



Renfrewshire
Council

To: Council

On: 29 June 2017

Report by: Director of Children's Services

Heading: Education Governance: Next Steps. Empowering our Teachers, Parents and Communities to Deliver Excellence and Equity for our Children

1. Summary

- 1.1 The Scottish Government undertook a major consultation exercise on a review of education governance between September 2016 and January 2017. A total of 1154 submissions were received. These comprised responses from 382 organisations and 772 individuals. A full analysis of all consultation responses can be found in the document "Education Governance: Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education, Analysis of Consultation responses".
- 1.2 The Depute First Minister made a statement in parliament on Thursday 15 June 2017 to support the publication of the document "Education Governance: Next Steps Empowering Our Teachers, Parents and Communities To Deliver Excellence and Equity For Our Children". This publication outlines the plans for the reform of educational governance in Scotland.
- 1.3 The proposals outlined in the publication will potentially result in significant changes to the way in which education services are organised in Scotland. It is anticipated that these changes will have wide ranging consequences for the role of local authorities in the delivery of education to children and young people in their communities.
- 1.4 The document highlights many strengths in Scottish education but also states that there is still much to do in order to improve outcomes for our children and young people further.
- 1.5 The main principle of the review is to seek to devolve power from a national level to a regional level and from a local level to a school level. The stated purpose of this shift is to empower schools and teachers to drive improvement at a local level with others in the system sharing responsibility for collaborating to support this improvement.

- 1.6 Legislation will be required in order to enact many of these proposals. A new education bill will be placed before parliament in June 2018. This will place revised duties on local authorities, head teachers and newly formed regional improvement collaboratives.
 - 1.7 Many areas of the proposals will require further clarification. It is anticipated that this will emerge over the coming months as the Scottish Government engages with local authorities and professional organisations through further consultation exercises. Council responses to each of these consultation exercises will be reported to the appropriate policy board for consideration by elected members. The first of these relates to a consultation on the funding of schools. This has been published coincident with the main review report with a closing date of October 2017.
 - 1.8 The purpose of this report is to provide council with an overview of the main proposals along with an indication of the likely timescale for implementation.
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2. Recommendations

- 2.1. Council is asked to note:
 - the content of this report and that responses to consultation documents related to it will be brought to elected members for consideration and approval.
 - that council officers will seek clarity through COSLA, professional associations and other relevant bodies in relation to the matters outlined in paragraph 3.9 and report back to elected members in due course.
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3. Background

- 3.1. On 13 September 2016 the Scottish Government announced a consultation exercise on the way in which schools in Scotland are governed. This is part of its delivery plan for education as announced in June 2016 and reported in the programme for government earlier in September 2016.
- 3.2. The Depute First Minister made a statement in parliament on Thursday 15 June 2017 to support the publication of the document “Education Governance: Next Steps Empowering Our Teachers, Parents and Communities To Deliver Excellence and Equity For Our Children”. This publication outlines the plans for the reform of educational governance in Scotland.
- 3.3. The proposals outlined in the publication will deliver significant changes to the way in which education services are organised in Scotland. It is anticipated that these changes will have wide ranging consequences for the role of local authorities in the delivery of education to children and young people in their communities.
- 3.4. The main principle of the review is to seek to devolve power from a national level to a regional level and from a local level to a school level. The purpose of this shift is to empower schools and teachers to drive improvement at a local level with others in the system sharing responsibility for collaborating to support improvement.

- 3.5. Newly formed Regional Improvement Collaboratives will have responsibility for school performance and improvement. They will report to Education Scotland while local authorities will provide support services to schools. A regional director will be appointed by the government for each collaborative and they will report to the Chief Executive at Education Scotland. The Regional Collaboratives will have a responsibility for improvement and performance and will take on the role of reporting progress through regional plans under the National Improvement Framework.
- 3.6. New teams will be established within regional improvement collaboratives. Each team will focus on collaboration and school improvement and will be made up of existing Education Scotland officers and staff from local authorities. Further clarity will be required as to how these teams will be established and managed.
- 3.7. The devolution of power to schools and teachers will mean that the role of the local education authority will change significantly. It is proposed that this revised role will be to support schools to drive improvement and deliver better outcomes for children.
- 3.8. The proposals list the following responsibilities which would be retained by the local authority:
- provide education support services, including: the supply of schools; the provision of denominational and Gaelic medium schools where required; the administration of placing and admissions procedures, including for children with additional support needs (including independent sector where appropriate); planning for future requirements; and securing excellent headteachers for the schools in their area;
 - provide HR services for all school staff and respond to HR requests from headteachers;
 - be the employer of the education workforce within their schools and local authority early learning and childcare settings;
 - support the provision of early learning and childcare delivered by funded providers (in the private and voluntary sector) as well as local authority nurseries in various establishments to maximise its educational benefit to young children;
 - appoint headteachers with the appropriate involvement of parent councils;
 - be accountable to local communities for the provision of education support services including early learning and childcare in their area;
 - appoint a Chief Education Officer as set out in the Education (Scotland) Act 2016 in order to fulfil their responsibilities in relation to education support services;
 - have a new duty to collaborate to support improvement on a regional basis;
 - be responsible for improvement through their provision of education support services, their regional collaboration and securing leadership in their schools;
 - collaborate with other local authorities and national agencies to provide staff (including headteachers and teachers) to work within the regional improvement collaborative;
 - ensure that other local authority provision, such as Children's Services, Library and Community Services, Community Learning and Development and third sector partners work effectively with schools and regional improvement collaboratives to provide care and education to children and their families; and

- continue to channel the vast majority of funding for school education, including their role in Attainment Challenge funding, ensuring that public resources allocated for the delivery of education in Scotland are properly accounted for.

