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SCOTTISH BORDERS COUNCIL THURSDAY, 25 JANUARY, 2018

A MEETING of the SCOTTISH BORDERS COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS on THURSDAY, 25 JANUARY, 2018 at 10.00 AM

J. J. WILKINSON,
Clerk to the Council,
18 January 2018

BUSINESS																
1.	Convener's Remarks.															
2.	Apologies for Absence.															
3.	Order of Business.															
4.	Declarations of Interest.															
5.	<p>Minute (Pages 5 - 22)</p> <p>Consider Minute of Scottish Borders Council held on 21 December 2017 for approval and signing by the Convener. (Copy attached.)</p>	2 mins														
6.	<p>Committee Minutes</p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">(a) Chambers Institution Trust</td> <td style="text-align: right;">29 November 2017</td> </tr> <tr> <td>(b) Peebles Common Good Fund</td> <td style="text-align: right;">29 November 2017</td> </tr> <tr> <td>(c) Pension Fund Board</td> <td style="text-align: right;">4 December 2017</td> </tr> <tr> <td>(d) Lauder Common Good Fund</td> <td style="text-align: right;">13 December 2017</td> </tr> <tr> <td>(e) Civic Government Licensing</td> <td style="text-align: right;">15 December 2017</td> </tr> <tr> <td>(f) Local Review Body</td> <td style="text-align: right;">18 December 2017</td> </tr> <tr> <td>(g) Planning & Building Standards</td> <td style="text-align: right;">8 January 2018</td> </tr> </table> <p>(Please see separate Supplement containing the public Committee Minutes.)</p>	(a) Chambers Institution Trust	29 November 2017	(b) Peebles Common Good Fund	29 November 2017	(c) Pension Fund Board	4 December 2017	(d) Lauder Common Good Fund	13 December 2017	(e) Civic Government Licensing	15 December 2017	(f) Local Review Body	18 December 2017	(g) Planning & Building Standards	8 January 2018	5 mins
(a) Chambers Institution Trust	29 November 2017															
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(d) Lauder Common Good Fund	13 December 2017															
(e) Civic Government Licensing	15 December 2017															
(f) Local Review Body	18 December 2017															
(g) Planning & Building Standards	8 January 2018															
7.	Open Questions	15 mins														
8.	<p>Education Governance Review - Next Steps (Pages 23 - 154)</p> <p>Consider report by Service Director Children and Young People. (Copy attached.)</p>	15 mins														
9.	Empowering Schools - A Consultation on the Provisions of the Education (Scotland) Bill (Pages 155 - 246)	15 mins														

	Consider report by Service Director Children and Young People. (Copy attached.)	
10.	SESplan: Finance Ratification (Pages 247 - 258) Consider report by Service Director Regulatory Services. (Copy attached.)	5 mins
11.	Tweedbank Masterplan and Spatial Framework Consider report by Service Director Assets and Infrastructure. (Please see separate supplement.)	15 mins
12.	Galashiels Masterplan (Regeneration Framework) Consider report by Service Director Assets and Infrastructure. (Please see separate supplement.)	15 mins
13.	Amended Calendar of Meetings (Pages 259 - 266) Consider amendments to Calendar of Meetings from January to June 2018. (Copy attached.)	5 mins
14.	Motion by Councillor Tatler Consider Motion in the following terms:- "Scottish Borders Council, as a fully committed living wage employer, will seek to establish and lead a Living Wage Group. The Scottish Borders Living Wage Group will include representatives from employers currently paying the Living Wage, Unions, business groups such as the Federation of Small Businesses and the voluntary sector. Its single aim will be to reverse the scourge of low wages in the Scottish Borders by encouraging all employers based in the Scottish Borders to pay all their employees the recognised Living Wage, currently £8.75."	5 mins
15.	Any Other Items Previously Circulated	
16.	Any Other Items Which the Convener Decides Are Urgent	
17.	Private Business Before proceeding with the private business, the following motion should be approved:- "That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act."	
18.	Minute (Pages 267 - 270) Consider private Section of Minute of Scottish Borders Council held on 21 December 2017. (Copy attached.)	1 mins
19.	Committee Minutes Consider private Sections of the Minutes of the following Committees:-	

	(a) Peebles Common Good Fund (b) Civic Government Licensing (c) Planning & Building Standards (Please see separate Supplement containing private Committee Minutes.)	29 November 2017 15 December 2017 8 January 2017	
20.	Tweedbank Future Development Opportunities (Pages 271 - 304) Consider report by Service Director Assets and Infrastructure. (Copy attached)		15 mins

NOTES

1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**
2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Please direct any enquiries to Louise McGeoch Tel 01835 825005
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SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 21 December 2017 at 10.00 a.m.

Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, J. Brown, S. Bell, K. Drum, G. Edgar, J. Fullarton, J. Greenwell, C. Hamilton, S. Hamilton, S. Haslam, E. Jardine, H. Laing, S. Marshall, W. McAteer, T. Miers, D. Moffat, S. Mountford, D. Paterson, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, T. Weatherston.

Apologies:- Councillors H. Anderson, K. Chapman, G. Turnbull.

In Attendance:- Chief Executive, Executive Director (P. Barr), Executive Director (R. Dickson), Service Director Assets and Infrastructure, Service Director Children and Young People, Service Director Customer and Communities, Service Director Regulatory Services, Chief Financial Officer, Chief Legal Officer, Clerk to the Council.

1. CONVENER'S REMARKS

- 1.1 The Convener welcomed Mr Ron Wilson and his wife Joan to the Chamber. He advised that Mr Wilson was retiring from his role as Secretary of the Border Union Agricultural Show and paid tribute to the service he had given to the Borders over the years. He further commented on the importance of the annual Countryside Day for school children. On behalf of the Council, the Convener presented Mr Wilson with a Border Reiver statue.
- 1.2 The Convener congratulated Toilet attendant Douglas Heatlie who won the Scottish individual cleaner at the UK Loo of the Year Awards earlier this month. Other staff, namely: Brian Mulvey, George Smith, Michael Masterton and Stephanie McLean, were also recognised at the Loo of the Year awards, with Scottish Borders Council winning best Scottish local authority for the maintenance of a number of public toilets across the area

DECISION

AGREED that congratulations be passed to those concerned.

2. JO COX MEMORIAL EXCHANGE

The Convener welcomed Sanna Aziz to the meeting. Sanna was a pupil at Galashiels Academy and she gave Members a short presentation on her recent trip to the USA as part of the Jo Cox Memorial Exchange. The trip had included visits to the Southern Poverty Law Centre in Alabama which dealt with pro-bono death row cases, LGBT rights, mapping hate groups, etc; the Broad Street Ministry Church in Philadelphia which worked with the homeless; the United Nations and Global Kids which worked with young people in New York, involving them in politics/decision making. The trip had concluded with a visit to the Holocaust Memorial Museum in Washington DC which had been very moving. Sanna answered Members' questions and the Convener thanked her for her presentation.

DECISION NOTED.

3. NHS BORDERS

John Raine - Board Chairman, Jane Davidson - Chief Executive, Claire Pearce - Director of Nursing and Midwifery, and Dr Cliff Sharp - Medical Director of NHS Borders, were at the meeting to give Members their annual presentation on NHS Borders. Mr Raine advised that there had been changes to the Board with the appointment of new Non-Executive Directors

including Councillor Parker. The Boards Annual Report to the Cabinet Secretary had been well received with cancer waiting times above the national standard and financial targets being met. He commented on the commitment of both the NHS and the Council on health and social care integration. There were still areas for improvement including delayed discharges which had recently affected as many as 50 people. There was the continuing budget challenge and attendance at A&E had already increased by 6% going into winter. The Chief Executive reported on the progress of joint working and the recent key appointments of Dr Tim Patterson as Director of Public Health and Rob McCulloch-Graham as Chief Officer of Health and Social Care Integration. The Board was currently working on a proposal to collaborate with partners on Type 2 diabetes which accounted for 10% of the budget spend. With rates of diagnosis currently increasing by 6% - which would increase further as the number of older people grew - it was an area where preventative action was needed. The Director of Nursing and Midwifery had only been in post for 7 months but had introduced a "back to basics" campaign focusing on delivering excellence in care. She also commented on the challenges presented by an aging population and was working with Senior Charge Nurses to improve training on a number of areas including falls prevention, pressure damage and food and nutrition. The Medical Director commented on the difficulties in recruiting staff and the need for a more flexible workforce. The introduction of new GP contracts could result in problems in rural areas as the funding formula favoured deprived city areas. The NHS representatives answered Members' questions on a number of areas including the future of Crumhaugh House in Hawick, rural deprivation, cross border working and waiting times. The need to change how the public interacted with Doctors was also discussed and included more use of Nurse Practitioners and conducting consultations by telephone or Skype. The Convener thanked Mr Raine and the officers for their presentation.

**DECISION
NOTED.**

4. **MINUTES**

The Minutes of the Meetings held on 2 and 30 November 2017 were considered.

**DECISION
AGREED that the Minutes be approved and signed by the Convener.**

5. **COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

Civic Government Licensing	20 October 2017
William Hill Trust	25 October 2017
Audit & Scrutiny	26 October 2017
Tweeddale Locality	1 November 2017
Planning & Building Standards	6 November 2017
Executive	7 November 2017
Local Review Body	8 November 2017
Hawick Common Good Fund	8 November 2017
Eildon Locality	9 November 2017
Police, Fire & Rescue and Safer Communities Board	10 November 2017
Audit & Scrutiny	13 November 2017
Hawick Common Good Fund	14 November 2017
Teviot & Liddesdale Locality	14 November 2017
Lauder Common Good Fund	15 November 2017
Civic Government Licensing	17 November 2017
Local Review Body	20 November 2017
Executive	21 November 2017
Community Planning Strategic Board	23 November 2017
Selkirk Common Good Fund	28 November 2017
Audit & Scrutiny	30 November 2017
Planning & Building Standards	4 December 2017

Executive	5 December 2017
Jedburgh Common Good Fund	6 December 2017
Kelso Common Good Fund	6 December 2017
Standards	7 December 2017
Galashiels Common Good Fund	7 December 2017
Innerleithen Common Good Fund	12 December 2017

DECISION

APPROVED the Minutes listed above subject to paragraph 6 below.

6. COMMITTEE RECOMMENDATIONS

6.1 Teviot and Liddesdale Locality Committee

With reference to paragraph 7 of the Minute of the Teviot and Liddesdale Locality Committee held on 14 November 2017, it was recommended that the Convener write to the Chief Officer of the Scottish Fire and Rescue Service expressing concern that the Out of Hours Cardiac Arrest trial had been suspended.

DECISION

AGREED to approve the recommendation as detailed above.

6.2 Civic Government Licensing Committee

With reference to paragraph 3 of the Minute of the Civic Government Licensing Committee held on 18 November 2017, it was recommended that the Council should introduce a policy regarding the medical assessment of all taxi drivers.

DECISION

AGREED to approve the introduction of a policy requiring all taxi and private hire drivers licensed by Scottish Borders Council to be medically assessed to DVLA Group 2 standards:

- (i) From the age of 18 and thereafter reassessed at age 45
- (ii) From age 45 onwards reassessed on a five year basis.
- (iii) From Age 65 to be reassessed on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's Licensing Team whilst the grant of a licence is in force.

6.3 Audit & Scrutiny Committee

With reference to paragraph 2 of the Minute of the Audit & Scrutiny Committee held on 30 November 2017, it was recommended that Council approve the future Scrutiny work programme.

DECISION

AGREED to approve the Scrutiny Work Programme, as detailed in the Appendix to the Minute of 30 November 2017, for the period from January 2018 to March 2019.

7. OPEN QUESTIONS

The questions submitted by Councillors Paterson, Moffat, Ramage, Robson and S. Hamilton were answered.

DECISION

NOTED the replies as detailed in Appendix I to this Minute.

8. JEDBURGH INTERGENERATIONAL LEARNING CAMPUS

With reference to paragraph 6 of the Minute of the Executive Committee, there had been circulated copies of a report by the Service Director Children and Young People, following the completion of a public consultation process as set out in the Schools (Consultation) (Scotland) Act 2010 (as amended), requesting that the Council approve the proposals to build

an Intergenerational Learning Campus in Jedburgh, and thereafter formally close the Nursery, Primary, Secondary and Specialist Provision in Jedburgh. The report explained that following agreement to proceed with Phase 1 of the School Estate Review, including focused pre-consultations on the Education provision in several Borders towns including Jedburgh initial Ward Member and Community Council engagement and feasibility design work had been undertaken in the town since September 2016 to provide sufficient detail to allow pre-consultation engagement with the wider community. Pre-consultation events were held in Jedburgh on 25 and 26 April 2017 where a very positive response was received from over 500 people who attended over the two days. A statutory consultation was then undertaken in terms of the Schools (Consultation) (Scotland) Act 2010 from 8 May 2017 to 18 June 2017. Once the statutory consultation was completed a Consultation Report in respect of the proposals was prepared and published on 16 October 2017, a copy of which was appended to the report. The Consultation Report had been advertised in the press, with all interested parties given until 6 November 2017 to raise concerns or pose alternative solutions through written or electronic submissions. The Service Director advised that the Council had been commended on the success of the consultation process and Members were now asked to approve the proposals which would allow the Campus to proceed. Members expressed their support for the proposal and thanked the Service Director and her team for their work on this project.

DECISION

AGREED that:-

- (a) an Intergenerational Learning Campus be built in Jedburgh;**
- (b) once the Intergenerational Learning Campus was completed (expected date of new build completion March 2020) the following schools were permanently closed and pupils transferred to the Learning Campus in a planned move:-**
 - (i) Howdenburn Primary School;**
 - (ii) Howdenburn Nursery;**
 - (iii) Parkside Primary School;**
 - (iv) Parkside Nursery;**
 - (v) Jedburgh Grammar School;**
- (c) Howdenburn Schoolhouse be permanently closed with the educational support for secondary aged pupils with Additional Support Needs being transferred to the Intergenerational Learning Campus;**
- (d) the policy regarding pupils from Ancrum Primary School transitioning to Parkside Primary School for Primary 6 and Primary 7 be amended to facilitate transition to the Intergenerational Learning Campus;**
- (e) the primary school catchment zones were rezoned from Howdenburn Primary School and Parkside Primary School to the Intergenerational Learning Campus; and**
- (f) the secondary school catchment zone was rezoned from Jedburgh Grammar School to the Intergenerational Learning Campus.**

9. HAWICK FLOOD PROTECTION SCHEME

With reference to paragraph 9 of the Minute of 2 November 2017, there had been circulated copies of a report by the Service Director Assets and Infrastructure requesting that a final decision be made to confirm the proposed Hawick Flood Protection Scheme 2017 (the Scheme) with no modifications, under the Flood Risk Management (Scotland) Act 2009 (the FRM) and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010. It was also proposed that delegation of further authority to continue the Scheme's Detailed Design, the Advanced Works and procurement of a Main Works Contractor be granted. In November the Council

made a preliminary decision to confirm the Scheme without modifications, while confirming full consideration of the Environmental information in making that decision. This was in accordance with paragraph 5 (1) of Schedule 2 of the FRM. Forty eight objections were received to the Scheme. All objections were deemed to be a 'valid objection' as defined within the FRM. The project team and the objectors engaged constructively to enable the eight objections from individuals and businesses within the flood zone and area affected by the works to remove their objections. The confirmation of the proposed Scheme without modification on 2 November 2017 triggered the notification to the 34 remaining objectors of the decision. Letters were issued to objectors on 8th and 9th November 2017. Following these notifications another 1 of the remaining objections was removed and therefore 33 now remained. As there were no objections from those with an interest in the land affected by flooding, or land affected by the works, there was no need to refer the matter to Scottish Ministers following the preliminary decision. While there were a number of extant objections it was not considered appropriate or necessary for the Council to hold a hearing to consider the proposed scheme. Rather it was proposed that the Council now proceed to make a final decision in accordance with paragraph 9 (1) of schedule 2 of the FRM. The parallel processes of Deemed Planning Permission and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (i.e. CAR licence) had progressed well with the CAR licence being issued on 18th September 2017. The Scheme also received its Habitats Regulation Appraisal on 19 September 2017, which concluded that Scottish Borders Council (in their capacity as competent authority under the Habitat Regulations) considered that the proposal would not adversely affect the integrity of the site (River Tweed SAC (i.e. Special Area of Conservation)). Before making a final decision on a flood protection scheme with an Environmental Statement the Council must consider the environmental information to comply with Regulation 10 (3) of the FRM's 2010 Regulations. They must also state in their decision that they had done so. All local Members spoke in support of the project, paying tribute to the work of the Project Team and Councillor Marshall for his role with the Flood Group.

