

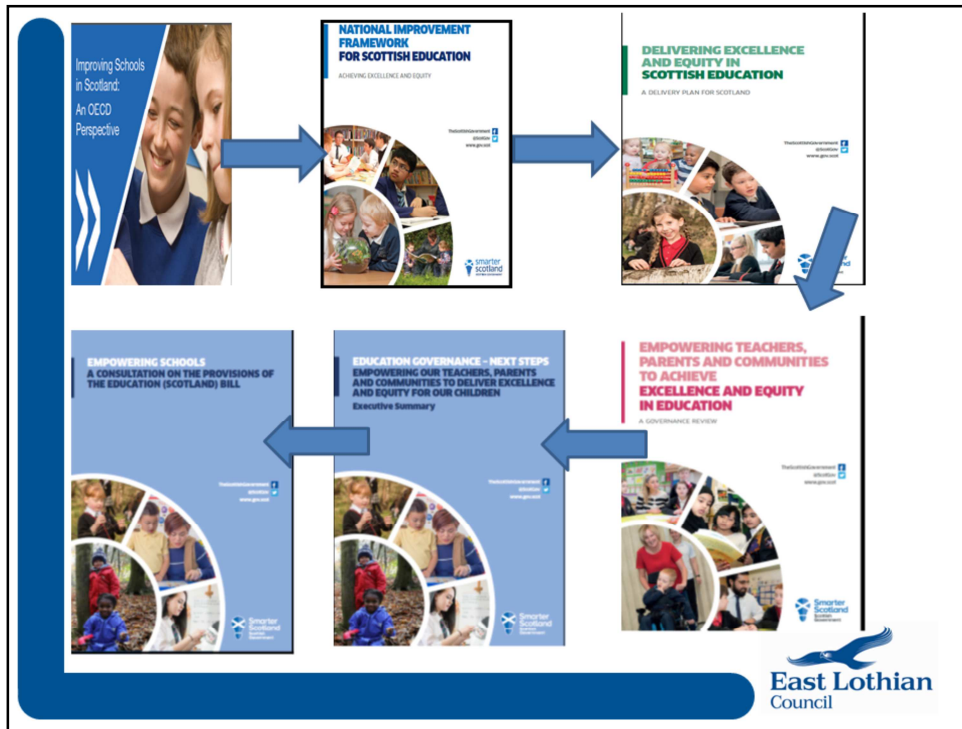
# Empowering Schools A Scottish Government Consultation on the Provisions of the Education (Scotland) Bill



  
East Lothian  
Council

These slides have been prepared to support your engagement with the Empowering Schools Consultation published by the Scottish Government November 2017

The consultation proposals have been divided up into the relevant sections to allow you to consider each of the proposals either in one extended session or over a number of sessions



1. The Scottish Government invited the Organisation for Economic Cooperation and Development to review the implementation of Curriculum for Excellence within the BGE – OECD published the outcome of their review Improving Schools in Scotland December 2015
2. The Scottish Government published its initial response to the review recommendations within the National Improvement Framework for Scottish Education January 2016 setting out new national priorities and the key drivers for improvement
3. The Scottish Government provided further detail to its plan for Scottish Education within the Delivering Excellence and Equity in Scottish Education June 2016 setting out its intentions to review the governance of education in Scotland
4. In September 2016, Scottish Government published Empowering teachers, parents and communities to achieve excellence and equity a governance review consultation which closed January 2017. The Education Service carried out a consultation between November and December 2016 to gather the views of key stakeholders, namely children, young people, staff, parents, parent councils and members of the wider community. The Education Service received 61 responses, a notable number of responses given the overall number of responses received by the Scottish Government (1100).
5. The Education Governance Next Steps document published by Scottish Government June 2017 sets out the Scottish Government's response to the consultation . This publication was accompanied by a report on the analysis of the consultation response. East Lothian Council facilitated events to support staff, parents, pupils and the wider community to engage with the implications of the governance review and forwarded a response to Scottish Government on behalf of our communities.
6. The Empowering Schools Consultation was published by the Scottish Government November 2017 and seeks views on the detailed policy proposals being taken forward by the Scottish Government in the Education Bill as part of its Programme for Government.