3.9. The potential implications of the above retained functions are that a number of current responsibilities undertaken by the local authority may not be performed by the council in the future. Council officers will work through COSLA and other professional associations as well as other relevant bodies to seek clarity on a range of key matters including:

- The future role of the council in terms of accountability for improvement;
- The role of local authorities in terms of the provision of support services;
- The movement of staff from local authorities to regional improvement collaboratives;
- The production and responsibility for the regional attainment report;
- The relationship between the proposed changes and children's services planning;
- The implications for the implementation of GIRFEC and the provision of universal children's services;
- The implications of the proposals for the local outcomes agreements for each area;
- The future role and purpose of the chief education officer;
- The roles and accountability of the regional director;
- The future role of the education and children's services policy board; and
- The role and function of head teachers.

3.10. It is proposed that there will be greater powers for children and parents to become involved in decision making in their schools. There will be consultation as part of proposals on a new Education Bill on strengthening parental involvement. This will involve revision to the Scottish Schools (Parental Involvement) Act 2006. To support parental involvement, the government plan to ensure every school has access to a home link worker. The suggested remit for this member of staff will be to focus on the engagement of parents who are currently perceived as hard to reach.

3.11. The paper sets out an intention for headteachers and schools to take a formal responsibility for delivering equity and excellence for all children. They will be able to determine staffing and management structures and appoint their own staff. In addition, they will have freedom to decide on curriculum content and what they offer within the parameters of a national framework. Furthermore, schools may have a greater proportion of funding allocated directly to them which will be determined through further consultation on funding mechanisms.

3.12. The publication also contains the intention to legislate to create a Headteachers' Charter which would define the leadership responsibilities of Headteachers.

- 3.13. Coincident with the publication of the outcome of the governance review is a consultation paper entitled “Fair Funding to Achieve Excellence and Equity in Education”. It has been asserted by many that the funding of schools across Scotland varies markedly based on where you live. In order to address this perception, the Scottish Government is seeking views on alternative funding models for schools. A council response to this consultation will be drafted for consideration by elected members prior to submission in October 2017.
- 3.14. A number of changes will be made to national bodies which currently support and regulate education services across Scotland.
- A recruitment process will begin in July for a Chief Executive of Education Scotland. The function of this organisation will be inspection and improvement including professional development and leadership. This is broadly in line with current arrangements with the additional remit of professional development of leadership which currently sits with the Scottish College for Educational Leadership (SCEL). In addition, the new position of director of each regional collaboration will report to Education Scotland.
 - There will be a consultation on establishing an Education Workforce Council for Scotland which would encompass GTCS, the Community Learning and Development Standards Council and also register other education professionals.
 - The Scottish College for Educational Leadership (SCEL) will have their responsibilities subsumed into Education Scotland.
 - A new national Scottish Education Council will be formed, chaired by the cabinet secretary with a stated aim of ensuring a system-wide focus on improvement.
- 3.15. Given the wide ranging and far reaching implications of the proposals further reports will be brought to elected members for consideration and approval in due course.

Implications of this report

1. Financial Implications

There are likely to be significant financial implications for the council. These should become clearer following national consultation on funding for schools in the autumn of 2017 and the publication of a draft education bill in the summer of 2018. A council response to the consultation on funding will be drafted for consideration by elected members prior to submission in October 2017.

2. HR and Organisational Development Implications

Changes to the way in which staff are recruited to schools by head teachers may have an impact on current recruitment practice. Changes to the role of the local authority in supporting professional development may have an impact on the relationship between the employer and employee in the longer term. In particular, further clarity will be required around performance management in light of shared responsibilities with regional improvement collaboratives. These areas should become clearer once a draft education bill is published in the summer of 2018.

3. Community Plan/Council Plan Implications

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| Children and Young People | - The Scottish Government's stated aim is that these proposals will ensure equity and excellence for all our children and young people. |
| Empowering our Communities | - The Scottish Government's stated aim is that proposals should result in the empowering of head teachers, teachers, parents and pupils in the longer term. |

4. Legal Implications

It is not envisaged that the legal status of schools will change. However, duties placed on local education authorities may be amended. This will require further clarification once a draft education bill is published in the summer of 2018.

5. Property/Assets Implications

It is anticipated that changes will not result in changes to the responsibility on local authorities for school estate management planning.

6. Information Technology Implications

None.

7. Equality and Human Rights Implications

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health and Safety Implications

None.

9. Procurement Implications

As financial resources are devolved directly to schools there may be an implication for procurement processes. This will require further clarification following the consultation on funding for schools and the publication of a draft education bill in the summer of 2018.

10. Risk Implications

Further clarity will be required once a draft education bill is published in order to identify and quantify appropriate risks for the council. At an early stage however it is anticipated that there are likely to be significant financial implications for the council as referred to in the 'financial implications' section above, as well as risks linked to defining new governance arrangements.

11. Privacy Impact

None.

List of Background Papers

- (a) Education Governance: Next Steps. Empowering our Teachers, Parents and Communities to Deliver Excellence and Equity for our Children
- (b) Education Governance: Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education, Analysis of Consultation responses
- (c) Education Governance: Fair Funding to Achieve Excellence and Equity in Education. A consultation

The foregoing background papers will be retained within children's services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Gordon McKinlay

Children's Services

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22 June 2017

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