DECISION

AGREED to:-

- (a) make a final decision to confirm the proposed Hawick Flood Protection Scheme 2017 without modification, under Paragraph 9 (1) (a) of the Flood Risk Management (Scotland) Act 2009 and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010; and**
- (b) confirm that the Council had taken into account the environmental information as detailed in section 8 of the report; and**
- (c) provide the Scheme's Project Executive with the authority to: continue the Scheme's Detailed Design; commence the Advanced Works; and undertake the procurement of a Main Works Contractor; and**
- (d) authorise the Scheme's Project Executive, in consultation with the Chief Legal Officer to manage any appeal against the Scheme in the event that such an appeal is made to the Sheriff Court; and**
- (e) provide the Scheme's Project Executive with the authority to request that the Scottish Ministers direct that planning permission be deemed to be granted in accordance with Regulation 14 of the FRM's 2010 Regulations after the commencement of the Scheme.**

DECLARATION OF INTEREST

Councillor Robson declared an interest in the above item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

10. BUDGET UPDATE ON THE LOCAL GOVERNMENT FINANCE SETTLEMENT

There had been circulated copies of a report by the Chief Financial Officer providing an update on the contents of the draft local Government settlement for 2018/19 published on 14 December 2017. The report provided confirmation of the level of grant that the Scottish Government proposed to allocate to Scottish Borders Council in 2018/19. It provided details on the main components of the grant settlement, updated funding assumptions made over grant levels, highlights significant movements from the previous grant settlement and provided Members with a revised resource total to allow political groups to plan for budget allocations in 2018/19. It was highlighted that the headline reduction in grant to local government next year would be 1.5%, compared to the 3% grant reduction assumed to date in budget planning totals. The draft settlement reduced the savings required in the budget from £13.46m to £9.663m. The variance was £3.797m when the updated funding position was compared with the 2018/19 draft plan shared with political groups. The Council's Corporate Management Team would continue to work with political groups to deliver budget proposals that ensured the Council was planning for longer term sustainability. It was noted in this regard that any headroom that could be created in the budget through the early delivery of savings would help to meet future projected funding gaps and fund spend to save initiatives particularly in respect to care services for both adults and children where significant future pressures were likely. The settlement required Councils to fund various items. These included, new burdens (including the expansion of early years child care), the ongoing process of health and social care integration and a range of pressures, the most significant of which were pay awards and older peoples demographics. Details of known pressures and required adjustments were detailed in the report. The report also explained that the capital settlement indicated a reduction in capital resources of £2.4m next year which would have to be funded.

DECISION

AGREED:-

- (a) to note the updated information on the revenue and capital budgets for 2018/19 following publication of the draft local government finance settlement and that the figures contained in section 3 of the report be used by political groups in preparing their budgets for 2018/19 pending further information;**
- (b) that Members would continue to work with Corporate Management Team to consider those savings measures proposed in budget packs and assess them for inclusion in the budget with a particular focus on the earliest possible realisation of benefits and a focus on spend to save initiatives; and**
- (c) that Members would give due consideration to their political service priorities, for both revenue and capital, recognising the overall need to set a balanced budget for 2018/19 that is sustainable in the longer term.**

MEMBER

Councillor Marshall left the meeting.

11. COMMERCIAL AND COMMISSIONED SERVICES STRATEGY

There had been circulated copies of a report by the Chief Financial Officer seeking approval of the Commercial & Commissioned Services Strategy 2018 - 2023 in order that it could be published to meet the legal deadline of 31st December 2017. The report explained that the Procurement Reform (Scotland) Act 2014 set out specific duties for contracting bodies (including Local Authorities). These duties included the publishing of a procurement strategy and, in due course during 2018, an annual report on delivery of the strategy. The introduction of this legislation, the challenging financial climate, and the opportunities presented by the Corporate Plan and Transformation Programme, all combined to create a set of circumstances to positively refresh the Council's approach to procurement, commissioned and payment services through this new strategy. A copy of the Strategy was appended to the report. In response to a question it was noted that legislation did not allow the Council to require companies to pay the living wage but they did encourage it.

DECISION

AGREED to approve the Commercial & Commissioned Service Strategy as set out in Appendix 1 to the report.

12. CHARITY REORGANISATION UPDATE

With reference to paragraph 9 of the Minute of 30 March 2017, there had been circulated copies of a report by the Chief Financial Officer providing an update on the progress of the reorganisation of the Council's registered and unregistered Trust Fund Charities and proposes the amalgamation of some Trusts. The report explained that Scottish Borders Council currently administered a number of Trust Funds and Bequests for a range of purposes, which it inherited from previous Scottish Borders Town, County, District and Regional Councils. There was a mixture of Charities registered with HMRC, and subsequently OSCR (Office of the Scottish Charity Regulator) and some unregistered. Through the passage of time, the purpose or low value of the funds had resulted in many no longer being able to be disbursed. Following a report to Council on 30 January 2014, work had commenced on the establishment of 3 OSCR registered new Trusts and the reorganisation of Trusts into the new Trusts. On 21 May 2015, Council agreed to reorganise some of the registered Trusts into the 3 new Trusts and also amended the Scheme of Administration to establish Charitable Sub Committees and approve amendments to the Scheme of Delegation for grants to be disbursed from the SBC Education Trust and SBC Welfare Trust. A further report was approved on 30 March 2017 which agreed the dispersal of ten trusts to other organisations and agreed a process and timetable for the review of the remaining trusts. The aim of the review was to, where possible, reorganise the trusts into the 3 new OSCR registered Trusts, whilst preserving the ethos and locality of the original trusts. Two consultation meetings had been held in each locality area with invitations to all Members and Community Councils. Additional meetings had also been held with interested groups and members of the public. OSCR had also been consulted on the process and recommendations contained within the report. The various appendices to the report contained details of the proposed criteria to be used in the disbursement of grants from the Trusts, recommended amalgamations of individual into the 3 new Trusts, those which had been fully disbursed during the consultation, Trusts where work was currently ongoing with the Community to finalise either one-off projects or further recommended amalgamations and the remaining 50 Trusts where there was currently no recommended outcome. Members supported the proposals. Councillor Bell proposed that the fund for the re-painting of the Walter Scott Monument in front of the Clovenfords Hotel should be transferred to Neighbourhood Services as they always carried out the work. This was unanimously approved.

DECISION

AGREED to:-

- (a) note the consultation undertaken on the re-organisation of the Council's Charitable Trust Funds;**
- (b) approve the criteria detailed in Appendix 2 to the report for the SBC Community Enhancement Trust;**
- (c) approve the criteria detailed in Appendix 3 to the report for the SBC Welfare Trust;**
- (d) the amalgamation of the 70 individual Trusts detailed in Appendix 4 to the report into the SBC Welfare Trust, subject to approval from OSCR for those registered;**
- (e) the amalgamation of the 99 individual Trusts detailed in Appendix 5 to the report into the SBC Community Enhancement Trust, subject to approval from OSCR for those registered;**

- (f) **note the ongoing work for the individual Trusts detailed in Appendix 6 to the report;**
- (g) **note that a further report would be presented by the Service Director for Children and Young People for the Education Trusts detailed in Appendix 7 to the report;**
- (h) **disband the Charitable Trusts Sub-Committees and remove these from the Scheme of Administration;**
- (i) **amend the Scheme of Delegation to replace the delegated authority for the Service Director Customer and Communities “to make payments to individuals or families from SBC Welfare Trust according to set criteria” with the following:**
 - (i) **Approve applications for funding up to the value of £500 from the SBC Community Enhancement Trust and SBC Welfare Trust;**
 - (ii) **Approve applications for grants from £501 to £2,500 to the SBC Welfare Trust, subject to the agreement of at least 50% of the Members in the relevant Wards; and**
 - (iii) **Approve applications for grants from £501 to £5,000 to the SBC Community Enhancement Trust, subject to the agreement of at least 50% of the Members in the relevant Wards.**
- (j) **amend the Scheme of Administration to add that the Executive Committee should approve grants from the SBC Welfare Trust and SBC Community Enhancement Trust, in situations where grant applications exceed the limits specified in the Scheme of Delegation or less than 50% of the Members in the relevant Wards are in agreement; and**
- (k) **that the Sir Walter Scott Statue Fund in the sum of £832 be transferred to Neighbourhood Services.**

13. TREASURY MANAGEMENT MID-YEAR REPORT 2017/2018

There had been circulated copies of a report by the Chief Financial Officer presenting the mid-year report of treasury management activities for 2017/18, in line with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice, including Prudential and Treasury Management Indicators, and seeking approval for the revised Prudential and Treasury Management indicators. It was explained that the report was required as part of the Council’s treasury management control regime. It provided a mid-year report on the Council’s treasury activity during the six month period to 30 September 2017 and demonstrated that Treasury activity in the first six months of 2017/18 had been undertaken in full compliance with the approved Treasury Strategy and Policy for the year. Appendix 1 to the report contained an analysis of the performance against the targets set in relation to Prudential and Treasury Management Indicators, and proposed revised estimates of these indicators in light of the 2016/17 out-turn and experience in 2017/18 to date for Council approval.

DECISION

- (a) **NOTED that:-**
 - (i) **treasury management activity in the six months to 30 September 2017 was carried out in compliance with the approved Treasury Management Strategy and Policy; and**
 - (ii) **the Audit & Scrutiny Committee had scrutinised this report on 25 September 2017.**

- (b) **AGREED the revised Prudential and Treasury Management indicators as detailed in Appendix 1 to the report.**

14. ARRANGEMENTS FOR BY-ELECTION IN THE SELKIRKSHIRE WARD

There had been circulated copies of a report by the Chief Executive providing information on the arrangements for the by-election to be held in the Selkirkshire Ward, following the resignation of Councillor Ballantyne. The report explained that Councillor Ballantyne resigned from the Council with effect from 30 November 2017. The Chief Executive, as Returning Officer, had fixed the date of the by-election for the subsequent vacancy in the Selkirkshire Ward as Thursday 22 February 2018, with the count taking place – by electronic means – on Friday 23 February 2018, starting at 10.00 a.m. There would be 13 polling stations located at St Mary's Hall, Cappercleuch; Boston Hall, Ettrick; Yarrow Village Hall; Kirkhope Village Hall; Philiphaugh Community Centre; Selkirk Parish Church Hall; Victoria Hall, Selkirk x 2; Ashkirk Village Hall; Lilliesleaf Village Hall; Midlem Village Hall; Bowden Village Hall; and Newtown Community Wing. Early indications were that the cost for the by-election was likely to be between £25k and £28k.

DECISION

NOTED the following arrangements for the by-election for the Selkirkshire Ward:-

- (a) **Polling Day was fixed as Thursday, 22 February 2018; and**
- (b) **the costs associated with the staffing, printing, supplies, venue hire, electronic equipment hire, and other expenses incurred by the Returning Officer, would be met from existing budget.**

15. COMMITTEE APPOINTMENTS/REPRESENTATIVES ON OUTSIDE BODIES

It was noted that some appointments needed to be made following the resignation of Councillor Harry Scott from the Administration and Councillor Ballantyne from the Council.

15.1 JCG Teachers

Councillor Mountford, seconded by Councillor Edgar, nominated Councillor Haslam and this appointment was unanimously approved.

15.2 Armed Forces and Veterans Champion

Councillor Haslam, seconded by Councillor S Hamilton, nominated Councillor Greenwell and this appointment was unanimously approved.

15.3 EDF Energy Torness Power Station Liaison Committee (2 places)

Councillor Haslam, seconded by Councillor Brown, nominated Councillor S. Scott. Councillor Bell, seconded by Councillor Fullarton, nominated Councillor Laing. Both appointments were unanimously approved.

15.4 Scottish Councils Committee on Radioactive Substances

Councillor Haslam, seconded by Councillor Miers, nominated Councillor Mountford and this appointment was unanimously approved.

15.5 Edinburgh Airport Consultative Committee

Councillor Haslam, seconded by Councillor Greenwell nominated Councillor C Hamilton. Councillor Bell, seconded by Councillor Paterson, nominated Councillor Moffat. There being two nominations in terms of Standing Order 43(a) the vote was taken by secret ballot. The counted votes were as follows:-

Councillor C Hamilton – 18 votes

Councillor Moffat – 9 votes

Councillor C Hamilton was accordingly appointed.

15.6 Lowland Reserves Group

Councillor Haslam, seconded by Councillor Edgar, nominated Councillor Greenwell and this appointment was unanimously approved.

15.7 Live Borders

Councillor Haslam, seconded by Councillor Weatherston, nominated Councillor Richards and this appointment was unanimously approved.

15.8 Newtown Community Centre Wing

Councillor Bell, seconded by Councillor Rowley, nominated Councillor Edgar and this appointment was unanimously approved.

DECISION

AGREED to approve the appointments as detailed above.

16. URGENT BUSINESS

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

17. CALENDAR OF MEETINGS

The Convener advised that changes were required to the calendar of meetings as follows:-

- (a) Additional Council meeting on 25 January 2018. It was also proposed to have a Council meeting on the last Thursday of every month and further details would be provided in due course;
- (b) Move the Executive Committee meeting from 13 February to 14 February 2018 to avoid a school holiday;
- (c) Move the Council meeting on 22 February 2018 to 1 March 2018 to avoid the Selkirkshire By-election; and
- (d) Move the Community Planning Strategic Board from 1 March to 8 March 2018 due to the change at (c) above.

DECISION

AGREED the changes detailed above.

18. PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

19. Minutes

The private sections of the Council Minutes of 2 and 30 November 2017 were approved.

20. Committee Minutes

The private sections of the Committee Minutes as detailed in paragraph 5 of this Minute were approved.

21. Common Good and Trust Fund Investments

Member approved a report by the Chief Financial Officer on the appointment of a new Fund Manager.

Adjournment

The Convener adjourned the meeting at 1 p.m. for lunch and reconvened the meeting at 2 p.m.

22. Tweedbank Future Development Opportunities

Members approved a joint report by the Executive Director (R. Dickson) and Service Director Assets and Infrastructure on future development opportunities at Tweedbank.

The meeting concluded at 3.35 p.m.

SCOTTISH BORDERS COUNCIL
21 DECEMBER 2017
APPENDIX I

OPEN QUESTIONS

Questions from Councillor Paterson

To the Executive Member for Roads and Infrastructure

1. What has happened to the Council's Waste Management Plan which was approved by the previous Council on 25 June 2015? Can the Executive Member please tell us if this Administration has scrapped the previous Administration's plans for kerbside collections, and, if so, what plans do they have?

Answer from Councillor Edgar

The review of the kerbside collection service is a key component of the Council's Waste Management Plan that seeks to provide a waste service that is both fit for purpose and financially sustainable in the long term and this was recently discussed at a presentation provided by Waste Services on 4 October 2017, which was well attended by elected members.

It is anticipated that a report will be brought to Council in the early part of 2018, which will outline the findings of the review that has been undertaken with the support of Zero Waste Scotland.

2. Can the Executive Member please tell me what the take up is in Border Towns with regards collections of food waste and is it still accurate to say that Hawick has one of the worst collection rates of all Borders Town?

Answer from Councillor Edgar

I can confirm that the average participation level in the 5 Border towns which receive a food waste collection is 30.6%.

The town with the highest participation level is Peebles at 48.5% and the town with the lowest participation level continues to be Hawick at 21.6%.

Supplementary

Councillor Paterson asked if adverse publicity when collections began had affected collection rates in Hawick. Councillor Edgar advised that he did not think that was the case and that this was only a pilot scheme to see how people responded.

3. Can the Executive Member please let me know if there are any plans to do urgently required work to fix the very real problems with flooding at Ettleton Cemetery in Newcastleton with one Community Councillor saying that the burial lair had to be pumped out before his father was interred?

