

### EMPOWERING SCHOOLS A CONSULTATION ON THE PROVISIONS OF THE EDUCATION (SCOTLAND) BILL 31

Context for collation of response from Argyll and Bute Council

In order to respond to the consultation Education Services met with and took the views from the following groups:

- Head Teachers;
- Representatives of the Head Teacher Advisory Group;
- The Education Budget Working Group, and
- The Joint Services Committee (JSC)

Head Teachers have been encouraged to discuss the consultation with Parent Councils.

#### Question 1

**The Headteachers' Charter will empower headteachers as the leaders of learning and teaching and as the lead decision maker in how the curriculum is designed and provided in their schools. What further improvements would you suggest to enable headteachers to fulfil this empowered role?**

*Head Teachers are currently leaders of learning and teaching. It is, therefore unclear why a specific Head Teachers Charter is required. The consultation document appears not to take account of the current provisions in place within which Head Teachers are empowered to lead and design the curriculum provision within their individual school. The proposed empowerment for Head Teachers, in designing the curriculum whilst welcome provides significant challenges, specifically related to issues of equity and ensuring that each school is providing a common approach. A significant concern in adopting alternative approaches to those currently in place has the potential to place significant additional demand for the provision of adequate staffing to meet the expectations of curriculum programmes. This provides considerably greater challenge within a rural area.*

*As it stands, there is relatively little mention of the role of teachers as the leaders of learning and teaching within classes. There is no mention of the support required to ensure the correct pedagogical approaches are being developed by the Head Teacher.*

*The approach set out within the terms of the Bill in regard to a Head Teachers' Charter presents further risks, with a top down process which has the potential to reduce the engagement and involvement of class teachers in the identification, preparation and implementation of curriculum design when they are in fact principally tasked with delivering the curricular model and improving learning and teaching in classrooms.*

*Argyll and Bute Local Authority have many small schools with class committed Head Teachers and feedback from members of this groups is that they require*

*local authority support in terms of curriculum and learning and teaching. This is an area that Head Teachers have noted to be essential to be retained. Head Teachers in Argyll and Bute have noted that the greatest challenge is in staffing the schools with quality teaching staff which is required to address the raising of attainment.*

## **Question 2**

**The Headteachers' Charter will empower headteachers to develop their school improvement plans collaboratively with their school community. What improvements could be made to this approach?**

*Head Teachers currently fulfill this role in Argyll and Bute, with the on-going support of the Education Central Staff to ensure the school improvement plans, improvement priorities and supporting implementation plans are effective in meeting local and national expectations. Such a change present significant risks, specifically in instances where Head Teachers may formulate their establishment improvement plan without supporting guidance, challenge and scrutiny on the local authority improvement agenda or connection into the wider assets of the Council or Partnership. It is essential to recognise that there are challenges in engaging parents and communities in developing school improvement plans and support of good practice in these areas should be sought and shared nationally.*

## **Question 3**

**The Charter will set out the primacy of the school improvement plan. What are the advantages and disadvantages of this approach?**

### **Advantages**

*Argyll and Bute Council recognises the importance of school improvement plans and have committed resources in to improving this process. We endorse that a well-developed school improvement plan provides clear aims for all staff to improve the quality of learning and teaching.*

### **Disadvantages**

*The fact that Local Authorities will no longer have to produce an Improvement Plan could be seen as part of a simplifying agenda, but could also be seen as a means of legally distancing them from the improvement agenda and ensuring that they will not be in a position of "imposing local curricular policies and practices on schools" (Consultation document page 16). In effect, Local Authorities will no longer be part of the 'engine room' of school improvement. The practicality of the proposed new duties and organisational structures may need greater clarification and may actually deflect from the current improvement agenda.*

*This could impact on the workload on Head Teachers and their staff as currently important development areas are led at an authority level ensuring that the approach can be equitable across the Authority e.g. development of Developing the Young Workforce, Early Years. The development of these areas within education has an impact on the local economy too.*

#### **Question 4**

**The Head teachers' Charter will set out the freedoms which head teachers should have in relation to staffing decisions.**

- a. What are the advantages and disadvantages of headteachers being able to have greater input into recruitment exercises and processes adopted by their local authority?**

##### **Advantages**

*Head Teachers in Argyll and Bute are currently responsible for, and engaged in, recruitment of both teaching and non-teaching staff. They work with HR personnel in creating the essential and desirable criteria for staffing vacancies within their own schools and are best placed to do so. Staff appointments should not be made by a single person, there should be appointments panels which adhere to the policies and procedures of the local authority who are the employers of all local government employees. SNCT and LNCT agreements need to be adhered to including the use of expert HR advice and employment legislation compliance processes which are currently in place*