## Standards in Scotland's Schools Act 2000

amended by Education (Scotland) Act 2016

"duty of the authority to secure that the education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential."

### Empowering Schools Education (Scotland) Bill 2018

"Under the Bill local authorities will retain their duty to improve the quality of school education but ....through their participation in the work of the Regional Improvement Collaboratives."



Section 3F, 3H and 6 of the 2000 Act imposes the following duties on Education Authorities. The Education (Scotland) Bill intends to amend this legislation and many aspects will become the responsibility of headteachers as leaders of their schools

## Empowering Schools

“create a school and teacher-led education system and therefore to empower our schools and school leaders”

1. Headteachers’ Charter
2. Parental and Community Engagement
3. Pupil Participation
4. Regional Improvement Collaboratives
5. Education Workforce Council for Scotland



The Scottish Government is seeking views on its proposal to “create a school and teacher-led education system and therefore to empower our schools and school leaders”.

The consultation seeks your views on 5 key aspects, this presentation has been prepared to help you to engage with the proposals set out in the consultation document.



# 1. Headteachers' Charter

- Curriculum for Excellence
- Improvement
- Staffing
- Funding



The Education Bill will establish a Headteachers' Charter. The purpose of the Charter is to set out the rights and responsibilities of headteachers that will empower them to be the leaders of learning and teaching in their schools. The Charter will also set out the responsibilities that local authorities will fulfil in order to enable headteachers to lead. The Headteachers' Charter will enable headteachers to make decisions in four key areas, these will be captured in the next few slides

# 1. Headteachers' Charter

## Curriculum for Excellence

- How best to plan and design learning and teaching in their schools within the CfE national framework
- Be responsible for the quality of learning and teaching in their schools
- Empowering their staff to develop approaches which meet the needs of individual learners and groups of learners



HTs should have the freedom to decide.

## 1. Headteachers' Charter Curriculum for Excellence

The Scottish Government view:

- Some HTs find their freedom within the CfE framework is reduced by LA requirements to adopt particular approaches to learning and teaching
- Many HTs are not able to make decisions about the curriculum offer in their school

“We want to provide a clear, firm legal basis for all headteachers to have this freedom of choice.”



Within East Lothian Council, the education authority has worked in partnership with practitioners to develop curriculum frameworks to support the delivery of learning, teaching and assessment across all curriculum areas. Schools are only required to adopt particular approaches to learning and teaching in the delivery of numeracy. The approach adopted is educationally sound and underpinned by educational research evidence. Schools are able to determine how best to deliver the curriculum to meet the needs of their learners in line with the principles and values of Curriculum for Excellence. All 6 secondary schools offer a curriculum designed to meet the needs of their learners and this is evident within the senior phase where young people access a curriculum offering a range of flexible pathways.

# 1. Headteachers' Charter Curriculum for Excellence

The Scottish Government view:

- Some LAs provide high quality support for teaching and curriculum development
- Others impose local restrictions on the organisation of subjects, constrain HT flexibility to lead learning and teaching as well as limiting the staffing and management structures



East Lothian Council does not impose any local restrictions on the organisation of subjects or constrain flexibility in leading learning and teaching

## 1. Headteachers' Charter Curriculum for Excellence Summary

- Give HTs freedom to lead teaching and learning in their schools
- Create a new duty on HTs to work collaboratively with other schools and partners on curriculum design and improving learning and teaching
- Require that HTs will continue to involve their school community in the life of the schools and key decision-making
- LAs to participate in the Regional Collaborative's work to provide the support and expertise that schools in the area need, rather than imposing local curricular policies and practices on schools.

# 1. Headteachers' Charter Curriculum for Excellence

## Question 1

The HT Charter will empower HTs 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?