Answer from Councillor Edgar

The Council is currently undertaking a flood study in Newcastleton as set out within the Solway Flood Risk Management Plan 2016 – 2022. As this only looks at flood risk within Newcastleton and the catchment above the town, the Ettleton Sike – which runs next to the Ettleton Cemetery - is not considered within this study.

On 5th December, members of the Flood Team attended Newcastleton Community Council meeting and previewed the provisional flood study map outputs, whilst seeking feedback from the community. The issue with the Cemetery was not raised at that time.

The Neighbourhood Operations team however have noted that the operational implications of excavating land are that water can run off into those excavations. It is normal procedure therefore when preparing burial lairs prior to interment and during periods of wet weather, for water to be pumped out of those excavations prior to interment and backfilling.

At Eittleton Cemetery, the team are aware that drainage issues can occur, and where this is the case the burial lairs at those locations are no longer offered for purchase and members of the public are offered alternative burial lairs elsewhere within the cemetery.

The flood team and the neighbourhoods team have therefore been asked to jointly review the position and report back to the Service Director Assets & Infrastructure.

Supplementary

Councillor Paterson asked if Councillor Edgar did not consider that something needed to be done now given the views of the people of Newcastleton. Councillor Edgar reiterated that the matter had not been raised when the Flood team had met with the Community Council but that the matter was now to be reviewed.

4. Executive Member for Neighbourhoods and Locality Services

Some Councillors and candidates made a big thing about the amount of dog mess in Hawick before and during the last Council elections with much criticism of the previous administrations handling of the problem. Can the Executive Member please tell me what this Administration are doing other than trying to educate people about picking up after their dogs?

Answer from Councillor Aitchison

The Council continues to implement the Responsible Dog Ownership Strategy including enforcement. A report on the previously agreed strategy is emerging which details lessons learned and provides options for members for the Council to consider in its future approach to Responsible Dog Ownership in the Borders.

This scourge is a consistent problem nationally and locally and in order to turn this problem around we must take a longer term view and employ resources consistently and regularly recognising the many successes that a sustained programme will deliver and focus on those and the vast majority of responsible Dog Owners in the Borders.

Supplementary

Councillor Paterson asked if more should not be done about this problem which seemed to be getting worse. Councillor Aitchison advised that people knew that it was something they should not do and it was an abuse on society. The Council was looked upon as the people who tidy things up but with limited resources this was not always possible. He commented on the good work with primary schools in Galashiels which had made a difference in that area and emphasised the need for everyone to play their part with regard to this problem.

5. To the Leader

With the Chancellor making a big thing about the Borderlands deal, can the Council Leader please tell the Council what progress has been made regarding suggested programmes from SBC, and who will be representing Scottish Borders Council when we meet the other Councils involved in the Borderlands deal?

Answer from Councillor Haslam

Cllr Paterson, to date there have been preliminary discussions between the five Councils, the Scottish Government and the UK Government. Those discussions have addressed the possible themes around which a Deal might be developed. As I have previously made clear, infrastructure including hyperfast broadband, energy efficiency and supporting a low carbon economy are all areas of significance that we will seek to address. We will of course also make the case for extending the Borders Railway to Hawick and Carlisle via Newcastleton.

The governance arrangements around a Borderlands Deal have not been agreed yet, but to date I have been involved, along with Cllr Rowley as Executive Member for Business and Economic Development. The Chief Executive, Tracey Logan, has also been involved and I would expect this high level engagement to continue as the Borderlands proposals are developed in more detail in 2018. I believe that if any Deal is to be done it will have to benefit as many communities across

the Borders as is possible. As a Tweeddale Councillor you have my assurance this will not be a Deal that benefits just the Central Borders.

Supplementary

Councillor Paterson asked what would be done for the people in Newcastleton. Councillor Haslam advised that the Deal would benefit the whole of the Borders, not just the central part.

Questions from Councillor Moffat

To the Executive Member for Roads and Infrastructure

1. Greenlaw Parent Council has asked if consideration has been given to installing CCTV in Primary Schools for general security and where there have been previous and current issues with vandalism of the education buildings/grounds?

Answer from Councillor Edgar

Consideration has previously been given to the installation of CCTV cameras within Primary Schools and a number of schools currently have systems installed. Property Services are currently assessing the options for Greenlaw Primary School, which include:

- a) Full CCTV Installation
- b) Imitation camera installation
- c) Roaming/Movable camera installation (as part of a trial of new technology)

2. There is a current issue with pigeon droppings on the steps of Coldstream Town Hall and surrounding area; and the gutters need cleaned out.

- (a) Has consideration been given to adding more spikes to the frontage/ledges of the building to stop pigeons roosting?
- (b) Has any consideration been given to culling pigeons?
- (c) What are the current maintenance arrangements for Coldstream Town Hall?

Answer from Councillor Edgar

- a) Property Services are considering the installation of additional spikes.
- b) There has been no consideration of culling.
- c) Coldstream Town Hall remains the responsibility of SBC and is maintained by Property Services as a Council asset.

Supplementary

Councillor Moffat asked if more would be done to look after this building. Councillor Edgar advised that all properties were looked after, assessed and repaired when necessary.

3. To the Executive Member for Business and Economic Development

How are the Duns and Coldstream Business Parks being marketed, as there is a public perception that nothing is happening on either site? Is there any particular encouragement (e.g. financial or other support package) available for potential employers/businesses?

Answer from Councillor Rowley

Coldstream Business Park and the extension at Duns Industrial Estate have been advertised in the Scottish Institute of Directors magazine and marketed several times over the last 3 years in Commercial Property Monthly, a UK property magazine. The business development plots are also promoted on two websites, the Council's own internet pages and with CoStar who publicise UK and international property. There is prominent signage at the site entrances.

In addition to site specific enquiries, we encourage inward investment and local enterprises looking to expand to consider developing their businesses at Duns and Coldstream.

The plots are for sale at the market value for serviced business land. Businesses eligible to purchase are small and medium sized enterprises creating new jobs, and the land is available for Planning Use Classes 4, 5 & 6.

Whilst it may appear that nothing is happening on site, this is not the case. One plot at Coldstream is now 'under offer', while three other businesses also expressed interest in plots, but have not been able to take that interest forward. At Duns there are 3 businesses at the planning stage, and 5 previous enquirers have either changed their plans or decided that the capital investment required was too great.

Business Gateway can offer bespoke packages of support for these business growth opportunities. This can include professional help with developing business plans to seek finance. For plots at Coldstream and Duns, businesses could be eligible for Regional Selective Assistance, which is administered by Scottish Enterprise. Grants on a smaller scale may also be available through the Council's 'Scottish Borders Business Fund'. Loans are also potentially available through Business Loan Scotland and the Scottish Borders Business Loan Fund.

Supplementary

Councillor Moffat asked if local people and businesses had been discouraged because they did not meet the criteria for the sites, e.g. did not employ enough people or were in the wrong type of business. Councillor Rowley advised that the Economic Development service was working with businesses which did not meet the criteria but acknowledged that the original funding conditions did preclude some businesses.

Question from Councillor Ramage

To the Executive Member for Children & Young People

2018 is the Year of Young People which was launched by the Scottish Government recently although, as a council, we have been aware of this initiative for many months.

We run very successful projects throughout the year, Crucial Crew, Rural Day, Voice of my own to name but a few. Indeed our own Youth Borders was recognised as an example of best practise in a recent joint inspection for Children and Young People's services in the Scottish Borders which support 3500 young people.

Shetland have organised the BIG Takeover which is a brand-new, exciting event for young people that will deliver a full programme of arts, culture and sports on a scale that has never been seen before - they say! Can I ask what SBCs plans are for this coming Year of Young People 2018?

Answer from Councillor C. Hamilton

It is pleasing to see the reference to the commendation of the quality of youth services in the recent inspection of community learning and development in the Scottish Borders. It is important to note that strategic leadership and vision were highlighted as key strengths. As part of our vision we see young people as key leaders in their communities. Last year we started to plan for the Year of the Young Person (YOYP); the Children's Planning Group decided to recruit and appoint young champions from each secondary school who would represent the views of the young people in their local area. Work has started with the champions to gather ideas of what they want to see happening in the Borders as part of the YOYP.

In January the Champions are going to lead workshops involving young people across localities to pull together the main ideas for the YOYP and arrive at a programme which celebrates and develops existing events such as the Rural Schools Day for Primary 5 Children but also brings new events and develops more young people networks across the Scottish Borders.

The Planning Group have considered ideas too by looking at national activity already promoted for the YOYP and we were pleased to see that a number of activities being programmed for the YOYP already take place in the Borders. One idea we have had is a music and arts festival for secondary pupils at Springwood Park. Also all our secondary schools are expected to achieve their LGBTi chartered status in 2018 so we wish to celebrate this achievement.

The planning workshops led and facilitated by the young people early in 2018 will consider all existing events and all ideas for new events, activities and networks. The Director will look at budgets allocated for schools cluster working to ensure there is funding to support the ideas developed by the young people in this special year. The outcome of the January Workshops will be

presented to the Executive in February and Members will receive an invite to participate in the workshops too.

The YOYP is an exciting year but it is important that we build legacy out of it and this will be one of the themes within the workshops in January.

A full Comms strategy will be included as part of the Executive Papers in February.

The CYP Directorate very much welcomes Member involvement in the YOYP and looks forward to Member attendance at the workshops at the end of January. Please note dates /invites will be circulated week beginning 8th January.

Supplementary

Councillor Ramage asked that all Councillors play their part. Councillor Hamilton confirmed that there would be a full strategy and Councillors would be invited to join workshops led by young people.

Question from Councillor Robson

To the Executive Member for Children & Young People

Can the Executive Member advise whether the availability of Educational Maintenance Allowance is routinely highlighted to qualifying young people who have a Co-ordinated Support Plan?

Answer from Councillor C. Hamilton

The schools promote Educational Maintenance Allowance's during June and August. Schools are provided with information to be issued to pupils. It is also advertised on Radio Borders, SBC website and social media outlets throughout July, August and September. Posters and leaflets are also distributed to schools, contact centres, youth centres and libraries. A message is also sent to eligible pupils; this will include young people who have co-ordinated support plans.

As part of the Community Planning Partnership's Reducing Inequalities Strategy we have gathered information on the uptake of EMAs in localities. There are plans to make the application process much more accessible as we move forward and to provide support to families to make applications including those with children with CSPs.

Supplementary

Councillor Robson asked if the Council could ensure that out-with the promotion period that those receiving CSPs were notified in advance. Councillor Hamilton confirmed that she would liaise with the Service Director on this.

Questions from Councillor S. Hamilton

1. To the Executive Member for Business and Economic Development

Considering the disappointing announcement from the Royal Bank of Scotland the other week, can the Executive Member confirm if there is anything the council will be doing to mitigate the impact on residents from this abandonment of branch services in the borders?

Answer from Councillor Rowley

Cllr Hamilton, unfortunately I believe that the direction of travel on these closures is inevitable. But I also believe that these closures are premature and too drastic given our existing digital connectivity issues, poor transport and our significant aged demographic.

I think that RBS could, and should, come up with a better exit strategy that includes a phased branch-by-branch approach, a commitment to maintaining ATMs, or even introducing new machines that offer a wider range of services. I think they have options to reduce the negative impacts of these closures, whilst still achieving their goals.

RBS also need to make a greater commitment to business banking. We have an ambitious Council, a new Economic Agency, City Deal, Borderlands, Innovation and Business Parks and incubator hubs etc - is that the landscape for banks to retreat from?

I intend to challenge RBS to be more imaginative and will write formally to the bank's head office and push them on their evidence and encourage them to consider more imaginative models of community banking.

2. To the Executive Member for Roads and Infrastructure

The town of Jedburgh has been virtually forgotten about in recent years with regards to recycling and waste management. Since the election, constituents have asked repeatedly why is Jedburgh not being brought into line with other towns in the area and provided with some form of community recycling centre?

Answer from Councillor Edgar

The Council currently provides a network of 7 Community Recycling Centres across the Scottish Borders where residents can deposit waste and recycle.

A recent review of the Council's CRC provision has confirmed that it compares favourably with other similar Scottish Local Authorities and best practice guidance, as we provide 1 facility for every 8,262 households compared to the Scottish Average of 1 facility for every 18,358 residents.

In addition 96.5% of households are within a 20 minute drive of a facility, which increases to 98.9% within a 30 minute drive which is entirely in line with best practice guidance for rural areas.

While it is understood that a new facility in Jedburgh would be well received and well-used there is neither a business case nor the financial resources within the Waste Services budget to provide and support a facility without further significant investment. For example, Kelso and Selkirk Community Recycling Centres each cost in the region of £900,000 to develop excluding the ongoing annual revenue costs associated with staff, site maintenance, regulatory compliance and haulage.

The findings of the Community Recycling Centre review will be brought to Members shortly.

Supplementary

Councillor Hamilton asked if a centre in Jedburgh would not help overall recycling rates. Councillor Edgar acknowledged that this would help but something else would need to close to fund it.

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EDUCATION GOVERNANCE REVIEW: NEXT STEPS

Report by Service Director, Children and Young People

SCOTTISH BORDERS COUNCIL

25 January 2018

1 PURPOSE AND SUMMARY

- 1.1 This report provides Elected Members with an update on the position of the Association of Directors of Education in Scotland (Appendix 1) in response to the "Governance Review: Next Steps" paper (Appendix 2) published in June 2017 by the Scottish Government. It also provides a proposal regarding Regional Collaboration that has been produced by the South East Alliance in response to the Next Steps paper "South East Alliance: South East Improvement Collaborative: Collaboration to Deliver Excellence and Equity" (Appendix 3).
- 1.2 The Scottish Government published its Education Governance: Next Steps paper in June 2017 in response to the Delivery Plan and Consultation document "Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education". Scottish Borders Council submitted an extensive response to this consultation (Appendix 4). At the heart of this response was a clear statement of the Borders' identity as a region in its own right, the importance of local partnership working in delivering education and the statutory responsibility of Scottish Borders Council to provide education and be accountable for the outcomes delivered for children and young people. This response also highlighted the importance of the partnership agenda in localities and communities and highlighted why services for children and young people must be part of local government governance, as the school exists within a wider concept of service delivery and cannot be separated out from the range of service provision and partnerships available locally if the Getting It Right For Every Child (GIRFEC) principles are to be realised. This submission was very much in accordance with the submissions made by Headteachers through their local Associations and Trade Unions, who all declared nationally that improving the quality of education was not about new structures and the centralising of education.
- 1.3 The draft position statement by ADES (Appendix 1) listed (in Section B) the key issues. The South East Improvement Collaborative paper has addressed these issues by making clear statements on page 8 "The South East Improvement Collaborative Governance Arrangements", stating that

“Importantly the work of each local education authority will continue to be overseen through existing governance arrangements, maintaining local government accountability for the delivery of education services to each community and local area.”