##### **Disadvantages**

*Further risks exist. For example: increasing the levels of bureaucracy for Head Teachers, going against the current principle of reducing bureaucracy. Staff can currently be appointed to the Local Authority and this allows wider support for schools. Within a rural area this is a good way to appoint staff and ensure that all schools have equitable access to the necessary support, advice and guidance. Schools in rural areas of Argyll and Bute welcome this approach and feel supported in appointing quality staff. This approach also allows the Local Authority, in compliance to SNCT principles to transfer staff where excess staffing occurs due to roll fluctuation. This is also important during a time with falling rural school rolls.*

*There is potential, especially within rural areas such as Argyll and Bute, that the lack of being able to appoint central staffing to the Authority will affect the ability to meet and sustain the current National pupil/teacher ratios (PTRs).*

- b. What are the advantages and disadvantages of headteachers' ability to choose their teams and decide on the promoted post structure within their schools?**

##### **Advantages**

*Head Teachers in Argyll and Bute are currently able to choose their own teams and this is supported and encouraged by the Local Authority. Schools also have flexibility to design their management teams within an allocated structure and meets the context of the school. This is subject to agreement within SNCT and LNCT.*

##### **Disadvantages**

*There are significant risks, potentially leading to inequality in the level, range and*

*number of promoted posts at both Local Authority and National levels. This could impact greatly on the more rural schools who are facing considerable difficulties in recruiting to key posts. This approach also goes against the existing SNCT principles, as set out in national agreements.*

### **Question 5**

**Should headteachers be able to decide how the funding allocated to their schools for the delivery of school education is spent? If so, what is the best way of doing this?**

*Nationally agreed frameworks, as set out in guidelines for the implementation of Devolved School Management policies, currently allow for such decisions to be made by Head Teachers. Argyll and Bute Head Teachers have indicated that they welcome this approach. The schools in Argyll and Bute have 90% of the education budgets devolved via the Devolved School Management policy.*

### **Question 6**

**How could local authorities increase transparency and best involve headteachers and school communities in education spending decisions?**

*Devolved School Management (DSM) protocols currently allow for appropriate funding decisions to be made at school level. This should be continue to be carried out within a democratic school model in which decision making is shared between all school staff.*

*Current budget setting processes in Local Authorities also allow for opportunities for Head Teachers and other staff members to be consulted on, and engaged in, decision making processes. The availability of committee papers as well as any resulting decisions assists in increasing transparency.*

*The availability of specific working groups for example Budget Working Groups greatly assist in ensuring that there is clarity and transparency in all aspects of budgetary decision making.*

*All Argyll and Bute Head Teachers have access to Area Finance Administrators (AFAs) who support the budgetary management and value this support. Head Teachers have indicated that they would find greater responsibilities and increased accountability very challenging. This is of particular concern in rural schools with teaching Head Teachers.*

### **Question 7**

**What types of support and professional learning would be valuable to headteachers in preparing to take up the new powers and duties to be set out in the Headteachers' Charter?**

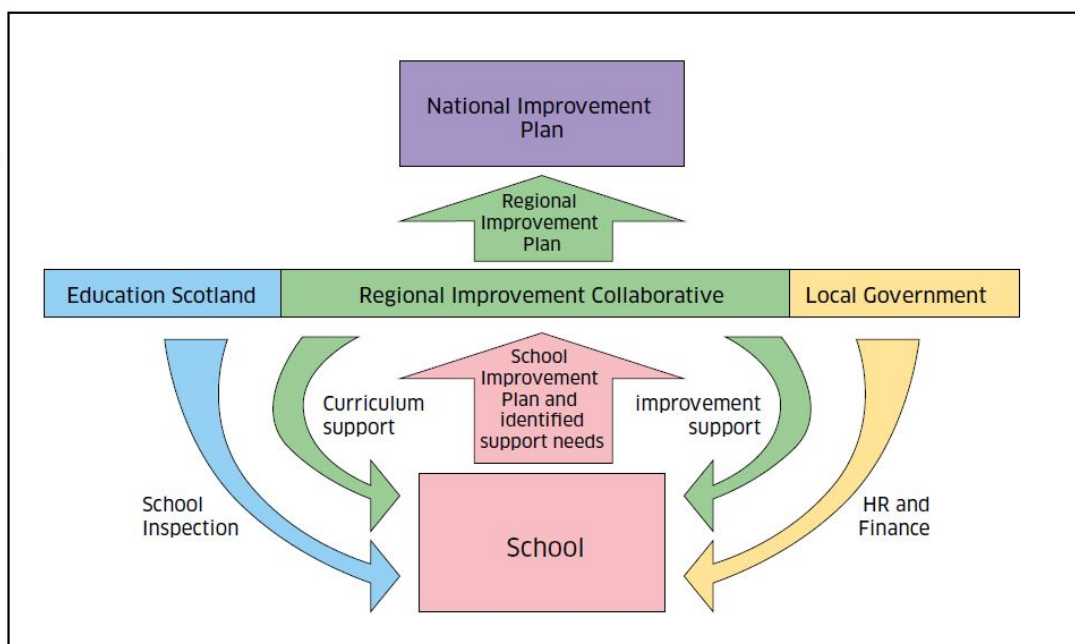
*Head Teachers in Argyll and Bute have noted the considerable bureaucratic challenges, which impacts on their ability to focus on learning and teaching, and are concerned that new and additional powers, have the potential to increase workload*

are being considered.

