

EDUCATION GOVERNANCE REVIEW

1.0 EXECUTIVE SUMMARY

- 1.1 At its meeting of 7 April 2017, in considering a report on the inspection of the strategic functions of the Education Authority the Council agreed to “Request the Chief Executive put in place arrangements for the new Council to formalise the senior staffing structure within the service and to create a future permanency within the senior management arrangements for Community Services”.
- 1.2 Work to develop proposals for consideration was undertaken however these are impacted by the outcome of the Scottish Government Review Consultation (Empowering Teachers, Parents and Communities to achieve Excellence and Equity – A Governance Review) which was undertaken between September 2016 and January 2017. From the Review the Scottish Government published a proposals document (Education Governance: Next Steps) on 15 June 2017 which has broad ranging proposals that will fundamentally change the role of local government in the governance and management of education services. A copy of the proposals document is included in full at appendix A to this document.
- 1.3 Given the significance of the potential changes to be introduced, it is important that the Council is aware of these proposals, the timelines indicated for implementation and the implications for the Council’s Education Services. Specifically there are implications for the roles and remits of a wide range of Council education leaders ranging from Head Teachers to the senior leadership posts in the Education Service.
- 1.4 It is recommended that the Council:
 - 1.4.1 Notes the outcome of the Scottish Government’s Review of Education Governance and the proposals for fundamental changes to the governance and management of education services in every Scottish local authority as detailed in the Education Governance: Next Steps document published on 15 June 2017.
 - 1.4.2 Agrees the Chief Executive will engage with colleagues in COSLA and the Scottish Government regarding the implementation arrangements for the proposals and bring forward further reports following the Council recess providing detail on the process and providing an indication of resource implications to support the transitional period.
 - 1.4.3 Notes the announcement of the proposals in the Next Steps document has

meant the Chief Executive is unable at this time to bring forward proposals to formalise the senior staffing structure within the service and to create a future permanency within the senior management arrangements for Community Services.

- 1.4.4 Notes that the Chief Executive will make arrangements for the continuation of the acting Executive Director and Head of Service posts to ensure continuity and that the focus remains on the implementation of the Education Improvement Plan.
- 1.4.5 Agrees the appointment of Anne Paterson, Acting Head of Education to undertake the role of Chief Education Officer from August 2017 as required by the Education (Scotland) Act 2016.

EDUCATION MANAGEMENT STRUCTURE

2.0 INTRODUCTION

- 2.1 At its meeting of 7 April 2017, in considering a report on the inspection of the strategic functions of the Education Authority the Council agreed to “Request the Chief Executive put in place arrangements for the new Council to formalise the senior staffing structure within the service and to create a future permanency within the senior management arrangements for Community Services”.
- 2.2 Work to develop proposals for consideration was undertaken however these are impacted by the outcome of the Scottish Government Review Consultation (Empowering Teachers, Parents and Communities to achieve Excellence and Equity – A Governance Review) which was undertaken between September 2016 and January 2017. From the Review the Scottish Government published a proposals document (Education Governance: Next Steps) on 15 June 2017 which has broad ranging proposals that will fundamentally change the role of local government in the governance and management of education services. A copy of the proposals document is included in full at appendix A to this document.
- 2.3 Given the significance of the potential changes to be introduced, it is important that the Council is aware of these proposals, the timelines indicated for implementation and the implications for the Council’s Education Services. Specifically there are implications for the roles and remits of a wide range of Council education leaders ranging from Head Teachers to the senior leadership posts in the Education Service.

3.0 RECOMMENDATIONS

It is recommended that the Council:

- 3.1 Notes the outcome of the Scottish Government’s Review of Education Governance and the proposals for fundamental changes to the governance and management of education services in every Scottish local authority as detailed in the Education Governance: Next Steps document published on 15 June 2017.
- 3.2 Agrees the Chief Executive will engage with colleagues in COSLA and the Scottish Government regarding the implementation arrangements for the proposals and bring forward further reports following the Council recess

providing detail on the process and providing an indication of resource implications to support the transitional period.