2 RECOMMENDATIONS

- 2.1 It is recommended that the Council notes the South East Improvement Collaborative proposal as detailed in Appendix 3 and Scottish Borders Council’s continued role in the South East Improvement Collaborative.**

3 BACKGROUND

- 3.1 Scottish Borders Council Education Service operates within a Children's Service (Education, Social Work and Community, Learning and Development), which is enhanced by a partnership approach with the NHS, Police Scotland, third sector and voluntary sector in delivering excellence and equity in the four priorities set out in the National Improvement Framework:
- i. Improving attainment, particularly in literacy and numeracy;
 - ii. Closing the attainment gap between the most and least disadvantaged children and young people;
 - iii. Improving children and young people's health and wellbeing; and
 - iv. Improving employability skills and sustained positive school leaver destinations for all young people.
- 3.2 It is the view of the Council that the drive on improvement must start at local level with local accountability and governance and in simple terms the Council views regional collaboration as activity, in addition to what is happening locally. Indeed regional collaboration is not new and Appendix 5 highlights the regional collaborative work that has been ongoing in the last eighteen months involving Scottish Borders, City of Edinburgh, East Lothian and Midlothian, with West Lothian partaking in some regional collaborative activity and Fife joining in with some of the work in the last six months. The Council recognises the importance and advantages of regional collaboration, but is quite clear that there are some concerns in the information and interpretation of the contents within the Next Steps Paper.
- 3.3 Scottish Borders Council has participated in discussions within the South East Alliance and is comfortable with the contents and proposals within the South East Improvement Collaborative Proposal document (Appendix 3). Officers are currently involved in the creation of plans and workstreams to support the work of the Collaborative. Clearly there are links with the Regional Collaboratives and the Consultation on the Education (Scotland) Bill 2018. A separate report (being considered as a separate item on this Agenda) provides the Council's responses to the Consultation.
- 3.4 The fundamental assurance the Council is seeking from Elected Members is the recognition that the heart of collaboration to improve outcomes for children and young people lies in the Scottish Borders. It is important to recognise that our staff at school, Council and partner level collaborate in a wide range of ways and have a broad range of roles, remits and responsibilities that sit outwith the scope of the Next Steps Paper and are key to delivering education provision for children and young people in the Scottish Borders, ie that the regional collaboration is in addition to all of this activity and responsibility and that governance of outcomes for children and young people, including educational outcomes, lies with the

Elected Members of Scottish Borders Council and not with a regional body. The Council has the legal responsibility for education provision and is held to account by parents locally for outcomes for children and young people. The Council's response to the Education Bill consultation highlights the vital partnership work between locality partners, community, the Local Authority and schools. Notwithstanding all of this, the Council also recognises the importance of collaboration at regional level where appropriate; it is the view of the Council that the South East Improvement Collaborative sets out appropriate next steps in response to the Next Steps Paper and recognises the journey of collaboration that was embarked upon eighteen months ago by the South East Alliance partners.

3.5 Conclusion

It is recommended that the Council approves the South East Improvement Collaborative proposal and Scottish Borders Council's participation in the South East Improvement Collaborative.

4 IMPLICATIONS

4.1 Financial

There are no costs attached to any of the recommendations contained in this report.

4.2 Risk and Mitigations

There are risks within the Governance Review that could affect the outcomes for children and young people in the Scottish Borders if some of the suggested steps are taken by National Government. The Council has outlined these risks in a separate paper being considered on this Agenda.

4.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications at this stage as it is a consultation.

4.4 Acting Sustainably

There could be significant sustainability issues if elements of the Governance Review proceed as indicated in the Education Bill (considered in a separate report on this Agenda).

4.5 Carbon Management

No effects on carbon omissions.

4.6 Rural Proofing

There is no change to any strategy linked to rural proofing.

4.7 Change to Scheme of Administration or Scheme of Delegation

There are no changes to either the Scheme of Administration or Scheme of Delegation as a result of the proposals in this report.

5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.

Approved by

Donna Manson **Signature**
Service Director, Children and Young People

Author(s)

Name	Designation and Contact Number
Donna Manson	Service Director, Children and Young People

Background Papers:

Previous Minute Reference:

Appendices: Appendix 1 – Education Governance Review – Draft ADES Position Statement

Appendix 2 – Governance Review Next Steps – Scottish Government

Appendix 3 – South East Improvement Collaborative

Appendix 4 – Education Governance Review Consultation Response

Appendix 5 – South East Alliance Key Priorities

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Donna Manson can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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Education Governance Review: Next Steps

Draft ADES Position Statement for Directors' Forum September 2017

A. Introduction

ADES accepts the need for change in the system to meet the demands of a changing public service and supports the broad principles which lie at the heart of the Next Steps document: the importance of effective collaborative work; and the case for empowering schools to make decisions which allow them better to meet the needs of their local communities. ADES has been promoting inter-authority partnerships since 2014, with informal partnerships and joint working arrangements which pre-dated that time, and has taken the lead in establishing Regional Collaboratives. There is much research that tells us that collaboration and partnership working is most effective when all layers of the system are attuned to achieving the same outcomes and willingly work together in pursuit of the agreed goals.

ADES has also consistently stressed how fundamental it is that the Governance Review should support the broader children's services and GIRFEC agendas, given our view that children and young people must be placed at the centre of everything we do.

The aims of the Next Steps paper will only be achieved if the resultant changes enable all parties to deliver fully the Scottish Government's priority policies on excellence and equity in education.

This position statement by ADES offers a constructive and informed view of the issues to be addressed in order to retain the integrity of the Government's drive towards greater school autonomy within a more collaborative culture. It also highlights the key issues which require to be addressed to ensure that the future direction is supported by all stakeholders.

B. Next Steps: Key issues

ADES has been actively engaged in the Steering Group on Regional Collaboratives which has been co-chaired by the Scottish Government and SOLACE and on which COSLA and Education Scotland are also represented. This group was scheduled to report by 8th September. However, a number of key issues remained unresolved at that time and further discussions were later scheduled. Moving forward, the core issues which ADES believes require to be addressed or clarified are as follows:

- There are a number of issues associated with the role, status and reporting duties associated with the post of 'Regional Director'. The proposed changes in their present form represent a significant shift in current governance and accountability roles; this requires further dialogue.
- Appointing a Regional Director from outwith the collaboratives would not allow the desired change agenda to move at pace. The establishment of "Regional Coordinators", from within each collaborative, would support the "bottom up" approach to collaborative working which research tells us has greatest impact. It would also reflect more accurately the nature of their role. The post holders would be better placed as senior officers drawn from and selected by the constituent local authorities, with appointments being made on a fixed term basis with reporting lines to the Chief Executives of the local authorities and to the Chief Executive of Education Scotland. Regional Coordinators would lead a collaborative team consisting of the Directors/Chief Education Officers of the local authorities within the collaborative, Education Scotland Area Lead Officers and other staff from the local authorities, Education Scotland and other organisations as required.
- The transfer of improvement functions and associated responsibilities to Regional Collaboratives, as currently proposed, would reduce the power and integrity of local authorities who would then be responsible only for, operational functions in relation to school education. Separating the operational from improvement functions may bring about the opposite outcome to that which is intended.
- There is scope to review the proposal and increase the balance of responsibility across regional and local areas. The proposal to transfer responsibility for improvement to centrally managed regional collaboratives weakens local democratic accountability for the key improvement function within education. It is important to identify more collaborative ways of working while retaining local democratic accountability for key aspects of education. If Regional Coordinators are appointed by the constituent local authorities and lead a team which includes Chief Education Officers and others, then local democratic accountability would be retained, since Chief Education Officers would report for scrutiny purposes to local authority Education or Children's Services Committees (or equivalent) on improvement activities and outcomes both within the relevant local authority and across the Regional Collaborative.
- The means by which local authorities will be required to "provide staff" to the regional collaboratives is not straightforward. Almost all local authority staff who currently contribute to the improvement and quality assurance agendas also have many other duties within their job descriptions given the nature of the Children Services' agenda.
- The nature of staff deployment and engagement with a collaborative (part-time or full time, long-term or short term) will require to be determined by the needs of the collaborative and the needs of the local authority. Issues of equity will require to be carefully addressed to reflect the different sizes of quality improvement resources across local authorities (some local authorities do not have distinct quality improvement teams).

the school and the community which it serves. In addition, it must be in partnership with the local authority, as the employer of the head teacher and her/his staff. Local authorities need to retain the ability to re-deploy staff in, for instance, circumstances where there are falling school rolls or when a welfare transfer of a member of staff is clearly desirable. Head teachers should also be expected to work, not only within national policy guidelines, but within local authority policies on, for instance, ASL and Pupil Exclusion.

- The future role of Education Scotland for raising standards, promoting quality improvement at regional and local level, for leadership development and for maintaining the Inspection programme is challenging. This is a significant time of change for Education Scotland and a reinvigorated agency will require to work in partnership with all stakeholders in order to achieve improvements across the system. The risk of a conflict of interest between the inspection function of Education Scotland and its responsibilities for developing the curriculum and quality improvement must also be mitigated.
- The proposed changes will pose significant leadership challenges for Scottish Education, at both school and regional levels. If SCEL is to be subsumed within Education Scotland, it is essential that a strong focus on leadership development is prioritised within a revitalised Education Scotland. It will be crucial that head teachers are properly equipped to assume greater levels of responsibility and that the leaders of and other staff involved in the Regional Collaboratives are sufficiently skilled to lead improvement across their regions for the benefit of Scotland's children and young people.

C Conclusion

ADES believes that systemic improvement in Scottish Education and Children's Services will only be achieved if all stakeholders work together in a spirit of collaboration. It is therefore essential that any proposals for significant reform have the support of those stakeholders. ADES believes that the position outlined within this document will not only attract widespread support across the system; it will also retain local democratic accountability for education while delivering 44the Scottish Government's policy aims of achieving greater school autonomy within a more collaborative culture. It also promotes the key strategic policy drivers of Excellence and Equity within the overarching principles of Getting it right for every child.

September 2017

EDUCATION GOVERNANCE: NEXT STEPS

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CONTENTS

Ministerial Foreword	1
Executive Summary	3
Chapter 1 Introduction	9
Chapter 2 The Case for Change	13
Chapter 3 A school and teacher-led system - Empowering teachers, parents and communities	23
Chapter 4 Educational improvement services to support a school and teacher-led system	30
Chapter 5 Delivering an empowered system - The Next Steps	42

FOREWORD BY THE DEPUTY FIRST MINISTER AND CABINET SECRETARY FOR EDUCATION AND SKILLS



Improving the education and life chances of our children and young people is the defining mission of this Government. Our vision for education is to close the unacceptable gap in attainment between our least and most disadvantaged children and to raise attainment for all.

While there are many strengths in Scottish education, and much to celebrate, it is also clear that we can, and must, achieve more. The attainment gap is not unique to Scotland and will not be closed easily, but we must have an education system which allows children to achieve their full potential whatever their background. This is critical for Scotland to succeed in tomorrow's world.

Children and young people are at the heart of our system and their success fundamentally depends on the quality of learning and teaching in our classrooms, the quality of our early learning and childcare centres, and leadership in our schools supported by parents and communities. The people best placed to work with parents and communities to drive improvement for our children are our teachers, practitioners and learning professionals. We undertook to review the governance of our system to ensure that each part of it – from early learning and childcare provision through to secondary school education – has a relentless focus on improving learning and teaching. Teachers must be free to deliver what the children in their care need. To achieve this, we need a system where teachers are the leaders of learning in our schools, with the responsibility for delivering excellence and equity, and with greatly enhanced support available to them.

Scotland's diverse communities mean that there is no 'one size fits all' solution. We know, however, what must be consistent across Scotland: excellent school leaders and teachers, strong curriculum and improvement support, more transparent measures of progress, and engaged parents and communities. We are determined to achieve this and recognise that schools, teachers and parents are best placed to decide what will work best for the children in their communities.

The role of the Scottish Government, and local government, is to provide the right support for teachers and practitioners to deliver excellent learning and teaching. They must have the freedom to make decisions – and government must ensure they have the training, resources and skills to deliver.

We know that the best education systems in the world benefit from a collective determination within the teaching profession and within all levels of government to drive improvement; it is the culture of continuous improvement that will deliver results.

We also know that excellent schools have great leadership and we need to support, empower and build the capacity of brilliant leaders in every school. We need teachers to have opportunities to develop their careers in different ways, whether that is in the classroom, in specific curriculum areas, or in leadership roles. In driving these reforms we intend to provide teachers with the freedom and support to reach their own potential. We will introduce new pathways in the teaching profession to develop different and exciting careers which will be more satisfying for teachers and deliver more for our children.

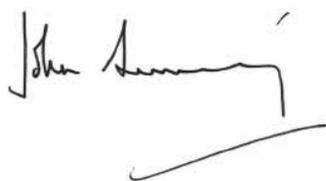
We accept that the responsibility of this Government is to work with our partners in local government to create the culture and capacity for teachers and practitioners to improve the learning outcomes in their classrooms – and across our schools and early learning centres. We expect to be held to account for this, just as parents expect schools to be accountable to them.

The structure of the present system is too complex and support for improvement varies to an unacceptable extent across the country. Teachers and schools need consistently excellent education support services and consistently excellent improvement services. They do not all have these now and we must change that as quickly as we can. It is a collaborative effort, which starts with leadership in our schools and should be complemented by our local authorities and supported by new regional improvement collaboratives which are relevant to, designed by, and close to the communities they serve.

We also want parents to have a crystal clear understanding of who has lead responsibility for their child's school experience: their children's teachers. Parents have a right to expect their local school to engage fully with them throughout their children's education. With more consistent information than ever before available to parents, they will be empowered to demand and see delivered the education that their children rightly deserve.

We must all work together to move from a good system to a great system, with strong collaboration and collective responsibility for the progress and attainment of every child in Scotland. Advice from the International Council of Education Advisers has been clear – to improve our education system we must tackle culture, capacity and structure. This Next Steps paper addresses all three.

This will not happen overnight, but the work has already begun and our determination is clear: to deliver the world-leading education system our children and young people deserve.



John Swinney MSP
Deputy First Minister and
Cabinet Secretary for Education and Skills

EXECUTIVE SUMMARY

Scotland has good schools and great teachers but our ambition is to build a consistently excellent education system which delivers for all our children.

We are determined to create an education system which ensures that every child achieves the highest standards in literacy and numeracy, with the best range of skills, qualifications and achievements to enable them to seize the opportunity to succeed. Current evidence shows while our system has many strengths there are also weaknesses and we must improve performance.

Scotland has a proud history of providing universal education to our children. The majority of young people are performing well under Curriculum for Excellence – at least 80% of pupils are achieving third level or better in literacy and numeracy by the end of S3¹. The number of Higher passes has risen by 29.8% since 2007 and passes at Advanced Higher have risen by 42.5% in the same period². A higher percentage of young people now leave school for positive destinations than at any time on record³. The highest ever proportion of school leavers from the most deprived communities are going on to a positive initial destination – 88.7%⁴. More of our population is educated beyond school than any other European country (47.8% tertiary educated)⁵.

However, the latest results from the international study PISA⁶ found that Scotland's overall performance has declined in science and reading compared to 2012, and is unchanged in maths. Our relative performance compared to other countries has deteriorated across all three areas. Performance has measurably deteriorated in science and maths since 2006. The Scottish Survey of Literacy and Numeracy (SSLN) which monitored national performance in literacy and numeracy has shown a decline in numeracy (2011 to 2015) and literacy (2012 to 2016). There is still a clear gap in attainment between children from more deprived and less deprived backgrounds.

This paper sets out our work to fully deliver bold but necessary reform to Scottish education. The purpose of that reform is to drive improvement and to enable our education system to realise our ambition of excellence and equity for all.

An education system centred around children and young people

Children and young people must be at the heart of our education system. Decisions about their learning must be taken as close to them as possible by the people that they know and where they have an opportunity to influence those decisions. This is their future so they should have the right to participate and to have their views listened to and acted upon. Evidence shows that involving young people in their own learning and promoting the student voice is an important lever for school improvement⁷. We will strengthen the voice of children and young people through more effective and consistent pupil participation.

- 1 Scottish Government (2016a) *Achievement of Curriculum for Excellence (CfE) Level*. <http://www.gov.scot/stats/bulletins/01253>
- 2 SQA (2016) *Attainment Statistics (August)*. https://www.sqa.org.uk/sqa/files_ccc/2016-sqa-attainment-summary.pdf
- 3 Scottish Government (2016b) *Summary statistics for attainment, leaver destinations and healthy living, No.6: 2016 Edition*. <http://www.gov.scot/Publications/2016/06/4523>
- 4 Scottish Government (2017a) *Initial Destinations of Senior Phase School Leavers*. <http://www.gov.scot/Publications/2017/03/2421>
- 5 Eurostat Data, *Population by Educational Attainment Level (2016)*
- 6 Scottish Government (2015) *Programme for International Student Assessment (PISA) 2015: Highlights from Scotland's Results* <http://www.gov.scot/Resource/0051/00511095.pdf>
- 7 Ruddick, J and Flutter, J (2004) *How to Improve your School: Giving Pupils a Voice*, Journal of In-service Education, Continuum Press

Evidence from the OECD⁸ shows that when parents are fully involved in their child's learning we see better outcomes for children, parents and schools. Research from PISA⁹ and Growing up in Scotland¹⁰, which studies a number of children and young people's lives over a period of time, shows that while many parents are engaged positively in their child's learning some parents face barriers; particularly those from poorer backgrounds. The evidence base for the importance of parental involvement has been further strengthened with the National Parent Forum of Scotland's review¹¹ of our own legislation, the Scottish Schools (Parental Involvement) Act 2006.