## 1. Headteachers' Charter Improvement

The Education Bill will:

- change the need for school improvement priorities to align with LA priorities
- enable HTs to align their improvement priorities with the National Improvement Framework (NIF)
- ensure schools are supported by their LAs through the Regional Improvement Collaboratives (RICs)



The education service and its schools work together to deliver on local priorities set out by the Council and its communities.

Local authority improvement plans and school improvement plans are already aligned with the priorities set out within the National Improvement Framework

The education service already works in partnership with neighbouring authorities to support HTs and schools. Current inter-authority groups include early learning and childcare, quality improvement and school leadership.

### 1. Headteachers' Charter Improvement

Schools will be supported and challenged by LAs acting in their capacity as part of the RIC.

The Scottish Government view:

“We envisage a shared model of accountability.”

HTs – improvement in their schools in collaboration with parents, staff, pupils and their peers

LAs – will have a new role, employ and line manage HTs and work with other LAs in their RIC

LAs- will no longer be required to develop individual improvement plans





## 1. Headteachers' Charter Improvement Summary

- The HT Charter will expect HTs to collaborate with other schools, the RIC and wider school community
- LAs and HTs will continue to be required to have regard to closing the poverty related attainment gap
- HTs will be able to decide improvement priorities for their school
- Remove the requirement for LAs to develop separate improvement plans given the new requirement for Regional Improvement plans

## 1. Headteachers' Charter Improvement

### Question 2

- The HT Charter will empower headteachers to develop their school improvement plans collaboratively within their school community. What improvements could be made to this approach?

### Question 3

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

## 1. Headteachers' Charter Staffing

- LA remain employers of staff, including HTs
- LAs to allocate resource to support the provision of ASN
- LAs will address any issues of performance, discipline or grievance
- HTs to determine staffing and management structures
- HTs do not have to consider staff being re-deployed by the LA
- Student teachers and probationers to be coordinated at local or regional level



Within East Lothian Council HTs recruit and appoint own staff, the local authority works closely with HTs to address any issues of performance, discipline or grievance

## 1. Headteachers' Charter Staffing

### Question 4

The HT Charter will set out the freedoms which headteachers 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?
- b. What are the advantages and disadvantages of headteachers' ability to choose their teams and decide on the promoted post structure within their schools?

## 1. Headteachers' Charter Funding

### SG view:

- HTs should have more of a say in how the budget allocated to their school can be used to deliver education
- HTs must not become accountants or business managers
- LAs remain overall budget holders and accountable for education spending



The Scottish Government carried out a consultation on possible future approaches to funding school education June to October 2017.

The Government will report on the outcome of this consultation in summer 2018.

Within East Lothian Council, education officers and HTs work together to determine the funding mechanisms within the Devolved School Management Scheme. This ensures HTs are involved in decisions relating to the budget allocation mechanisms for schools.

## 1. Headteachers' Charter Funding

The Scottish Government view:

- Greater delegation of staffing budgets to HTs
- LAs continue to be responsible for provision of specialist services and provision of support for learners' additional needs
- LAs responsible for expenditure on the school estate and other issues connected to placing of pupils in schools such as school transport

## 1. Headteachers' Charter Funding Summary

- Require LA delegation of budgets to extend to staffing, rather than just to schools' discretionary expenditure outside staffing; and
- Increase the transparency of LA decisions on education spending and require the involvement of HTs and the school communities in these decisions.

