

To: EDUCATION COMMITTEE	Subject: MEMBER / OFFICER WORKING GROUP RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ENTITLED: "EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY – A GOVERNANCE REVIEW"	
From: ASSISTANT CHIEF EXECUTIVE (EDUCATION, YOUTH AND COMMUNITIES)		
Date: 13 January 2017	Ref: IB/KR	

1. Background

- 1.1 The Education Committee in November 2016 agreed to convene a Member/Officer Working Group to prepare and submit a response to the consultation document entitled 'Empowering teachers, parents and communities to achieve Excellence and Equity – A governance review' by the January 2017 deadline.
- 1.2 The Working Group was convened with membership as follows: Councillors McNally (Convener), Harmon, Johnston, McPake, McVey, Stevenson, Isabelle Boyd, Assistant Chief Executive (Education, Youth and Communities) and Gerry McCormick, Acting Head of Education Service (Standards and Inclusion).
- 1.3 The working group met on three occasions and in addition held an evidence session with staff from primary, secondary and additional support needs schools on 9 December 2016. This proved very valuable in assisting members to responding to the questionnaire.

2. Consultation Response

- 2.1 The consultation response consisted of a questionnaire with 16 questions and a final section for other comments and observations.
- 2.2 The Working Group responded to all questions and added comments in the final box. The responses reflect the degree of consensus across the Member/Working Group. However a footnote indicates a difference of viewpoint in two regards.
- 2.3 The submission is attached as an appendix.

3. Recommendations

It is recommended that the Committee note the work of the Member/Officer Working Group.

Isabelle Boyd

**Assistant Chief Executive
(Education, Youth and Communities)**



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

NORTH LANARKSHIRE COUNCIL: Member Officer Working Group

Phone number

Address

Windmillhill Street, Motherwell,

Postcode

ML1 1AB

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 Do not publish response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

QUESTIONNAIRE:

Question 1

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

Comments

STRENGTHS

- Current governance arrangements are local and democratic with clear local accountability. Local authorities provide external scrutiny at a local level.
- Full graduate professional workforce regulated by GTCS, an independent body.
- One examination body – SQA - has certain aspects which can be classed as strengths
- Local authorities deploy services based on local democratic decision-making taking account of local context
- Local authorities are usually the lead partner in the delivery of GIRFEC. Officers from the local education services co-ordinate multi-agency working with partner agencies regarding meeting children's needs and responding to local contexts.

Question 2

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

Comments

- Local authorities have statutory responsibility for a wide range of services but continuing reductions in resources available to maintain and enhance service delivery is having an impact on ensuring excellence and equity for all.
- The 5 key components from the OECD report should be applied.
- National agreements on teachers' salaries and conditions of service inhibit the development of flexible local solutions to a range of issues e.g. teacher numbers, 'McCrone time'.
- The structure of the school day is restricted by outmoded working practices based on existing national agreements e.g. Physical Education / physical activity could be delivered in a range of ways other than on the basis of a 2-period allocation.
- Differences in salary/conditions of service among a range of grades of employees limits the scope for authorities to achieve excellence and equity for all e.g. teachers/early learning practitioners working in early years and child care settings
- GTCS frameworks are cumbersome and make it difficult to deal quickly with incompetence
- Attainment and achievement levels vary across 32 local authorities and children from similar backgrounds perform differently in different local authorities. There is significant variation in attainment – although in NLC we have year on year improvement due to collaborative working with our quality improvement service and school based staff.

Question 3

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

Comments

- A whole system approach is required when considering governance and the 4 pillars of the Christie Commission should apply: i.e. a presumption of prevention, integration and partnership, a sharp focus on performance, and investment in people.
- The key principles set out in the consultation document Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education should underpin the approach to reform
- Another key principle of local democratic accountability to the delivery of excellence and equity should be added
- Effective scrutiny processes are best delivered at local level.

Question 4

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

Comments

- Decisions about children's learning and school life are already taken at school level.
- HTs are supported in this work by a range of professional colleagues in our 'Support around the School' team approach. They have access to Continuous Improvement Officers, Additional Support Needs specialists, educational psychologists and peer school leaders.
- These supports are very welcome by our HTs particularly in regard to reducing bureaucracy created outwith NLC
- Our schools are grouped into geographic clusters to aid continuity of children's learning on transition between early years and primary school and between primary and secondary.
- Our primary schools are also linked in 'families' where schools with similar socio-economic characteristics are grouped together to aid joint planning, share of effective practice and joint professional learning.
- Current DSM policy and practice in North Lanarkshire operates very effectively to support local decision-making and meets the needs of young people with appropriate safeguards.

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.

