities develop. We will use our unique evidence, based on engaging directly with providers and experiencing learning first hand in classrooms and settings across Scotland to promote improvement and report on how each part of the system supports delivery of the vision of excellence and equity. This will ensure that the focus and purpose of our scrutiny and reporting functions enables us to make a substantial contribution to accountability arrangements.