Parents should rightly be involved in the running of their children's schools and we will support and strengthen parental engagement through enhanced parent councils. This will mean stronger duties on schools to ensure that parent councils play a full role in substantive matters such as school improvement and school policies. We will also take steps to modernise and strengthen the legislation on parental involvement to ensure that the wider parent forum – the parents beyond the parent council – can be involved in a variety of ways.

However, we recognise that a parent's most important engagement with school is about their child's education and learning that goes on in the home. Evidence from key academics such as Dr Janet Goodall¹² suggests that parental engagement in children's learning has the greatest impact on outcomes for children. As Sosu and Ellis (2014) note¹³ “*effective parental involvement programmes that have an impact on the attainment gap are those that focus on helping parents to use appropriate strategies to support their children's learning at home*”. We will also boost support to those parents who do not currently engage as much as they would want to through enhancing the availability of home-school link workers and extending family learning.

A school and teacher-led education system

The primary focus of our reform is to shape an education system to create a school and teacher-led system. Decisions that shape the education of our young people will be made in classrooms, schools and establishments by people working directly with young people.

Our policy is based on international evidence about what works and on the simple premise that the people best placed to make decisions about learning for our children are those professionals qualified to do so. The OECD considered the relationship between school autonomy and performance using evidence gathered through PISA and concluded “*At the country level, the greater the number of schools that have the responsibility to define and elaborate their curricula and assessments, the better the performance of the entire school system...*”¹⁴.

Decisions about improving learning and teaching and the funding to support these new statutory duties will rest at school level. The role of everyone else within the education system will be to support the learning that takes place in our classrooms, our schools and establishments. Each individual responsible for taking decisions in the system should consider whether it will contribute to an improvement in learning in classrooms.

8 OECD (2012) *Parental Involvement in Selected PISA Countries and Economies*, OECD Publishing Paris [http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=EDU/WKP\(2012\)10&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=EDU/WKP(2012)10&docLanguage=En)

9 OECD (2017a) *PISA 2015 Results (Volume III) Students' Well-being*, PISA, OECD Publishing Paris <http://www.oecd.org/edu/pisa-2015-results-volume-iii-9789264273856-en.htm>

10 Bradshaw, P, Hall, J, Hill, T, Mabelis, J, and Philo, D (2012) *Growing Up in Scotland: Early experiences of primary school*, Scottish Government, Edinburgh <http://www.gov.scot/Publications/2012/05/7940>

11 National Parent Forum of Scotland (2017) *Review of the Scottish Schools Parental Involvement Act 2006* <http://www.npfs.org.uk/2017/05/23/review-of-the-impact-of-the-2006-parental-involvement-act/>

12 Harris and Goodall (2007) *Engaging Parents in Raising Achievement Do Parents Know They Matter?* Educational Research <http://dera.ioe.ac.uk/6639/>

13 Sosu, Edward and Ellis, Sue (2014) *Closing the attainment gap in Scottish Education*, Joseph Rowntree Foundation, York <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/education-attainment-scotland-full.pdf>

14 OECD (2011) *PISA in Focus (2011/9) School autonomy and accountability: Are they related to student performance?* <https://www.oecd.org/pisa/pisaproducts/pisainfocus/48910490.pdf>

Focusing on the quality of teaching and learning

The quality of teaching and learning is the most important in-school factor in determining a child's educational outcomes. In her review of the evidence Sammons states that around 5–18% of variance in student outcomes can be attributed to schools and some studies indicate that up to 55% of the variance in outcomes can be explained at classroom level¹⁵. Graham Donaldson in his review of teacher education *Teaching Scotland's Future (2011)*¹⁶ is clear that:

“High quality people achieve high quality outcomes for children”.

We want to support teachers to achieve their full potential.

Teachers will:

- be the leaders of learning in their classrooms;
- be supported through a revolutionised offer of support and improvement;
- help develop new career pathways allowing greater opportunities for career development and progression into leadership, specialist or improvement roles; and
- be supported by streamlined professional learning so that there is a coherent learning offer to teachers.

We recognise the importance of all skilled staff working with our children and young people and we will enhance the professionalism of support staff.

Supporting leadership

The research evidence suggests that the impact of leadership on student achievement is second only to the quality of learning and teaching¹⁷. Evidence from the OECD¹⁸ shows that *“school leaders can make a difference in school and student performance if they are granted autonomy to make important decisions”*.

Responses from headteacher associations to the Governance Review consultation stated clearly that headteachers should be able to focus on their key business of learning and teaching¹⁹. We will ensure that our school leaders have the autonomy to be leaders of learning within a clear national policy framework. We will work closely with the profession and professional associations to establish a Headteachers' Charter, which sets out the new powers for headteachers. The Pupil Equity Fund has begun this journey and we are determined to give headteachers more of the powers that they need to make the biggest difference to children. We will transform the level of clear, practical support for headteachers at a regional basis – giving them all the help and advice they need to improve the curriculum, learning, teaching, and assessment.

15 Sammons, P (2007) *School Effectiveness and Equity: Making Connections*, CfBT Education Trust, Reading <https://www.educationdevelopmenttrust.com/~ /media/cfbtcorporate/files/research/2007/r-school-effectiveness-and-equity-full-2007.pdf>

16 Donaldson, G (2011) *Teaching Scotland's Future*, Scottish Government, Edinburgh <http://www.gov.scot/Resource/Doc/337626/0110852.pdf>

17 Day et al (2011) *Successful school leadership: linking with learning and achievement: Linking with Learning* (UK Higher Education OUP Humanities & Social Sciences Education OUP).

18 OECD (2008) *Improving School Leadership*, OECD Publishing, Paris <http://www.oecd.org/edu/school/improvingschoolleadership-home.htm>

19 Scottish Government (2017b) *Education Governance. Empowering teachers, parents and communities to achieve excellence and equity in education. An analysis of consultation responses*, Scottish Government, Edinburgh <http://www.gov.scot/Topics/Education/governancereview/consultationresponses>

Headteachers already have a deep sense of responsibility and moral purpose to do the very best for the children in their care. The reforms we are proposing here are about liberating them to concentrate on learning and teaching. Where devolution of responsibility would not improve learning and teaching, then it will not happen. We will not turn headteachers into chief-administrators of their schools; they will be the leaders of learning and we will empower them to do this, with improved support and the clarity of a strong national framework.

Headteachers will:

- be the leaders of learning in their schools;
- be supported through a revolutionised offer of support and improvement;
- be responsible for raising attainment and closing the poverty-related attainment gap;
- deliver quality and improvement at school level;
- select and managing the teachers and staff in their school;
- decide on school management and staffing structure, including business managers;
- decide on curriculum content and offer;
- work with partners including local authority support staff and others to meet learners' additional support needs at school level;
- collaborate for school improvement at school, cluster and regional level;
- lead self-evaluation and improvement of school performance;
- monitor school progress and reporting; and
- manage defined and greater proportions of school funding (this will be part of the accompanying consultation on funding).

We will develop leadership pathways to enable and inspire people to become headteachers. We will ensure there is an enhanced leadership support package to develop aspiring leaders, new headteachers and experienced leaders. We will introduce a fast-track leadership route to support aspiring and talented teachers who are keen to progress. We will strengthen career pathways with new cluster leader and system leader roles, and we will ensure that headteachers have the tools they need to drive improvement.

A relentless focus on improvement

Scotland has a proud history of providing universal education to our children. Now, perhaps more than ever, a relentless focus on improvement is needed to keep up with the world changing around us. Innovations in communication, particularly in the digital world, mean that those who stand still get left behind. This change must not be seen, however, as a challenge, it is an incredible opportunity which our children are best placed to grasp.

Over the last few years, support for curriculum development and learning has become inconsistent across Scotland and it is inhibiting our ability to keep up with global trends. McKinsey's 2010 report on school systems, *How the world's most improved school systems keep getting better*,²⁰ observed that:

"As the school systems we studied have progressed on their improvement journey, they seem to have increasingly come to rely on a "mediating layer" that acts between the centre and the schools. This mediating layer sustains improvement by providing three things of importance to the system: targeted hands-on support to schools, a buffer between the school and the centre, and a channel to share and integrate improvements across schools".

20 Mourshed, M, Chijioko, C and Barber, M (2010) *How the world's most improved school systems keep getting better*, McKinsey & Company, London <http://www.mckinsey.com/industries/social-sector/our-insights/how-the-worlds-most-improved-school-systems-keep-getting-better>

It is delivering this support which is the second major focus of our reform. We will ensure that schools have access to excellent education improvement services. These will be focussed on supporting headteachers and teachers in securing improvement in their schools and will be provided by new regional improvement collaboratives.

Regional improvement collaboratives will:

- provide excellent educational improvement support for headteachers, teachers and practitioners through dedicated teams of professionals. These teams will draw on Education Scotland staff, local authority staff and others;
- provide coherent focus across all partners through delivery of an annual regional plan and associated work programme aligned with the National Improvement Framework;
- facilitate collaborative working across the region, including sharing best practice, supporting collaborative networks and pursuing partnership approaches; and
- be led by a Regional Director, to be appointed by the Scottish Government and to report to the HM Chief Inspector/Chief Executive of Education Scotland.

The role of the Scottish Government

The role of the Scottish Government and the various national agencies is to set national education policy and a national framework for improvement which will support a school and teacher-led system. Terms and conditions of service including pay will continue to be set at a national level. The Scottish Qualifications Authority will remain an integral part of the system.

This Next Steps paper provides Education Scotland with a significantly enhanced role and purpose. Education Scotland will have a strengthened inspection and improvement function. Inspection will be a crucial tool that supports the system-wide goal to continuously improve. Education Scotland will have a renewed focus on professional learning and leadership, providing clarity and coherence to the national landscape. Delivery via the new regional improvement collaboratives will mean that hands on advice, support and guidance can flow directly to schools to support improvement.

We will take steps to ensure initial teacher education prepares students to enter the profession with consistently well-developed skills to teach key areas such as literacy, numeracy and health and wellbeing. Registration of the workforce will be enhanced by a new body, the Education Workforce Council for Scotland, to support the professionals and provide confidence to parents and carers.

Scottish Ministers will set national priorities in education and will continue to be accountable to Parliament for the performance of the education system. More and more, however, those priorities will be directed by the improvements that the system tells us we need to achieve. The Government will establish a Scottish Education Council, chaired by the Deputy First Minister and Cabinet Secretary for Education and Skills, to ensure a system-wide focus on improvement is delivered. Government will continue to provide funding for education provision and support.

The role of Local Government

The school and teacher-led system needs all partners, including local government to focus on their contribution to improve performance. Local authorities' role and importance is crucial and they will be democratically accountable for the services they provide to schools and centres. Schools will now have much greater responsibility for key decisions and local authorities will have a vital role to play in enabling and supporting that. There will be a new duty on local authorities to collaborate to support improvement on a regional basis. They will also be responsible for improvement through their provision of education support services, their regional collaboration, and in securing leadership in their schools.

They will oversee quality in the provision of early learning and childcare, as well as being a key provider of services. Local authority education support services will include: 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); the provision of support services such as human resource functions; planning for future requirements; and securing excellent headteachers for the schools in their area. This will retain important local accountability for the supply and quality of leadership in schools in our communities. The vast majority of the funding for school education will continue to be channelled through local authorities, and they will continue to have a role in ensuring that public resources allocated for the delivery of education in Scotland are properly accounted for.

Next steps

We have set out our vision for change. Some of these changes can be delivered without legislation and we will start working with partners now to deliver these quickly. We will establish the regional improvement collaboratives, taking account of the collaboration that is already underway, and we will realign national agencies to support the regional improvement collaboratives and strengthen inspection.

We are committed to bringing forward a new Education Governance Bill to deliver those changes that require legislation. We will work closely with partners to consult on proposed legislative changes and will introduce legislation in the second year of this Parliament.

We are consulting on the development of a more consistent approach to funding to ensure that schools have a greater role in how the education budget is spent.

Some of these changes will take time and we will seek to work with partners to deliver a stronger and more empowered education system.

Ultimately, however, the evidence shows us that improvement will not be achieved as a result of changes to structures; it will come through changes in culture and practice. So we will work with the whole system to start further empowering schools and improving the offer to teachers on learning and curricular support immediately.

We have a clear purpose and ambition. We are absolutely determined to improve attainment at every level and close the attainment gap so that every child in Scotland realises their potential.

1. INTRODUCTION

Improving the education and life chances of our children and young people is the defining mission of this Government.

There is a strong and shared commitment to the vision of excellence and equity for all children and young people across Scottish education as set out in the National Improvement Framework:

- **excellence through raising attainment:** ensuring that every child achieves the highest standards in literacy and numeracy, set out within Curriculum for Excellence levels, and the right range of skills, qualifications and achievements to allow them to succeed; and
- **achieving equity:** ensuring every child has the same opportunity to succeed, with a particular focus on closing the poverty-related attainment gap.

Within this broad overall vision the National Improvement Framework is galvanising efforts to align our collective improvement activities across the whole education system, to address our key priorities:

- improvement in attainment, particularly in literacy and numeracy;
- closing the attainment gap between the least and most disadvantaged children; and
- improvement in employability skills and sustained, positive school leaver destinations for all young people.

This Government was elected to deliver a range of reforms to help us transform education in Scotland to ensure it delivers excellence and equity for all. We published our Delivery Plan for Scottish education in June 2016²¹. The focus of the plan is on action around three core aims – to close the attainment gap, to ensure we have a curriculum that delivers, and to empower our teachers, schools and communities.

Since then, we have taken strong and decisive action to address each of these core aims. This includes £120 million per annum Pupil Equity Funding direct to schools as part of the £750 million investment over this Parliamentary term to close the poverty-related attainment gap, supported by well-evidenced strategies of what works.

Our focus on closing the attainment gap and improving the life chances of children and young people extends beyond education. Evidence suggests that:

*“...even if we found all the factors that make schools more or less effective, we would still not be able to affect more than 30 percent of the variance in pupils’ outcomes. It has therefore become increasingly clear that a narrow focus on the school as an institution will not be sufficient to enable work on more equitable educational outcomes to progress ... Interventions will need to impact more directly on pupils’ environment and life chances”.*²²

We recognise that tackling the attainment gap will also require us to tackle deep seated, multigenerational, deprivation, poverty and inequalities. The Fairer Scotland Action Plan²³ sets out the range of actions we are taking to do so across a number of key areas, and makes clear our commitment to eradicating child poverty.

21 Scottish Government (2016c) *Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland* <http://www.gov.scot/Publications/2016/06/3853>

22 Muijs, D (2010). In C Raffo, A Dyson, H Gunter, D Hall, L Jones, & A Kalambouka (Eds.), *Education and Poverty in Affluent Countries*. Abingdon, GB: Routledge <https://eprints.soton.ac.uk/165859/>

23 Scottish Government (2016d) *Fairer Scotland Action Plan* <http://www.gov.scot/Resource/0050/00506841.pdf>

We have also listened to what teachers have told us and are delivering greater clarity about Curriculum for Excellence through the definitive advice published by the Chief Inspector of Education in August 2016 and the subsequent publication of benchmarks for each curriculum area.

We are also tackling bureaucracy and workload by reducing the burden of assessment, both on teachers and on young people, through changes to the National Qualifications.

This Governance Review is central to our aim of empowering our teachers, schools, parents and communities to deliver the necessary changes in our education system.