Comments

- Head Teachers are appointed as Senior Officers of Local Authorities. They and others in the authority share the responsibility to secure excellence and equity for all.
- Services and support which should be delivered by schools includes: effective learning and teaching, delivery of a Curriculum for Excellence, Supporting Young People (including vulnerable groups), multi-agency working, GIRFEC, delivery of Personal, Social and Health Education programmes, delivery of extra-curricular programmes and activities and events which widen the curricular experiences of young people, links to other providers, Safeguarding and Child Protection.
- Under DSM arrangements, NLC allocate funds to schools on an open and transparent basis which takes account of local socio-economic circumstances including school meal entitlement and footwear and clothing grants.
- In relation to the key question of what decisions, if any, would Head Teachers wish to make that they do not currently have the authority to make, we convened a focus group of school based staff. Head Teachers commented that they had authority to manage the budget for their individual schools through the DSM arrangements but they also welcomed the access they have to support and advice from the Council's Services on a range of matters, such as, psychological services, additional support needs, procurement and HR issues.
- HTs welcome this kind of support from local authority colleagues allows HTs and school based staff to focus on teaching and learning and improvement.

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?

Comments

- Current arrangements allow the above stakeholders to play a highly effective and appropriate part in school life. E.G. children are involved in a range of learning experiences which include decision making at a school such as enterprise activities and pupil councils.
- Parents have a variety of opportunities to play a strong role in school life. These range from participation in the Parent Council, PTA and school based workshops and learning sessions. Head Teachers are required, via existing legislation, to prepare budgetary and other information for dissemination to a range of stakeholders, notably, the Parent Council.
- The focus group of school based staff we met commented that while parents liked to know how they could help a school, they had less interest in being involved in the actual 'business' of the school. Although engagement with parents in the work of their children is encouraged at school level, there are difficulties in achieving this aim, particularly in respect of families in need; and therefore there may be a need to look at better ways of enabling parents to support young people such as volunteering, leadership courses etc. to give a stronger voice to parents and communities
- Communities are involved in school life in many ways including inter-generational projects; breakfast clubs; providing support for school based work e.g. gardening projects and in joint projects with churches and community based groups e.g. anti-smoking initiatives, food banks
- Local authorities would be best placed to continue to and to expand provision for stronger stakeholder engagement in school life. The work of Community Learning Development particularly in NLC through our Home School Partnership approaches enhances shareholder involvement in school life
- Local authorities are uniquely placed to support DYW at school level and engage highly effectively with other partners including FE, employers, Skills Development Scotland and other agencies in order to ensure positive destinations for young people. To expect individual schools to make individual arrangements would be ineffective, time consuming and uncoordinated. Partnerships which improve outcomes for learners require an overview and a level of complex co-ordination both in schools and in local areas which Local Authorities are able to provide.
- A co-ordinated approach ensures breadth and depth and enhances the engagement of all stakeholders with schools through the sharing of effective policy and practice.
- Scottish Government must take steps to require employers to ensure that 100% of young people have a positive leaver destination (e.g. via use of appropriate tax incentives).

Question 7

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

Comments

- North Lanarkshire Council assesses local need taking account of all issues including remoteness and uses framework agreements to ensure excellence and equity in early learning and childcare provision. We welcome increased provision of quality early learning particularly for the most vulnerable.
- We recognise that transport links often make accessing early learning and child care more difficult for some families. This is not limited to rural settings.
- Local Authorities, working in partnership with colleagues in Health and Social Care, can ensure that high quality provision is delivered on an equitable basis.
- The ability of Local Authorities to take a strategic view of GIRFEC wellbeing indicators of safe; healthy, achieving, nurtured, active, respected, responsible and involved ensures that all staff in schools and partner agencies have a good understanding of their role in the delivery of the indicators and that there is a highly positive impact on children and families.
- Getting it right for every child requires multi-agency work. For example, 'healthy' covers both physical and mental well-being and might be about getting the right treatment for a child who is physically ill or injured, but, 'healthy' also covers behavioural problems, anxiety, separation and bereavement as a result of which, children can have poor attachment. This level of inter-agency work is often co-ordinated through the local authority.

Question 8

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

Comments

- NLC education services provides systemic, widespread and effective professional learning opportunities for all staff and maximises opportunities for staff to collaborate effectively. This enhances the capacity of teachers to bring about improvement through collaboration.
- Our existing schemes such as the Probationer Scheme, Practitioner Enquiry, collaboration of subject specialists, work on the Senior Phase, Area Curricular Planning, The Early Years Collaborative, Cluster-based working, working in families of primary schools with similar socio-economic profiles all contribute strongly to this important outcome. We have teachers working with partners to build leadership.
- Strengthening 'the middle' was a key recommendation of the OECD in their review. Strengthening the middle means above the level of the individual school or early learning and childcare setting and beneath the level of national government in Scottish education – i.e. the local authority.
- Education Scotland should provide more support for teachers and practitioners. However our discussions with school based staff tell us that this needs to be more focused and targeted. At present the information from the organisation is of the 'spray and pray' variety and adds to the burden on bureaucracy and workload in schools.