- 3.3 Notes the announcement of the proposals in the Next Steps document has meant the Chief Executive is unable at this time to bring forward proposals to formalise the senior staffing structure within the service and to create a future permanency within the senior management arrangements for Community Services.
- 3.4 Notes that the Chief Executive will make arrangements for the continuation of the acting Executive Director and Head of Service posts to ensure continuity and that the focus remains on the implementation of the Education Improvement Plan.
- 3.5 Agrees the appointment of Anne Paterson, Acting Head of Education to undertake the role of Chief Education Officer from August 2017 as required by the Education (Scotland) Act 2016.

4.0 DETAIL

- 4.1 During 2016 the Deputy First Minister announced a national review of educational governance supported by a comprehensive national consultation. This involved a broad range of stakeholders including local authorities, parents' organisations, trade unions, community organisations, professional associations, CoSLA, SOLACE and ADES and individual respondents. On anticipation that the recommendations arising from this review could be significant in terms of the management and governance of education services by local government, the Council had established acting arrangements pending clarity on the outcome of the review.
- 4.2 The Scottish Government published details of the 1,154 consultation responses which appeared to show little or no appetite for the removal of education services from local authority control through formalised regional boards. On behalf of local Government, COSLA also commissioned the Improvement Service to carry out an analysis of the consultation responses. A full copy of the responses published by the Scottish Government may be accessed at (<http://www.gov.scot/Resource/0052/00521034.pdf>) .
- 4.3 The Depute First Minister and Cabinet Secretary for Education and Skills published the Scottish Government proposals following the analysis of the consultation responses entitled "Education Governance: Next Steps". A full copy of the proposal document is enclosed with this report at Appendix 1. The proposals are significant and wide ranging, initial highlighted proposals and timelines as set out in section 5 of the report include:

Short Term:

- The establishment of education regions with the appointment of new Regional Directors reporting to the new Chief Executive of Education Scotland who will be appointed in the **summer of 2017**.

- Consultation on a new Education Bill in the **Autumn of 2017**
- Including consultation with parents, community and pupils on strengthening their respective voices on the legislative changes to be included in the Bill during the **Autumn of 2017**.
- Consulting on an approach to establishing fair funding for schools model. It is understood that the proposal is not to create a fixed funding formula for schools and we await details from the Scottish Government on two options they intend consulting on.
- Development of a Head Teachers' Charter by **June 2018** which will define the leadership responsibilities they will have under the new proposals as well as reflecting the outcome of the funding arrangements to be consulted on above. A note of respective responsibilities is provided at sections 3 and 4 of the attached appendix.
- Beginning work on transferring relevant functions from national bodies from **June 2017** onwards. This will include national support for learning and teaching which will be subsumed within Education Scotland.
- Establishing a Scottish Education Council by **October 2017** to be chaired by the Cabinet Secretary to focus on system wide improvement activity.
- Consulting on the establishment of an Education Workforce Council by **Autumn 2017** – this will take on the functions of the General Teaching Council for Scotland (GTCS).
- Work commencing immediately on the introduction of professional standards for non teaching staff; revisions to the SQA governance and operations and discussions on the development of new career pathways for teachers in **September 2017**.
- Enhancing the leadership support package for teachers and head teachers from **August 2017** onwards.

Medium to Longer Term:

- Developing a specific recruitment campaign for Head Teachers in **Spring 2018**.
- Develop a mechanism to identify and fast track aspiring Head Teachers by **end of 2018**.
- Developing new Executive Consultant Head and Cluster Leader roles with partners to strengthen school leadership by **end of 2018**.
- Developing a new Systems Leadership role to provide clear career progression opportunities by **end of 2018**.
- Ensuring **by 2019** every school has access to a Home School Link worker to support parents and their participation.
- Requiring **by 2019** that every school has a teacher or professional with responsibility for promoting parental, family and community engagement.
- Developing a single inspection model for early learning and childcare by **end of 2018**.
- Setting out proposals for funding of schools by **summer of 2018**

4.4 There are a great many questions which are raised by the proposal document and which at the time of writing remain to be clarified. This detail will be developed through engagement directly with the Scottish Government and via COSLA.

Nonetheless there are significant consequences for the role of the Council in the governance and management of education services and, indeed, wider children's services which are planned and coordinated in an integrated way through community planning arrangements.