## 1. Headteachers' Charter Funding

### Question 5

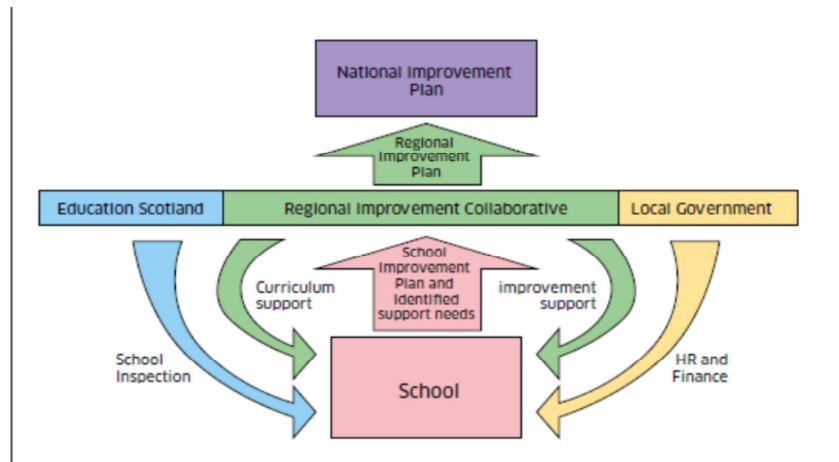
Should HTs be able to decide how the funding allocated to their schools for the delivery of school education is spent? If so, what is the best way of doing this?

### Question 6

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



## Supporting Empowered Headteachers



The model of support provision proposed for schools is illustrated in this diagram

## Supporting Empowered Headteachers

### Question 7

What types of support and professional learning would be valuable to HTs in preparing to take up the new powers and duties to be set out in the HT Charter?

## 2. Parental and Community Engagement

- Strengthen duties on HTs to work collaboratively with their Parent Councils
- Replace the current duties on HTs to inform and consult with Parent Councils to a duty to work in a collaborative way with their Parent Council
- Provide duties on HTs to communicate with the wider parent forum and a legal framework that requires HTs to take appropriate steps to work in partnership with the wider parent forum



The Scottish Government already has a strong legal basis for parents to be involved in the life and work of their child's school through the Scottish Schools (Parental involvement) Act 2006.

The Scottish Government will strengthen, modernise and extend the provisions of the 2006 Act, ensuring that as HTs are empowered, parents are also empowered to engage in their child's education

The improvements that the Scottish Government will make to the Act include...

Also, the duty to collaborate with the wider parent forum includes substantive matters of school policy, improvement planning and curricula design.

East Lothian Council recently published its Parental Engagement and Involvement Strategy setting out its commitment to engaging and involving parents in the life and work of the school and its education services.

## 2. Parental and Community Engagement

- Update the legal definition of parental involvement
- All parental involvement strategies to include clear objectives and measures of success
- Clarify the application of the 2006 Act to early learning and childcare settings
- Update and clarify the duties on Parent Councils to represent the diversity of the school community
- Include parental involvement and engagement within the work of Regional Improvement Collaboratives
- Reflect the updated legal responsibilities on parental involvement within the HTs Charter

## 2. Parental and Community Engagement

### **QUESTION 8**

Are the broad areas for reform to the Scottish Schools (Parental Involvement) Act 2006 correct?

### **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?

### **QUESTION 10**

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

### 3. Pupil Participation

- The pupil's own learning as part of formal and extended curriculum;
- Decision-making relating to the life and work of the school; and
- The pupil's participation in the wider community



The Scottish Government intends to provide a general duty on HTs to promote and support pupil participation in specific aspects of education and school life:

East Lothian Council carries out an annual student engagement survey at P6, S2 and S4 to capture the voice of children and young people. The outcome of the survey is used to influence and shape education policy and practice.

### 3. Pupil Participation

- Collaboration and dialogue;
- Authenticity; and
- Inclusion.

This general duty will be accompanied by key principles to support effective participation:

### 3. Pupil Participation

#### **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?

#### **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...?



## 4. Regional Improvement Collaboratives



### South East Collaborative

Edinburgh City Council

Fife Council

Scottish Borders Council

East Lothian Council

Midlothian Council



The Scottish Government will include provisions in the Education Bill to provide appropriate legislative underpinning for national local government participation in the new Regional Improvement Collaboratives

East Lothian Council currently participates in the South East Regional Improvement Collaborative

#### 4. Regional Improvement Collaboratives

- A detailed Regional Improvement Plan to be in place by January 2018
- Publish an annual report about what has been achieved as a result of the Plan
- New statutory duties could secure in legislation the status and underpinning framework for Regional Improvement Collaboratives