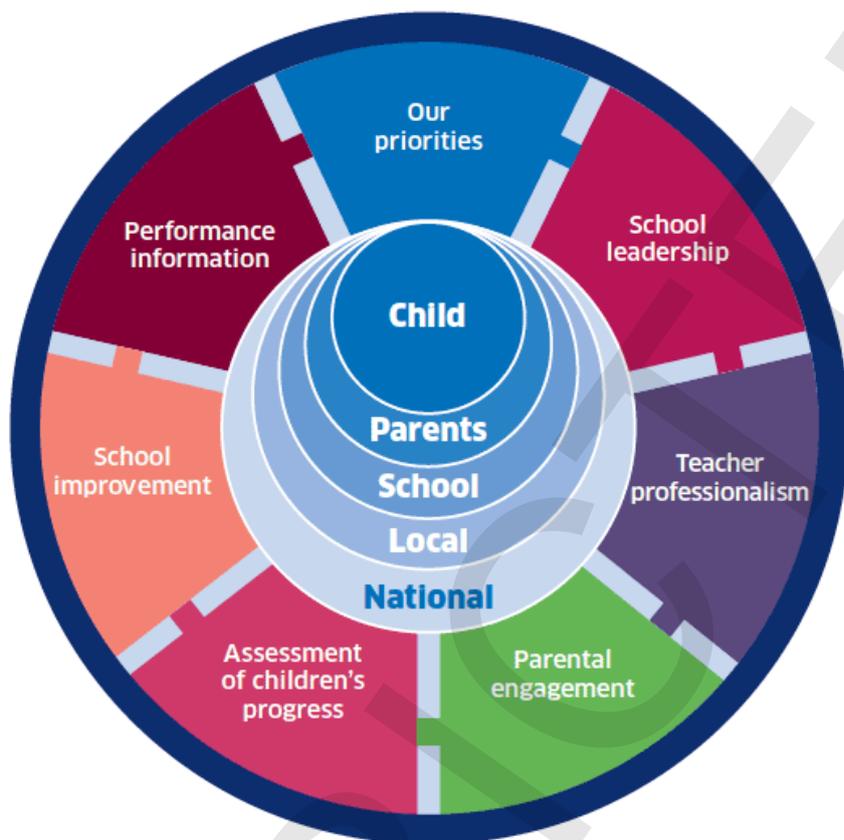
The review has considered the organising system of early learning and childcare and school education. The role and functions of national government, local government and national bodies which govern, lead and support the delivery of education were all within scope of the review. A significant period of consultation took place between September 2016 and January 2017 with 1,154 written responses being received and almost 700 individuals taking part in consultation events across the country. We have also drawn on evidence from the OECD, the International Council of Education Advisers and other international evidence to inform our thinking.

Many responses to the Governance Review consultation argued against the need for change within the education system²⁴. This Government has considered these views, along with the current performance in Scottish education, and has reflected on the commitments given to the public at the Scottish Parliament election in May 2016. We cannot accept the erosion of educational improvement capacity within the system and the proposals in this document seek to halt and reverse that trend. We believe this is the moment to undertake reforms focused on delivering improvements in education and empowering our teaching professionals to be the key drivers of improved outcomes for our children.

Our work is closely aligned to the drivers of improvement outlined in the National Improvement Framework:

- school leadership;
- teacher professionalism;
- parental engagement;
- assessment of children's progress;
- school improvement; and
- performance improvement.

24 Scottish Government (2017b) op.cit



We believe teachers are best placed, with support from communities and parents, to drive educational improvement for our children. The organising system of education must be focussed on providing the most effective framework for teachers to work within. We also recognise that any framework must be supported by a culture of leadership and collaboration, building capacity for improvement in the system, data on children's progress, and clear accountability structures.

Our reforms will put children and young people at the heart of school education. We remain guided by the principles set out in our consultation, that our education system must:

- be focussed on improving outcomes, and support the delivery of excellence and equity for all children and young people;
- meet the needs of all of our children and young people, no matter where they live or their family circumstances;
- support and empower children and young people, parents, teachers, practitioners and communities;
- be supported by a fair and transparent funding system to ensure the maximum public benefit and best value for money; and
- support children and young people to make smooth transitions into formal learning, through school and into further education, training or employment.

This paper sets out our plans for education governance reform that will empower schools to deliver excellence and equity for the benefit of every child and young person in Scotland.

Following this introductory chapter, this paper is organised in four further chapters. Chapter 2 sets out the case for change, drawing on the Governance Review consultation and a range of additional international evidence. Chapter 3 sets out our plans to deliver a school and teacher-led system and the actions which will empower teachers, practitioners, headteachers, parents and communities to ensure that the vast majority of decisions that support learning and teaching are made at school level. Chapter 4 sets out the education improvement and support there will be at school, local, regional and national level including our approach to funding to support the new system. Chapter 5 summarises the actions we will take to deliver a school and teacher-led system.

2. THE CASE FOR CHANGE

2.1 Context

We have a good education system with hardworking, committed teachers, early years practitioners, other learning professionals and support staff. There are many aspects of Scottish education to be proud of and we have strong foundations on which to build and achieve our vision. This was endorsed by the OECD in their report *Improving Schools in Scotland (2015)*²⁵. Our teachers feel a deep sense of purpose and responsibility to give every child in Scotland the best education; we need to give them more freedom and to acknowledge this level of responsibility through reforming governance and decision making. The case for change is about moving towards a school and teacher-led system and simplifying the support and improvement services which are built around the needs of schools. More decisions need to be taken at school level, based on the needs of children in each community. There is a range of evidence and research to support this principle. For example, The Association of Directors of Education in Scotland (ADES) state in their 2017 report *Towards a Learning System*²⁶ that:

“the delivery approach must be flexible and responsive, taking account of local circumstances and drawing on a range of major stakeholders who are supportive of Scottish education. It should be an uncomplicated model but one that has sufficient sophistication to be able to flex to meet differing needs. . . At the heart of this endeavour is our desire to have a confident, reflective, self-improving school system where the responsibility for improvement is increasingly set at school rather than local authority level”.

Curriculum for Excellence places the child at the centre of education, and empowers teachers to develop and deliver a curriculum which suits the needs of each individual child or young person. We need to empower every teacher and school to make full use of the flexibility within Curriculum for Excellence if it is to deliver the learning and teaching that every child needs. More decisions about the curriculum need to be taken by teachers locally. The OECD confirmed this in their review:²⁷

“Curriculum for Excellence needs to be less managed from the centre and become more a dynamic, highly equitable curriculum being built constantly in schools, networks and communities with a strengthened ‘middle’ in a vision of collective responsibility”.

We are committed to putting children and young people at the heart of the services that support them. Getting it Right for Every Child (GIRFEC) is our national approach to ensure that everyone works together to improve a child’s outcomes.

The National Improvement Framework sets a strategic direction for education which aligns with the evidence of the OECD, recognising that both school leadership and teacher professionalism are key drivers of improvement. Through the Scottish Attainment Challenge and the new Pupil Equity Fund we are targeting resources to those who need it most.

25 OECD (2015a) *Improving Schools in Scotland: An OECD Perspective*, OECD Publishing, Paris <http://www.oecd.org/edu/school/improving-schools-in-scotland.htm>

26 The Association of Directors of Education in Scotland (ADES) (2017) *Towards a Learning System* <http://thestaffcollege.uk/wp-content/uploads/2017/04/Towards-a-Learning-System-v1.0.pdf>

27 OECD (2015a) op.cit.

A review by the National Parent Forum of Scotland²⁸ concluded that the Scottish Schools (Parental Involvement) Act 2006 has helped to support a “step-change” in the quality of parental involvement across Scotland. We are also investing in our Developing the Young Workforce programme to support young people to moving into employment and training.

Our investment in universally accessible and high-quality early learning and childcare should equip children with skills and confidence to carry into their schooling and help close the poverty-related attainment gap which we know begins in the early years. The expansion of free early learning and childcare, to 1,140 hours a year for all 3 and 4 year olds, and eligible 2 year olds, represents one of the most significant expansions of the education system in recent times. The Minister for Childcare and Early Years made a policy statement to Parliament on 23 March 2017²⁹ which sets out a vision for an early learning and childcare system based on the principles of quality, flexibility, accessibility and affordability. The Scottish Government is working in close collaboration with all its partners to deliver this vision, and the Governance Review provides a further context and framework within which current and future provision will operate. The findings of this review, and the actions as they relate to early learning and childcare, will therefore be integrated into the joint working groups established to deliver the expansion programme.

2.2 Performance and the attainment gap

The majority of young people are performing well under Curriculum for Excellence – at least 80% of pupils are achieving third level or better in literacy and numeracy by the end of S3³⁰. The number of Higher passes has risen by 29.8% since 2007 and passes at Advanced Higher have risen by 42.5% in the same period³¹.

A higher percentage of young people left school in 2014/15 for positive destinations than at any time on record³². The highest ever proportion of school leavers from the most deprived communities went on to a positive initial destination – 88.7%. We have seen annual increases in attainment. For example, the proportion of school leavers reaching at least SCQF Level 5 is up from 82.1% in 2011/12 to 87.1% in 2015/16 and there were a record high number of Advanced Higher passes (19,518) in 2016³³. In addition, more of our population is educated beyond school than in any other European country (47.8% tertiary educated)³⁴.

The OECD (2015)³⁵ identified many strengths in our system: learners are enthusiastic and motivated; teachers are engaged; and professional and system leaders are highly committed. However, there are also significant challenges.

The latest results from the international study PISA³⁶ found that Scotland’s overall performance declined in science and reading compared to 2012, and was unchanged in maths. Our relative performance compared to other countries has deteriorated across all three areas.

28 National Parent Forum of Scotland (2017) op.cit.

29 http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10860&mode=html#job_99441

30 Scottish Government (2016a) op.cit

31 Scottish Qualifications Authority. (2016) op.cit

32 Scottish Government (2016b) op.cit

33 Parentzone Scotland. <https://education.gov.scot/parentzone/>

34 Eurostat Data, *Population by Educational Attainment Level* (2016)

35 OECD (2015a) op.cit.

36 Scottish Government (2015a) *Programme for International Student Assessment (PISA) 2015: Highlights from Scotland’s Results* <http://www.gov.scot/Resource/0051/00511095.pdf>

The SSLN monitors national performance in literacy and numeracy has shown a decline in numeracy (2011 to 2015)³⁷ and literacy (2012 to 2016)³⁸.

Evidence also shows that there continues to be widespread variation in outcomes and in the performance of local authorities and schools. The current system is not achieving excellence and equity for all. Whilst we are seeing improvements, they are not fast enough or being driven effectively enough in all localities. There is clear evidence to support this within the Education Scotland 2017 report on *Quality and Improvement in Scottish Education*³⁹ which states:

“the quality of education children and young people experience within and across sectors is still too variable. Scottish education does not yet provide all children and young people with consistently high-quality learning experiences. Unless this variability is addressed we will not achieve the national ambition of excellence and equity for all learners.”

The Accounts Commission report School Education (2014)⁴⁰ found that *“whilst there has been improvement in performance over the last decade, there is significant variation in attainment between individual councils, schools, and groups of pupils... [and] ... some schools have achieved better attainment results than their levels of deprivation would indicate.”*

No matter what data we use, or which aspect of attainment we look at, there is a clear gap between children from more deprived and less deprived backgrounds. Whilst the gap has narrowed on many measures in recent years, there is clearly more to do. This is not a situation that anyone should continue to accept.

The Government has recognised this challenge and we have already taken a number of steps to tackle this gap and drive improvement in the system. This includes the introduction of the National Improvement Framework, the Scottish Attainment Challenge and establishing the Pupil Equity Fund. The expansion of early learning and childcare and our commitment to provide an additional graduate in nurseries in Scotland's most deprived areas by August 2018 will also make an important contribution.

However, we must do more. We cannot accept a situation where our educational performance is falling behind and an attainment gap exists based on background and geography. International evidence indicates that we can do more to close the poverty-related attainment gap and learn from other high-performing nations:

“countries such as Finland and Canada display strong overall performance and, equally important, show that a disadvantaged socioeconomic background does not necessarily result in poor performance at school”⁴¹.

37 Scottish Government (2016e), *Scottish Survey of Literacy and Numeracy 2015 (Numeracy)*
<http://www.gov.scot/Publications/2016/05/2836>

38 Scottish Government (2017c) *Scottish Survey of Literacy and Numeracy 2016 (Literacy)*
<http://www.gov.scot/Publications/2017/05/7872>

39 Education Scotland (2017) *Quality Improvement in Scottish Education*
https://education.gov.scot/Documents/QuISE_full_2012_16_web.pdf

40 The Accounts Commission (2014) *School Education*
http://www.audit-scotland.gov.uk/docs/local/2014/nr_140619_school_education.pdf

41 Andreas Schleicher, A & Stewart, V (2008) *Learning from World-Class Schools*, Educational Leadership, ASCD, Alexandria, http://www.ascd.org/publications/educational_leadership/oct08/vol166/num02/Learning_from_World-Class_Schools.aspx

2.3 Creating a school, teacher and practitioner-led system

We want to see more decisions about school life being driven by schools themselves. McKinsey's 2010 report⁴² notes that there is a "striking correlation" between educational performance and the level of school empowerment. The OECD⁴³ state that "inherent in the principle of [Curriculum for Excellence] is the enhancement of the role that should be exercised by schools and teachers". Investing in the professionalism and autonomy of our teaching profession means trusting teachers to make the best decisions for our children and young people, within a broad, clear national framework.

However, our current education system does not always allow teachers, practitioners and headteachers to be the key decision makers. If we are to empower our schools, parents and communities there are a number of things we need to change. These are:

- **The legal framework and where decisions are taken.** Under the current legislation the majority of the legal responsibilities for education sit with local authorities. This leads to differences across local authorities about the decisions which can be taken at a school level. The Accounts Commission found significant variation in attainment between individual local authorities. Responses to the Governance Review consultation highlighted a lack of consistency in relation to school devolution across local authorities⁴⁴. This can have a significant impact on achieving excellence and equity; for example by taking a mandated approach to the number of subjects young people study in S4 across an entire education authority. This shuts down curriculum flexibility and decisions which should be taken for individual young people at school level.
- **Culture and capacity within the system.** There is considerable variation in the level and quality of support provided to teachers, headteachers and parents. There is no clear and consistent framework of support for teachers to be able to build their professional skills or to support collaboration. The increased support for leadership capacity within the system has been welcomed but has highlighted the lack of support for professional learning. While there are good examples of engagement between schools, parents and communities this is not consistent and the recent review of parental involvement concluded that the role and function of parent councils need to be more clearly defined, protected and promoted.
- **Collaboration between local authorities and schools.** We know that the level of performance and capacity varies across local authorities and across schools⁴⁵ and that system-wide collaboration could help to address this variation. There are some emerging examples of collaboration but this is not consistent. Responses to the Governance Review consultation highlight the need to promote greater use of joined-up approaches at a national, local, schools and practitioner level.
- **The way in which funding is distributed and staff are allocated to schools.** The high proportion of fixed costs within school budgets means that while headteachers may nominally have budgetary control, in practice they have little or no flexibility to target resources as they might wish. Governance Review consultation responses highlighted a desire for greater control at a school level over their staff.
- **Too much bureaucracy** means that teachers and headteachers spend too much of their time on paperwork and not enough time leading their schools and focusing on learning and teaching.

42 Mourshed, M, Chijioke, C & Barber, M (2010) op.cit.

43 OECD (2015a) op.cit.

44 Scottish Government (2017b) op.cit

45 OECD (2015a) op.cit.

2.3.1 Legal framework and where decisions are taken

Legal responsibility for the delivery of education currently rests mainly with local authorities not with individual schools and teachers. While there are some requirements for local authorities to consult with headteachers when making strategic decisions, how this is done is at the discretion of the local authority. This can lead to a dependency or compliance culture in schools rather than one of empowerment. The introduction of the Pupil Equity Fund is beginning to change this. Headteachers have more power to decide what they need to do in their school to close the attainment gap, with local and national advice available to guide them.

Local authorities devolve decision making and funding to schools through Devolved School Management Schemes. Each local authority is obliged to have such a Scheme and this is supported by national guidelines. However, local authorities can determine which schools within their area are covered by the Scheme and the detailed provisions setting out accountability arrangements, the decisions schools and headteachers are able to take and the level and flexibility of control over funding at a school level. Again, this limits the ability of headteachers to make decisions.

The variability of approach across local authorities means that decisions which a headteacher is empowered to take in one authority are taken by the authority in another part of Scotland. This process is not transparent to parents or communities.

We know the benefits of supporting parental involvement in education. The Scottish Schools (Parental Involvement) Act 2006 aimed to provide a new approach to parental involvement. However, that framework is now over 10 years old and a review of the legislation undertaken by the National Parent Forum of Scotland (NPFs) has identified substantial variation between local authorities in the approach taken to parental involvement and a need to strengthen the legislation to ensure a clear and strong role for parent councils in the life and work of their school⁴⁶.