Question 9

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

Comments

- We already have a significant level of effective work through clusters and partnerships.
- Our schools are grouped into geographic clusters to aid continuity of children's learning on transition between early years and primary school and between primary and secondary and primary schools are also linked in 'families' where schools with similar socio-economic characteristics are grouped together to aid joint planning, share of effective practice and joint professional learning.
- Joint work with LA officers and school HTs on the Senior Phase has resulted in common timetabling, common approaches, co-ordinated partnership with New College Lanarkshire maximising student choice.
- Practitioner Enquiry, Career Long Professional Learning are among other important initiatives which can be more readily supported in the context of current Local Authority arrangements.
- Local authorities are uniquely placed to support DYW as partnerships which improve outcomes for learners require an overview and a level of complex co-ordination both in schools and in local areas which Local Authorities are able to provide.
- The translation of national policy in a wide range of areas e.g. DYW, curriculum development, provision of professional learning opportunities, to local contexts is currently being more effectively delivered at a local rather than national level.
- However we recognise that further efficiencies and effectiveness can be gained by working across boundaries and collaborating with other local authorities. We are in partnership with a range of other councils in the West Partnership.
- This inter- authority improvement partnership allows us to pool our centralised resources, agree priorities and bring about improvement in outcomes and experiences for learners in our respective council areas. We work together, while maintaining our own identities and statutory responsibilities and retain the integrity of local democratic arrangements in relation to key decision-making. It does not create a new layer of accountability or further bureaucracy and workload for schools.
- This partnership will innovate and lead improvements – a key recommendation of the OECD report.

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.

Comments

- North Lanarkshire provides services and functions in a highly effective manner and has well developed collaborative arrangements with many neighbouring Local Authorities. This ensures that best practice is shared more systematically and allows for appropriate sharing of limited resources while retaining the integrity of local democratic arrangements in relation to key decision-making.
- Local Authorities provide the best vehicle for delivery of services at local level but there may be scope to formalise links among some smaller authorities to provide further benefits from economies of scale. We can ensure that improvement is driven collaboratively, deliberately and continuously across the West Partnership.
- The focus group of school based staff commented that more clarity and details was required in relation to the Scottish Government's plans in to introduce educational regions, particularly in relation to the geographical boundaries of the regions, and the arrangements for accountability and decision making.
- NLC, which covers a large geographical area, has an in depth knowledge of the educational needs and the socio- economic circumstances of each of the localities within North Lanarkshire.

Question 11

What factors should be considered when establishing new educational regions?

Comments

- North Lanarkshire is unconvinced by the proposal to establish new educational regions divorced from local democratic accountability.
- Previous experience teaches that distancing decision-making from a local context does not free teachers from unnecessary burdens or de-clutter the curriculum.
- The focus group of school based staff commented that they fear additional bureaucracy and workload from the imposition of another tier.
- We welcome joint approaches and believe these should be collaborations between local authorities such as the West Partnership and Northern Alliance rather than new regional boards or other structures.
- The certainty of major mismatches in the geographic boundaries of a range of key services (e.g. education, health and social care, the FE sector) will result in a very confusing public policy landscape.
- The current proposal is essentially structural and contradicts the OECD dictum that effective governance is focused on processes rather than structures.

Question 12

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

Comments

- Scottish Government should continue to have responsibility for setting clear national priorities e.g GIRFEC, Scottish Attainment Challenge but delivery should be at Local Authority
- Scottish Government has a responsibility to ensure national priorities are joined up, coherent and aligned in a whole system approach.
- GTCS should focus on core business of defining standards and regulating the teaching profession and disengage from non-core activities. This will improve the cumbersome nature of the competence framework and help drive up quality in classrooms.
- The merger of HMI and Learning and Teaching Scotland in to Education Scotland has not been successful. It should be reversed in order to provide distance between the creation of policy and practice and its scrutiny.
- HMI should be reinstated as a separate body in order to provide challenge and scrutiny. Further development of the curriculum, learning, teaching and assessment should be devolved to Local Authorities.
- A unitary exam body (SQA) requires an effective independent mechanism in respect of scrutiny and accountability to make sure we do not have repeats of recent failures.
- The work of a range of national bodies (GTCS, SCEL, and SQA) needs effective mechanisms to ensure that their activities are focused on core business and avoid duplication of provision or effort. They should do "one thing well".
- There is a case to be made for potential merger, between the development side of Education Scotland and SCEL and the GTCS

Question 13

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

Comments

- Local Authorities should be empowered to further develop their existing services which support teacher education.
- Local Authorities should have a stronger role in Initial Teacher Education building on the success of existing service delivery in this area with a greater proportion of time spent by students in Local Authorities on a pre-NQT year.
- Our focus group of school based staff commented that there may be potential for Head Teachers to have a greater role to play in collaboration with Universities, and that perhaps more information could be provided by the Scottish Government in this area.
- In NLC all teachers have access to high quality development opportunities both as an expectation and entitlement. E.G. we have well developed approaches to professional learning for 'Aspiring Headteachers', Aspiring Faculty Heads etc. etc. together with supported Teacher Learning Communities.