## 4. Regional Improvement Collaboratives

### **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?

### **QUESTION 14**

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

## 4. Regional Improvement Collaboratives

### 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?

### 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?

## 5. Education Workforce Council for Scotland

- Many professionals involved in the delivery of education with significant differences in requirements for professional standards, qualifications, initial training, performance management and continuing professional development
- Create an Education Workforce Council for Scotland which covers teachers and non-teacher professionals



The Scottish Government will include provisions in the Education Bill to establish an Education Workforce Council which will take on the responsibilities of the GTCS, the Community Learning and Development Standards Council and register other educational professionals.

Teachers must be registered with the GTCS

Social Services staff with the Scottish Social Services Council

Other professional, including school learning and additional support staff, school librarians and staff in the higher education sector are not currently required to register with a standard setting body such as the GTCS.

## 5. Education Workforce Council for Scotland

### **Purpose**

- Through supporting and enhancing the professionalism of those involved directly and indirectly in learning and teaching, support Scottish education to be world leading in the delivery of high quality outcomes for all learners.

### **Aims**

- To set high standards and promote high quality professional learning, teaching and leadership to improve learner outcomes and assist in reducing inequality;
- Be an effective regulator acting in the public interest to maintain and enhance public trust and confidence in education professionals; and
- Through the setting of professional standards and values, support and enhance levels of professionalism, professional identity and professional practice while bringing cohesion to the Scottish education system.



Purpose and aims of the Education Workforce Council

## 5. Education Workforce Council for Scotland

### **QUESTION 17**

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

### **QUESTION 18**

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



## 5. Education Workforce Council for Scotland Functions

- Keep a Register of those practitioners engaged in the teaching (including pre-school), community learning and development and other relevant professions (including the establishment of criteria to meet their registration);
- Establish and keep under review, as appropriate, Professional Standards and appropriate Code(s) relating to the conduct and professional competence of those engaged in the teaching, community learning and development and other relevant professions;
- Establish and review Standards of education, professional learning and leadership appropriate to those on the Register, including initial teacher and other professional education, and monitor and evaluate their implementation;
- Investigate and ensure the fitness to practise of registrants with regards to conduct and professional competence;



## 5. Education Workforce Council for Scotland Functions

- Accredit, validate and promote professional learning and development through maintaining and operating national systems in partnership with other bodies as appropriate;
- Support the operation of teaching, community learning and development and other relevant professions, including induction schemes, professional learning frameworks, quality assurance marks and student placement systems;
- Provide independent, evidence-based advice to Scottish Ministers on relevant matters of education, teacher professionalism, workforce planning, career development and fitness to practise of those engaged in the teaching, community learning and development and other relevant professions;
- Contribute to evidence-based policy making through engagement in and with research that supports improved learning and teaching; and
- Promote family/carer/community engagement in and with the education system.

## 5. Education Workforce Council for Scotland Registration

- Teachers
- CLD Practitioners
- Classroom Assistants/ASL Support Workers
- Early Years Practitioners
- School Librarians
- College Lecturers and relevant support staff
- Home/School link Workers



The Scottish Government think that the new Education Workforce Council for Scotland should be able to register members of the following professions:

## 5. Education Workforce Council for Scotland Registration

### **QUESTION 20**

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

### **QUESTION 21**

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

## 5. Education Workforce Council for Scotland Registration

### **QUESTION 22**

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

## 5. Education Workforce Council for Scotland Governance

The Scottish Government think that the Council governing the Workforce Council should be constituted to ensure that professionals do not form a majority

### **QUESTION 23**

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

5. Education Workforce Council for Scotland  
Name

**QUESTION 24**

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

## Further information

<http://www.gov.scot/Publications/2017/11/9712>

[http://www.gov.scot/Resource/0052/00527167.p  
df](http://www.gov.scot/Resource/0052/00527167.pdf)