2.3.2 Culture and capacity

Headteachers, teachers and practitioners

The quality of teaching and the leadership of the school are the most important factors in improving a child's educational outcomes within schools. Curriculum for Excellence is based on the concept of the teacher as an empowered professional making curriculum decisions and leading learning within their classroom and school.

It is important that teachers and headteachers are empowered to take decisions as leaders of learning but also that they are supported in developing the skills and knowledge to secure improvement in their schools and classrooms. That is why the Government invested in *Teaching Scotland's Future*, our programme to support professional learning and leadership. We know that as a result of this programme⁴⁷ more teachers are engaged in professional learning. We also know that there are barriers which limit access. These include staff shortages, budget, and a lack of consistency and coherence in the current professional learning offer.

Professional learning should be supported by an annual professional review and development discussion and underpinned by Professional Update. We have heard real concerns that in too many cases these have become box-ticking processes rather than a genuine opportunity for professional reflection and an assurance that the entitlement and obligation to professional learning is being delivered.

46 National Parent Forum of Scotland (2017) op.cit.

47 Scottish Government (2015b) *Evaluation of the Impact of the Implementation of Teaching Scotland's Future*
<http://www.gov.scot/Publications/2016/03/5786/0>

We know that teachers value professional learning and would welcome a clearer framework and greater access to high-quality opportunities. The responsibility for the provision of professional support rests with the employer, and local authorities have traditionally also provided local improvement support to schools as part of their statutory responsibilities. We heard strong messages from teachers and headteachers that they value such local support but that it had been diluted both in terms of quality and quantity in recent years. There is also a real lack of subject-specific professional learning on offer within local authorities. It is clear that there is now a significant gap in the system.

While there has been a considerable focus on the skills and expertise of teachers and their leaders we should also recognise the crucial role played by the wider education workforce such as early years practitioners, classroom assistants, additional support for learning assistants and school librarians. Our *Skills Investment Plan: Prospectus for Scotland's Early Learning and Childcare Sector*⁴⁸ was published in March 2017 and through this we are already taking specific actions to increase the capacity and capability of early years practitioners. A Quality Action Plan for early learning and childcare, due for publication in October 2017, will identify what more needs to be done to ensure we maximise these skills.

Children and families

Parental involvement in their child's education covers a wide range of different interactions, from engagement in their own child's learning through home learning; formal communication with the school such as reports and parents' evenings; volunteering at school events; and more formal engagement through the parent council. It is important that we do not see parental engagement solely through the prism of involvement with the parent council. There is clear evidence⁴⁹ that children whose parents are engaged and interested in their school activities tend to perform better at school and are less likely to report feeling lonely or dissatisfied. The OECD, drawing on research by Epstein, concluded that *“student learning is most effective when it is the result of a partnership between the school, teachers, parents and the community”*⁵⁰.

Scottish parents show variable levels of engagement compared to other OECD countries. In Scotland the level of parental engagement is higher than the OECD average but significant numbers of parents (18%) reported that their participation in school was hindered by inconvenient meeting times and difficulty getting time off work⁵¹. We also know that there are socioeconomic differences in the levels of engagement. Growing up in Scotland 2012⁵² looked at the levels of parental engagement and the role teachers play in encouraging this and found differences in both the levels of engagement and the perceived level of advice. A further Growing Up in Scotland report, published in 2016,⁵³ concluded that children living in advantaged circumstances were more likely to undertake frequent home learning activities than children living in less advantaged circumstances. This doesn't mean that families in low income households are less interested – it may be due to a lack of access to the connections and advice available to higher income households, and it may be due to negative experiences of school when young.

48 Skills Development Scotland (2017) *Skills Investment Plan: Prospectus for Scotland's Early Learning and Childcare Sector*
<http://www.skillsdevelopmentscotland.co.uk/media/43127/early-learning-and-childcare-sip-digital.pdf>

49 OECD (2017a) op. cit.

50 Epstein, J (1995) *School Family Community Partnerships: Caring for the Children We Share*, Phi Delta Kappan, Vol 76, No. 9, p. 701-712 <https://eric.ed.gov/?id=EJ502937>

51 OECD (2017a) op.cit.

52 Bradshaw, P, Hall, J, Hill, T, Mabelis, J, and Philo, D (2012) op. cit.

53 Bradshaw, P; King, T; Knudsen, L; Law, J & Sharp, C (2016) *Language development and enjoyment of reading: impacts of early parent-child activities in two Growing Up in Scotland cohorts* Edinburgh, Scottish Government <http://www.gov.scot/Publications/2016/06/2715>

Responses to the Governance Review consultation, particularly from parents of children with additional support needs, suggest there are elements of the current system which need to be addressed⁵⁴. This includes a desire for improved communication with parents about the operation of the education system including on roles, responsibilities and accountability.

While there is a substantial amount of information and routes to engagement available to parents, it is evident that these are often challenging and confusing. Having a clear understanding of the whole system in a simple and easily accessible way would help parents to engage more positively.

Communities

Learning does not stop at the school gate. Communities, businesses, third sector groups, youth work, colleges and universities all have an important role to play in giving our children a holistic learning experience and contribute to lifelong learning. These groups want to work in partnership with the schools in their local communities.

Children and young people consulted by Young Scot in partnership with Children in Scotland and the Scottish Youth Parliament told us that they wanted to see closer engagement between their schools and community. They saw the opportunities available in the community to allow them to build skills and links with prospective employers and they also emphasised the positive contribution they could make.

School is a crucial part of a young person's life but it is only one part, and children and young people talked about the importance of their other roles and responsibilities – in their family, with their friends, in sports teams, in their out of school learning and activities, and in their community. Youth work and community organisations told us that they were keen to play a more active role and work with teachers and schools. We value the significant contribution that Community Learning and Development services make to the progress and achievement of children in Scotland and we want to see this continue to expand.

The role of national government and national bodies

In their *Governing Education in a Complex World*⁵⁵ report, the OECD tells us that:

“Even in decentralised systems, the national or state level remains very important in triggering and steering education reform. The central level most often provides the system-wide vision needed to enable effective delivery of reform as well as equitable access and outcomes for students...”

The national government and its agencies provides the strategic vision and sets the context for reform. Government provides the framework for support and the funding for education delivery. Government is held to account through Parliament for the performance of our education system as a whole.

At the moment the lines of accountability between local and national bodies are not clear enough. Respondents to the Governance Review told us that the national landscape felt cluttered with a lack of clarity about responsibilities⁵⁶. However, there appeared to be little desire for change from many respondents. We heard a strong desire for greater support for professional learning but a lack of clarity about who should be responsible for that support. Respondents wanted greater collaboration and joint working between national bodies. The culture and accountability of some national organisations was also raised as an issue of concern.

54 Scottish Government (2017b) op.cit

55 Burns, T and F. Koster (eds) (2016) *Governing Education in a Complex World*, Educational Research and Innovation, OECD Publishing, Paris <http://dx.doi.org/10.1787/9789264255364-en>

56 Scottish Government (2017b) op.cit

2.3.3 Collaboration between local authorities and schools

The OECD review of Curriculum for Excellence (2015)⁵⁷ provided a number of recommendations to help the Scottish education system to become world leading.

They noted that:

- teachers who work in cultures of professional collaboration have a stronger impact on student achievement, are more open to change and improvement, and develop a greater sense of self-efficacy; and
- there needs to be clarity about the kinds of collaboration that work best to bring about the innovations and improvements to enhance student learning, and to create coherent and cohesive cultures of system-wide collaboration.

We have referred previously to the variability in practice and outcomes across authorities and schools, and the potential for collaboration to address some of that variability. The Scottish Parliament Education and Skills Committee noted⁵⁸ that the “*variation in performance of education authorities is concerning. Education authorities should collaborate more effectively to share best practice.*”

At a regional level, we have seen a number of attempts in recent years to develop stronger collaborative ties and partnership working. However, a number of those have not succeeded due to the challenge of reconciling a partnership approach with democratic accountability at local authority level.

There is strong research evidence to suggest regions can play an important role in strengthening the capacity to manage change and promote school improvement across local authorities⁵⁹. There is no legal barrier to prevent local authorities from collaborating in order to secure educational improvement and there is some interesting emerging collaborative practice.

The majority of organisations who responded to the Governance Review consultation were concerned about the establishment of educational regions⁶⁰. The strongest sense of opposition came from local authorities. However, a number of models of regional collaboration are beginning to emerge, but these models do not yet have sufficient depth, pace or impact as they are currently constituted. The International Council of Education Advisers (ICEA) told us in March⁶¹ that in Scotland “*collaboration was uneven and was not sufficiently ingrained throughout the education system*”. Their report will be published shortly. IPPR Scotland⁶² note that “*Regional education partnerships should be created above the level of local authorities to lead on workforce planning, teachers’ continuing professional development and to take responsibility for funding, evaluating and measuring the impact of attainment activity in schools at a regional level*”. They also recommended that “*Decisions in the school system should be made at the most local level possible, with decision-making power devolved to headteachers, classroom teachers, parents and pupils, and only retained at local authority, regional or national level when there is a strong case for doing so*”.

57 OECD (2015a) op.cit.

58 Education and Skills Committee (2017) *2nd Report, 2017 (Session 5): Performance and Role of Key Education and Skills Bodies* http://www.parliament.scot/S5_Education/Reports/ESS052017R02.pdf

59 Ainscow, M (2015) *Towards Self-improving School Systems*, (Routledge),

60 Scottish Government (2017b) op.cit

61 Scottish Government (2017d, forthcoming) *Report of the Initial Findings of the International Council of Education Advisers – June 2017*, Scottish Government, Edinburgh

62 IPPR (2017) *Autonomy in the Right Place: School Governance Reform in Scotland* <http://www.ippr.org/publications/autonomy-in-the-right-place-school-governance-reform-in-scotland>

There is clear evidence that successful partnerships require local leadership, buy-in and direction, but also that without an external prompt and support collaborative partnerships can often struggle. There is a strong evidence base about what works in supporting collaboration including from the evaluation of the School Improvement Partnership Programme in Scotland (2015)⁶³.

Teachers and practitioners told us that they want to work collaboratively with their peers and there are lots of good examples of collaborative working taking place⁶⁴. However, there is no national vision or framework to support collaboration and we are not using the clear evidence about what works.

In short, and to conclude, collaboration often depends on the enthusiasm of an individual and too often it happens in spite of, rather than because of, the current system and structures.

2.3.4 The distribution of funding and ways in which staff are allocated

The bulk of the money local authorities spend on school education is funded through General Revenue Grant from the Scottish Government, which forms part of the overall local government settlement.

Money provided for education through the local government settlement is not ring-fenced, and it is for individual local authorities to determine how much funding should be allocated to education and then to individual schools and centrally managed education support services. That assessment, generally set out in local authorities' Devolved School Management Schemes, is made on the basis of local needs and priorities, but also reflecting statutory obligations and agreed national priorities. There is little transparency over the allocations and factors that are taken into account in doing so, and considerable variation in how local authorities decide to spend their education budget.

This system leads to a wide variation in both the level and method of allocation of funding to schools across Scotland.

We know that there is also wide variation in per pupil spend. For example, Scottish Government figures show that, in 2015-16, the average spend per pupil in Scotland was £4,877 in primary and £6,920 in secondary. However, per pupil spending in primary ranges from £4,200 in one central local authority to £8,968 in one of the island authorities. While island authorities or those with more rural areas do generally spend the most per pupil (because of the generally higher cost of providing education in those areas) this does not account for all the variation. Even among urban authorities, there are some large differences.

This suggests that pupils or schools with similar characteristics in different local authority areas may attract very different levels of funding.

The Accounts Commission report *School Education* (2014)⁶⁵ suggested that funding could have a more significant impact on attainment if it was targeted at those schools and pupils where the need to improve attainment was greatest. They found that it is *how* councils decide to spend their education budget, rather than the overall level of spend, which has the most impact on attainment levels.

63 Chapman, C. Lowden, K. Chestnutt, H. Hall, S. McKinney, S. and Friel, N. (2015) *School Improvement Partnership Programme in Scotland* <http://eprints.gla.ac.uk/112298/1/112298.pdf>

64 Chapman, C, Chestnutt, H, Friel, N, Hall, S, and Lowden, K (2016) *Professional capital and collaborative inquiry networks for educational equity and improvement?* *Journal of Professional Capital and Community*, 1(3), pp. 178-197. <http://eprints.gla.ac.uk/119442/>

65 The Accounts Commission (2014) op.cit.

In Spring 2016, we extended the Scottish Attainment Challenge to commit a total of £750 million over the lifetime of this Parliament to tackle the poverty-related attainment gap, targeting resources at the children, schools and communities most in need. This funding comprises two elements; the Pupil Equity Fund and Attainment Scotland funding. Pupil Equity Funding is allocated directly to 95% of schools in Scotland at a rate of £1,200 for each pupil in P1 to S3 known to be eligible for free school meals. Attainment Scotland funding uses SIMD data to provide targeted support for children and young people in greatest need through the Challenge Authorities and Schools Programme, as well as funding a number of national programmes.

However, this funding represents a small proportion of the total gross expenditure on education in Scotland, £4.9 billion in 2015-16. The bulk of that funding is generally allocated to schools by reference to pupil numbers or the numbers of teachers required to support the pupil roll, rather than additional needs-based factors such as deprivation, which we know can impact on attainment and the life chances of individual children. Giving more money directly to headteachers will give them more power and autonomy, though we recognise that there were concerns about the additional bureaucracy associated with this in Governance Review responses. We need strong and effective educational support services for schools which liberate them from bureaucracy and provide high-quality administrative support. There is also evidence that a lack of control over which staff work in schools limits headteacher empowerment and the extent to which the school can improve. We believe we need to give headteachers more flexibility and control so that they have the right people in place at the right time.

2.3.5 Too much bureaucracy

The Government is committed to tackling bureaucracy and we have worked closely with partners to develop and drive proposals for change. We recognise that there are a number of factors that drive bureaucracy at a school, local authority and national level.

It is important that all activity is proportionate and focused on improving learning and teaching and safeguarding children. All national organisations have a role to play in minimising bureaucracy and paperwork. The Education Scotland review of bureaucracy and workload published in September 2016⁶⁶, found that the workload demands and requirements that local authorities place on schools needed significant improvements in a number of local authorities. The report highlighted the importance of all local authorities adopting good practice.

Empowering schools and allowing teachers, practitioners and headteachers to be leaders of learning changes the relationship between schools and local authorities. Schools will need to continue to undertake curriculum planning, assessment, tracking and monitoring learning outcomes, and planning for self-evaluation and improvement. However strengthened support services for schools are needed to liberate schools from bureaucracy. We want schools to be empowered to make decisions about resources. The business functions and paperwork associated with areas such as finance and human resources should not be undertaken by educational staff. High-quality, consistent support services are needed to liberate schools from this.

66 Education Scotland (2016) *Review of local authorities' actions to tackle unnecessary bureaucracy and undue workload in schools* <https://education.gov.scot/improvement/Documents/Review-of-Local-Authorities.pdf>

3. A SCHOOL AND TEACHER-LED SYSTEM – EMPOWERING TEACHERS, PARENTS AND COMMUNITIES

Decisions that will shape the education of children and young people will rightly be taken as close to them as possible. In order to deliver and support our vision of a school and teacher-led system, it is crucial that we take account of what the evidence tells us will work, including the excellent practice currently taking place in many of our schools. In particular, we need to support the National Improvement Framework drivers of teacher professionalism and school leadership. We want to significantly strengthen the practical, curriculum area, and sector-specific improvement support which is available to teachers at regional level.

3.1 Teachers and practitioners – improving the quality of learning and teaching

Teachers and practitioners are the most important factor in improving children's outcomes in schools. As Dylan Wiliam, emeritus professor of education at the University College London's Institute of Education argues "*the only thing that really matters is the quality of the teacher*"⁶⁷. Teachers are best placed to make the best decisions regarding children and young people's learning, when fully empowered and well supported to do so. Curriculum for Excellence is based on the teacher as an empowered professional making curriculum decisions and leading learning within their classroom and school. We will take forward a number of actions which support and enhance this.

We will trust and invest in teachers and practitioners as empowered, skilled, confident, collaborative and networked professionals. To ensure that they flourish, we will transform the support available to teachers and practitioners at every level of the system.