Argyll and Bute Council would note a concern that Head Teachers already have a significant workload and that we have a responsibility as employers to ensure their wellbeing as well as ensuring that the Authority remains accountable for decisions taken on education in our communities. The support that is provided to all Head Teachers by the Local Authority is vital for both the individual employees involved and for the benefit of children and their families.

The proposals now being consulted on do not simplify the structures. Indeed, they add further complexities through the establishment of the Regional Improvement Collaboratives (RICs) and, in places, ambiguous redefinitions of roles and responsibilities. For example, the text in both documents (Next Steps and Empowering Schools) make clear that some Local Authorities are seen as having done a poor job and being an impediment to progress.

The diagram on page 14 of the consultation suggests that the main responsibilities of local authorities will be HR and Finance. Yet, page 7 of the same document suggests that Authorities will engage in “constructive discussion with the Head Teacher on the rationale for the decisions they are taking on the curriculum in their school”. Not surprisingly, some Head Teachers fear that they will be “servants of multiple masters” and that the ambiguity over challenge and support roles provides fertile ground for tensions within the system.



Argyll and Bute Council would agree with the broad areas of reform and generally recognised that increased parental involvement is central to the closing the gap agenda. However, it is unclear from the information currently available how the reform will actually ensure that the harder to reach parents are involved in the improvement agenda. Head Teachers are reporting that there is an increase in the “hard to reach parents” who have limited interest and are looking for support



*from local authority and national teams to work with them to improve engagement.*

### **Question 9**

**How should the Scottish Schools (Parental Involvement) Act 2006 be enhanced to ensure meaningful consultation by headteachers with parents on substantive matters of school policy, improvement planning and curricula design?**

*There is a significant issue regarding training and support that would be required for parents and school staff to provide the skills and context for meaningful interaction between parents and the policy makers. Time for carrying out these exercises would have to be given careful consideration. Head Teachers are already involved in parental consultation, often finding this time consuming within the current system. This also impacts on rural schools where there are fewer parents to undertake formal roles and may actually be detrimental to the already good practice which is in place. Very often Head Teachers in rural settings are class teacher committed and have a considerable work load currently, these amendments may add further complications, with the potential for a two tier system across urban and rural school settings.*

### **Question 10**

**Should the duties and powers in relation to parental involvement apply to publicly funded early learning and childcare settings?**

*Parental involvement is core at all stages of a child or young persons' educational career and as such should be encouraged regardless of the context within which it is being delivered. There are many good examples of parental involvement in early years and this should be further developed. There is no evidence to suggest that revised or new legislation would assist in improving parental involvement. It may, however, further widen the gap.*

### **Question 11**

**Should the Bill include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3? Should this be included in the Headteachers' Charter?**

*The involvement of pupil participation is core to the improvement agenda and many Head Teachers recognise this and have ensured this is an important aspect of the school context and ethos. It is unclear how further legislation will improve this aspect.*

### **Question 12**

**What are your thoughts on the proposal to create a general duty to support pupil participation, rather than specific duties to create Pupil Councils, committees etc...?**

*This would be a welcome addition and would provide support for schools to ensure that pupil participation is central to the life and works of the school and its curriculum. However, this must extend further than the Head Teacher, it is unclear how pupil participation will be increased by adding to the Head Teacher Charter.*

### **Question 13**

**Should the Bill include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative?**

*Collaboration must be bought in to and be seen to be adding value in improving outcomes for learners, not to replace or add further layers of reporting and complexity. It is difficult to see how even the best and most effective communication could create a Regional Improvement Collaborative (RIC) which is “relevant to, designed by and close to the communities they serve” (Consultation p2). This is particularly true of Argyll and Bute in a RIC covering Aberdeen City, Aberdeenshire, Moray, Shetland, Orkney, Comhairle nan Eilean Siar and Argyll & Bute. This is a very big geographical area with a variety of establishments.*

*Potential consequences include the diminution of the role of the Education Authority, and the overall impact of the proposals remains to centralise control of educational improvement, with a consequent loss of democratic accountability at local levels.*

*Resource which will come from Education Scotland to the Regional Improvement Collaborative is to be welcomed. We hope that this will be deployed more consistently than was previously the case to individual Local Authorities where there was little consistency in what was allocated, or in the quality of the allocation. It should not just be Education Scotland resources which are allocated regionally, but other national bodies too, for example SCILT etc. could redeploy their resources regionally in order to support the collaborative.*