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?

Comments

- The key to excellence and equity is to re-instate the ring fencing of educational budgets based on a formula which is based on fair, simple, transparent and predictable principles and which delivers value for money.
- The formula should be based on a range of indicators including SIMD, Free Meal Entitlement, footwear and clothing applications etc.
- Our focus group of school based staff commented that greater clarity and detail was required in relation to the Scottish Government's plans to establish a needs-based funding formula for schools, particularly in respect of (a) the criteria to be used in the allocation of funding, and (b) as to what the money was to be spent on that the Council had a knowledge of the local educational needs and the socio- economic circumstances within each of the localities within North Lanarkshire.

Question 15

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

Comments

- School leaders in North Lanarkshire have wide-ranging powers in relation to funding based on a robust DSM scheme which is managed by the Local Authority. They have no desire for the devolution of any further controls as all meaningful powers in relation to budgetary control already reside with them.
- The current DSM scheme is linked to procurement in a highly effective manner which ensures that school leaders receive high quality advice from Local Authority officers in relation to a range of resourcing issues which are often legally complex. There is no appetite to change this among school leaders who recognise the value of the work undertaken on their behalf by the Local Authority officers.
- The core business of school leaders is leading the development of learning and teaching. Great care must be taken to ensure that the attention of school leaders remains on this key task and that they are not distracted from it by a greater burden of administration related to tasks currently undertaken in a highly effective manner by Local Authority officers.
- A focus group of school based staff commented that the current allocation of funds by the Council to schools through Devolved School Management arrangements worked well. In addition, they commented that the key interest of Head Teachers was in teaching and learning, and that, as a result, they did not wish any additional authority, nor did they wish to take on the role of "Business Manager."

Question 16

How could the accountability arrangements for education be improved?

Comments

- Scottish Government should ensure that national policy, such as the National Improvement Framework, is readily understood by stakeholders.
- Scottish Government should ensure that all bodies present policy and practice in a way that can be readily understood by all stakeholders.
- HMI inspection documents should not be anodyne and too brief to provide parents and guardians with appropriate and meaningful information about the schools their children attend.
- Schools should primarily be accountable to the community they serve.
- Accountability should be in the Scottish tradition – i.e. democratic oversight at a local level.

Question 17

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

Comments

- Current arrangements work well in North Lanarkshire in providing services and functions in a local context which retains a high level of democratic accountability.
- There is no appetite among stakeholders for the current proposed changes.
- There is a need to focus on poverty and early intervention to close the attainment gap between the most and the least deprived areas.
- A focus group of school based staff commented that they are unsure how this review will allow headteachers to focus on teaching and learning and meeting pupil needs.
- We are unsure how this review will close the attainment gap or reduce bureaucracy
- It is important that education is based within, and is responsive to, local communities. With some adjustments previously alluded to in this response, North Lanarkshire Council believes that the delivery of education services and functions can continue to be highly effective and based on processes rather than structures.
- We are surprised that throughout this review that the Scottish Government has taken a particularly narrow interpretation of an 'education authority'.
- The 1980 Act has an interpretation section (S135) which tells us that the council is the education authority. It also confirms that we need to look to the Local Government (Scotland) Act 1994 Act to obtain the extended definition:-

"education authority" means a [council constituted under section 2 of the Local Government etc. (Scotland) Act 1994] z, and *"area"* in relation to an education authority shall be construed accordingly;

- The Standards in Scotland's Schools etc. Act 2000 updates the duty on education authorities beyond providing 'school education' to securing improvement.
3(2) An education authority shall endeavour to secure improvement in the quality of school education which is provided in the schools managed by them; and they shall exercise their functions in relation to such provision with a view to raising standards of education.
- This section was again updated in the legislation which came into force on August 2016

Section 3D: Carrying out of education authority's duty under section 3(2) states

Subsection (2) applies where an education authority is carrying out the duty imposed on it by section 3(2) to endeavour to secure improvement in the quality of school education which is provided in the schools managed by it.

The education authority must carry out the duty with a view to achieving the strategic priorities set out in the National Improvement Framework.

- In August the role of the local authority as the education authority was further defined and responsibilities for improvement moved to a statutory basis.

FOOTNOTE

The submission was compiled after discussions within a 9 Member-Officer working group and from evidence from a group of school based staff (5). While the above was mostly unanimous it must be noted that 2 elected members supported the proposals for

- More direct funding to schools and
- Creation of regional boards