4.5 The future role for local authorities is defined in the Next Steps document as consisting of:

- The provision of support services (supply of school buildings, administering placing requests; planning for future requirements; appointing Head Teachers);
- The provision of HR Services; and be the employer of the staff in schools and early learning establishments;
- Supporting the provision of early learning and childcare in council and commissioned provider establishments
- Being accountable to local communities for the provision of education support services;
- Appointing a Chief Education Officer;
- Adopting a new duty to collaborate to support improvement on a regional basis;
- Being responsible for improvement through the provision of support services, their regional collaboration and securing leadership in schools;
- Collaborate with other local authorities through the provision of staffing to work in regional improvement collaborations;
- Ensure other council services work effectively with schools and regional improvement collaboratives;
- Continue to channel the vast majority of funding for school education ensuring that it is properly accounted for.

4.6 The above outline suggests strongly that local government will no longer have a lead role in the management and governance of education in schools and is framed in a support services role. There are significant implications in relation to local accountability, democratic oversight and in relation to the strategic leadership structures within the Council. Further detail will be sought to confirm these implications and will be reported to council at a future meeting.

4.7 There are other substantial changes intimated by the Scottish Government over the next few years which will require strong, consistent leadership. These include addressing the requirements of the 2016 Education (Scotland) Act, Developing Scotland's Young Workforce, the Government's Education Delivery Plan and National Improvement Framework and the associated standardised testing of pupils' development. Additionally there are a number of changes to scope and remit of different services arising from national reviews, alternative service delivery methods (e.g. the Leisure and Cultural Trust); shared service arrangements; commissioning and partnerships; etc. which will require a review of the strategic management structure of the council. Some of these changes will impact at different times and therefore it is likely that changes arising from the review will be phased in over a period of time rather than one single restructure.

- 4.8 The scale of the changes proposed by the Scottish Government impact directly on the development of permanent arrangements for the senior management and leadership posts in Education Services. Specifically this includes consideration at Executive Director and Head of Service levels and the potential transfer of responsibilities to the new Regional Directors. It has not therefore been possible to comply with the decision of Council of 7 April 2017 that instructed the Chief Executive to put in place arrangements for the new Council to “formalise the senior staffing structure within the service and to create a future permanency within the senior management arrangements for Community Services”. Clarity will be required from the Scottish Government around the implementation of its proposals in order to determine the full implications for the management and leadership of education services by local authorities before clear advice and a recommendation can be offered to the Council. The Chief Executive will continue the interim management arrangements for the acting Executive Director and Head of Service posts to ensure continuity and that the focus remains on the implementation of the Education Improvement Plan.
- 4.9 Once the detail and implications of the Scottish Government proposals are known, consideration will be given to the requirement for additional resource for the Education Service to support the implementation of the improvement plan and the work to manage the transition programme to the new Regional Collaboratives. An assessment of the resource implications of this work will be presented to council following the summer recess.
- 4.10 The Education (Scotland) Act 2016 also requires the council to nominate a suitably qualified officer to undertake the role of Chief Education officer from August 2017. It is recommended that Anne Paterson, Acting Head of Education is appointed to undertake this role on behalf of Argyll and Bute Council.

5.0 CONCLUSION

- 5.1 There is an unprecedented level of change anticipated in the delivery of education services over the next few years which will require consistent and strong leadership of the service. Additionally the Scottish Government have published broad ranging proposals for the Governance of Education in Scotland which will have significant impact on the management and governance of education services in Argyll and Bute.

6.0 IMPLICATIONS

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| 6.1 Policy | The proposals suggest significant changes to the role and remit of the Council in relation to the provision, management and governance of education services. The exact details of the implications are unknown at this early stage of development. |
| 6.2 Financial | None known at this time. |
| 6.3 Legal | The Council has a statutory responsibility under the 2016 Education (Scotland) Act to designate a Chief Education |

	Officer.
6.4 HR	There are potential HR implications for staff employed within the Education Service however the detail of these implications remain unknown in detail at this time.
6.5 Equalities	None
6.6 Risk	There are risks to the council highlighted in the inspection report of the education functions of Argyll and Bute Council in relation to the strategic management capacity of the education service and its capacity to lead improvement at a time of unprecedented change.
6.7 Customer Service	None

**Cleland Sneddon
Chief Executive**

Councillor Aileen Morton, Council Leader

20 June 2017

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Appendix A

Education Governance: Next Steps (Scottish Government: Published 15 June 2017)