### **Question 14**

**Should the Bill require each Regional Improvement Collaborative to maintain and to publish annually its Regional Improvement Plan?**

*There should be a need for a regional plan, although a three year plan would allow real, meaningful work to take place across a collaborative area and is more likely to succeed in terms of improving outcomes for young people. This should, however, be reported on, and where required updated, annually. Local authority plans should remain in place as outlined previously in this response.*

### **Question 15**

**If we require Regional Improvement Collaboratives to report on their achievements (replacing individual local authority reports), should they be required to report annually? Would less frequent reporting (e.g. every two years) be a more practical and effective approach?**

*An annual plan would be very time consuming and again it would need to be clear with regard to purpose. As above a three year plan would be more meaningful.*

#### **Question 16**

**In making changes to the existing planning and reporting cycle, should we consider reducing the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework?**

*This would be a helpful outcome, reporting should have clarity as to purpose and outcome.*

#### **Question 17**

**Are the proposed purpose and aims of the Education Workforce Council for Scotland appropriate?**

*Purpose and aims are commendable. However the detail is lacking on how this will be delivered and this makes it more difficult to answer this question.*

#### **Question 18**

**What other purpose and aims might you suggest for the proposed Education Workforce Council for Scotland?**

*There is a concern around the external scrutiny as HMIE is still firmly rooted in Education Scotland. There needs to be consideration of the role of external scrutiny and whether or not is best placed as part of the Education Workforce Council.*

#### **Question 19**

**Are the proposed functions of the Education Workforce Council for Scotland appropriate?**

*The combined effect of removing responsibility for school improvement from local authorities and embedding HMIE in a Scottish Government agency, removes important checks and balances in the system. Whilst there is an attraction in having one workforce council to recognise the range of workers in the “education family”, alternative ways of bringing the Community Learning and Development (CLD) Council etc. into the fold should be considered rather than establishing a new council. For example, the General Teaching Council for Scotland (GTCS) is a recognised, and largely respected global brand and it would be unfortunate to lose this. Furthermore, the costs associated with disestablishing the GTCS and establishing a new Council may run to several million pounds and in the current climate, this is not the best use of public resources.*

#### **Question 20**

**What other functions might you suggest for the proposed Education Workforce Council for Scotland?**



*There is ongoing risk of fragmentation of schools and education from the rest of integrated children's services, undermining the delivery of Getting it Right for every Child (GIRFEC) and the new Education Workforce Council (EWC) could add further fragmentation to the children's services workforce. Whilst there is an attraction in having one workforce council to recognise the range of workers in the "education family", alternative ways of bringing the Community Learning and Development (CLD) Council etc. into the fold should be considered rather than establishing a new council.*

#### **Question 21**

**Which education professionals should be subject to mandatory registration with the proposed Education Workforce Council for Scotland?**

*All educational professionals. However, the Education Workforce Council would require to have the in-depth knowledge of each professional body to ensure robust and rigorous approach to registration and continued review of registration.*

#### **Question 22**

**Should the Education Workforce Council for Scotland be required to consult on the fees it charges for registration?**

*Yes fees should be set after clear discussion and clarity around the use of fees and what is required by the Education Workforce of the parent body.*

#### **Question 23**

**Which principles should be used in the design of the governance arrangements for the proposed Education Workforce Council for Scotland?**

*Governance needs to be clear and to involve each of the agencies, providing a coherent approach to the role of the Education Workforce and how it will enhance improvement in Scottish Education.*

#### **Question 24**

**By what name should the proposed Education Workforce Council for Scotland be known?**

*Education Professional Workforce Council*

#### **Additional comments**

- 1. It is concerning that the consultation document on the Bill provides very little detail on each of the main 5 areas. There appears to be a lack of understanding of the current system and what is actually happening for young people and families in schools and children's services. There does seem to be a proposed separation of schools and children services which would be*

*detrimental to the closing the gap agenda and to have a holistic approach to improving life chances for our children.*

- 2. Transparent processes are already in place for financial accountability and reporting at school and local authority levels. Schools report regularly to their Parent Council bodies and in some cases to their Pupil Councils and at local authority level, there is full and transparent financial reporting in place which covers all budgets. Many Head Teachers already actively involved parents and young people in significant spending decisions at local school level and there are many good examples of this in relation to Pupil Equity Funding (PEF) monies which has been awarded directly to schools.*
- 3. Whilst there are a number of elements of the proposals which are a positive change for Scottish Education the costs associated with disestablishing the current statutory and regulatory provisions, including potential increased job-sizing costs for Head Teacher and the establishment of new bodies may run to several million pounds and in the current climate, this is not the best use of public resources.*