New regional improvement collaboratives, set out in detail in Chapter 4, will provide teams of professionals who have the singular focus of helping teachers to improve their practice. These teams will include sector and curriculum area specialists as well as additional support for learning experts such as educational psychologists. They will provide advice and support to enable teachers and schools to drive improvement, making use of all available evidence and data. They will help teachers to access the practical improvement support they need, when they need it. Further work will be done in collaboration with partners on what this could look like.

There is widespread acceptance that teacher knowledge base is an important component of teacher quality. When teachers' skills and student performance are compared across countries⁶⁸, there is a positive relationship between them. Improving skills among teachers can therefore improve student performance. There is a need to ensure that all those working with children and young people are able to support their needs to ensure that they overcome barriers to their learning. This must be delivered within a context of inclusive practice. We must focus on both initial teacher education and career-long professional learning in order to address the barriers to a more empowered teacher workforce and to benefit from a more open, dynamic and flexible system.

Initial teacher education is the gateway to the profession and we want to continue to attract aspiring and highly motivated individuals who are attracted to teaching because it makes a difference. We also want to inspire an ongoing commitment to learning throughout a teacher's career.

67 Wiliam, D (2009). *Assessment for learning: why, what and how?* London: Institute of Education, University of London.

68 OECD (2017b) *Empowering and Enabling Teachers to Improve Equity and Outcomes for All*, Fig 1.6 http://www.istp2017.uk/media/1086/istp2017final_version.pdf

We will take steps to ensure initial teacher education prepares students to enter the profession with consistently well-developed skills to teach key areas such as literacy, numeracy and health and wellbeing.

Since 2012-13 we have invested £4.6 million to enable teachers to undertake SCQF level 11 (Masters level) professional learning as part of its aim to ensure that teachers have the necessary skills and knowledge. To date it has supported around 4,600 teachers to undertake study at Masters level.

Michael Fullan argues that leading for coherence requires the development of leaders at all levels within the system⁶⁹. The professional learning offer is currently patchy across different parts of Scotland. Many different organisations offer aspects of professional learning for teachers. We will learn from Ontario, which is arguably one of the best international reference points. The Ontario provincial government agreed a clear agenda around professional learning with schools and teacher unions. We can build on the commitments made with the teacher professional associations at the International Summit on the Teaching Profession 2017 in Edinburgh which recognised the importance of equity related professional learning and the need to incentivise professional learning for teachers.

We will streamline and enhance professional learning so that there is a coherent learning offer to teachers which is focussed on curriculum area and sector-specific issues. More professional learning will be provided by teachers, for teachers, through the regional improvement collaboratives.

Evidence throughout the Governance Review consultation indicated that there is a need to ensure that teachers and the wider education workforce are able to support children and young people with additional support needs⁷⁰. We will shortly publish revised guidance on the presumption to mainstream education for consultation. In addition, the 10-year strategy for the commissioning of national services will be published for consultation. This will include a focus on leadership and training.

We will recognise the contribution of the whole school workforce by working with them to introduce professional standards for these staff, including classroom assistants, to recognise the importance of the whole education team.

The removal of the Chartered Teacher scheme in 2012 closed off a possible additional career option for teachers who wanted to expand their role without leaving behind classroom teaching. There were significant issues with the design of the scheme which limited the impact of some Chartered Teachers on school improvement. The lack of promoted posts in Scottish teaching, particularly in the primary sector, arguably does not enhance the idea of teaching as a profession with strong career progression routes. This could be seen as a barrier to innovation and to building the necessary confidence required if schools are genuinely to lead the system. We are keen to learn from a range of international examples which support career progression. Figure 1 outlines the three distinct career routes for teachers in Singapore: teaching track, leadership track and specialist track. These complementary tracks allow linear progression but also for teachers to move between tracks. The need to provide clarity on career progression in order to increase the appeal of teaching as a profession in Scotland was discussed at the recent International Summit on the Teaching Profession 2017 in Edinburgh.

69 Fullan, M and Quinn, J (2016) *Coherence: The right drivers in action for schools, districts and systems*, CA: Corwin/London: Sage.

70 Scottish Government (2017b) op.cit

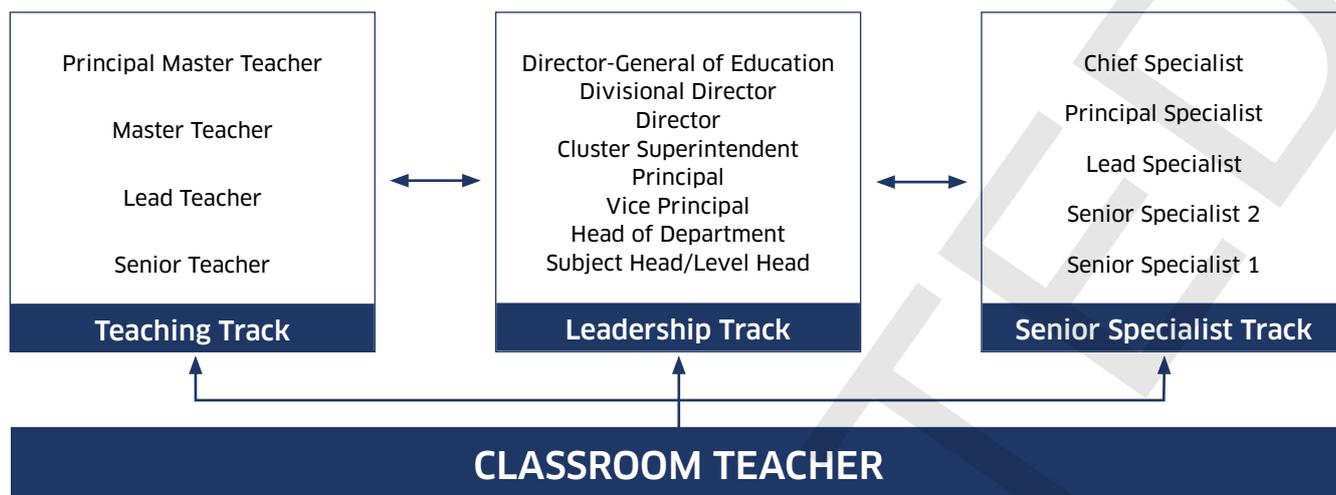


Fig. 1 Source: <http://moe.gov.sg/careers/teach/career-info/>

Recognising the importance of the role of teachers and practitioners, we also want to continue to ensure that teaching and the wider education workforce are attractive career paths. The International Council of Education Advisers recommended⁷¹ that we consider:

- ways of making the teaching profession more attractive, particularly around the structure for career progression;
- how to make use of high-performing teachers and their leadership skills within schools e.g. creating a peer support role to support and mentor other teachers; and
- establishing clear, broad and multiple career pathways for teaching professionals, and look at ways for teachers to progress while remaining in the classroom.

We will work with our partners to establish new career pathways for teachers allowing greater opportunities for development and progression into leadership, specialist or improvement roles.

3.2 Headteachers – supporting school leadership

Leadership is the essential ingredient that binds the separate parts of an education system together and is a pre-requisite for achieving system-wide transformation. Leadership capacity doesn't just emerge, it needs to be built and requires modelling by leaders.

In their 2008 publication “*Improving School Leadership*”⁷², the OECD stated that:

“Research has shown that school leaders can make a difference in school and student performance if they are granted autonomy to make important decisions. However autonomy alone does not automatically lead to improvements unless it is well supported. In addition, it is important that the core responsibilities of school leaders be clearly defined and delimited. School leadership responsibilities should be defined through an understanding of the practices most likely to improve teaching and learning.”

The OECD paper identified four main policy levers which, taken together, can improve school leadership practice, and we will address each of these. They are:

- define school leadership responsibilities;
- distribute school leadership;
- develop skills for effective school leadership; and
- make school leadership an attractive profession.

71 Scottish Government (2017d) op.cit

72 OECD (2008) op.cit.

Headteachers feel a deep sense of responsibility to improve children's life chances and to do everything possible to help them to succeed. This level of dedication and responsibility needs to be formally reflected in legislation, to give headteachers the power and autonomy to make decisions for the children in their care. This needs to include the responsibility to choose and manage the staff in their school. The blend of staff in a school needs to match the needs of the children, families and the local community. At present there is a lack of flexibility in this area which can significantly affect the pace of school improvement and the overall quality of learning, teaching and attainment.

We will clearly define school leadership responsibilities, legislating to create a Headteachers' Charter, which will be developed in partnership with the profession and professional associations. We will trust and invest in the leadership of schools and support empowered headteachers.

Headteachers will:

- be the leaders of learning in their schools;
- be supported through a revolutionised offer of support and improvement;
- be responsible for raising attainment and closing the poverty-related attainment gap;
- deliver quality and improvement at school level;
- select and managing the teachers and staff in their school;
- decide on school management and staffing structure, including business managers;
- decide on curriculum content and offer;
- work with partners including local authority support staff and others to meet learners' additional support needs at school level;
- collaborate for school improvement at school, cluster and regional level;
- lead self-evaluation and improvement of school performance;
- monitor school progress and reporting; and
- manage defined and greater proportions of school funding (this will be part of the accompanying consultation on funding).

We will distribute school leadership to ensure headteachers are supported by peer networks, regional improvement collaboratives, local authority support and the wider school community including pupil and parent councils.

We created the Scottish College for Educational Leadership (SCEL) in order to bring clarity and coherence to educational leadership in Scotland. To ensure that all teachers engage with the most relevant, meaningful and inspiring leadership development, SCEL is developing pathways that include opportunities for teachers, middle leaders, new headteachers, experienced headteachers and system leaders. Notably they are also responsible for the development and delivery of the Into Headship qualification which, further to our recent consultation on Standard for Headship will be required for appointment to the headteacher role from 2020 onwards. There is however a perception that headteachers require additional skills and support in order to fully capitalise on the benefits of a more empowered system. We discuss the future role of SCEL in Section 4.4 of Chapter 4, however the functions which it currently fulfils in relation to provision of educational leadership development is critical in a school and teacher-led system.

We will develop skills for effective school leadership by enhancing the leadership support package to build the capacity and culture for teachers and headteachers to take on their new more empowered role.

We recognise the concerns raised during the Governance Review consultation about the need to continue to attract and retain excellent headteachers. We must do more to support teachers to become headteachers and to ensure it is seen as an attractive and fulfilling career.

We will take specific actions to increase the attraction of school leadership. We will develop a specific recruitment campaign for headteachers building on our Teachers make People campaign.

We will develop a mechanism to identify aspiring headteachers early in their career and develop a programme of professional learning and work experiences to lead them to the Into Headship course – this will provide a fast-track leadership route for talented teachers providing a clear pathway to headship.

Research evidence suggests that formal collaboration between schools and the development of executive headship roles can play a significant role in impacting on student outcomes and supporting school improvement more broadly including by strengthening leadership⁷³.

We will develop new Executive Heads and Cluster Leaders with partners to strengthen school leadership.

The dilution of educational expertise and leadership at a local authority level was identified by a number of stakeholders during the Governance Review consultation as a key area of concern. We know that leadership needs to be nurtured and modelled and we need to work collectively to ensure we support leadership beyond school level. The regional improvement collaboratives will provide a route for teachers, headteachers and system leaders to collaborate and we will support this leadership pathway.

We will develop a coherent approach to the leadership capacity across the whole system from the classroom to policy level and work with partners to develop a new system leadership role to provide clear progression opportunities and to strengthen educational leadership at all levels in the system.

3.3 Empowering Children, Parents and Communities

Our system is based on trusting the professional judgement of teachers and practitioners but engagement and communication with children and young people, parents and carers is crucial in ensuring that learning at school is supported at home. Children want to have their voice heard in decisions that affect them. Parents can only be partners in their child's education if they are valued as equal partners.

3.3.1 Children and young people

School is a critically important part of children and young people's lives but it is not the only significant part. Consultation with children and young people by the Children's Parliament, Scotland's Commissioner for Children and Young People and Children in Scotland⁷⁴ emphasised the importance of understanding the breadth of young people's lives.

Young people talked about balancing school work with commitments like sports, family, friends and volunteering. Children and young people have said that they want their schools and teachers to realise the value of extra-curricular achievements in their education and the pressure that they face in other parts of their life as well as in school. They want schools to be more engaged in the community and to see it as a resource so that they can build their skills and access opportunities.

73 Chapman, C, and Muijs, D (2013) *Collaborative school turnaround: a study of the impact of school federations on student outcomes*. Leadership and Policy in Schools, 12 (3). pp. 200-226. ISSN 1570-0763. <http://eprints.gla.ac.uk/87561/>

74 Scottish Government (2017e) *Excite.ED: How to Deliver Excellence and Equity in Scottish Education*, Scottish Government, Edinburgh.

Children also want to play an active role in the running of their school. When children and young people are consulted or involved in decision making it is important that decision makers show that their input is valued and that they can affect change. Finally, children and young people want to have more of a say in the decisions that affect them, both locally and nationally, and they want that input to be valued.

We will strengthen the voice of children and young people by supporting all schools to promote and support pupil participation. As part of this we will consult on a requirement that every school pursues the key principles of pupil participation.

3.3.2 Parents and families

Evidence from the OECD⁷⁵ suggests that when parents are fully involved in their child's learning we see better outcomes for children, parents and schools. The international study PISA shows that higher parental engagement is associated with higher performance by their children. We also know that if schools are to improve attainment they need to collaborate with the local community and with local partner organisations⁷⁶.

The findings from the Governance Review consultation, public events and discussions with various stakeholders suggest that many parents are well engaged with their child's school and learning, and that they are adequately represented under current arrangements⁷⁷.

However, as outlined in Chapter 2, further research indicates that there are socio-economic differences in the levels of engagement, and this view may not represent the opinions of, or contributions from, parents who generally are less likely to engage with schools. The quality action plan for early learning and childcare, due for publication in October 2017, will consider how we can establish parental involvement from the earliest stage in the learner journey by integrating early learning and childcare with the range of family support available.

We also know that parent councils could be supported to play a much stronger role in substantive matters such as school improvement and school policies, and that we could be more innovative to ensure that the wider parent forum are provided with a greater variety of ways to be involved.

We will strengthen parental involvement by consulting on legislative changes to strengthen, expand and improve the Scottish Schools Parental Involvement Act 2006 acting on the National Parent Forum of Scotland's review of the Act.⁷⁸ This will:

- **strengthen the duties on schools to ensure that parent councils play a full part in the decision making of schools;**
- **expand relevant aspects of the Act to involve parents from early years settings;**
- **provide a stronger focus on parental engagement in learning within the legislation;**
- **improve and extend the duties on headteachers to engage the entire parent forum; and**
- **include proposals to extend the links between parent councils and pupils.**

Evidence published by PISA⁷⁹ shows that, in Scotland, students whose parents are interested in their child's activities at school are more likely to want top grades, less likely to report being dissatisfied with life and less likely to report feeling lonely. However, some parents

75 OECD (2017a) op.cit.

76 OECD (2016) *Governing Education in a Complex World*
<http://www.oecd.org/edu/governing-education-in-a-complex-world-9789264255364-en.htm>

77 Scottish Government (2017b) op.cit

78 National Parent Forum for Scotland (2017) op.cit.

79 OECD (2017a) op.cit.

find it more difficult to engage in their child's learning – some because of practical challenges and others because they feel less confident in engaging. While PISA found that the level of parental engagement in Scotland was higher than OECD average (88% compared to 78%), around 18% of parents reported that their participation at school was hindered by inconvenient meeting times and difficulty of getting off work. In thinking about how best to engage with parents, schools need to recognise the changing reality of home and work. For some people work and family commitments and working patterns make it difficult to physically attend school meetings. Many schools are exploring different ways of communicating with parents and the potential technology offers to allow parents more immediate access to information about their child's learning and this should be welcomed.

In addition to their recommendation on the Scottish Schools (Parental Involvement) Act 2006, the National Parent Forum of Scotland's review⁸⁰ looked at how we might improve a wide range of practical matters related to communication with parents, learning at home and home/school partnerships.

We will ensure that every school has access to a home to school link worker to support parents and families who find it challenging to engage in their child's learning and feel excluded from the work and life of their child's school.

We will respond to the other non-legislative recommendations of the National Parent Forum's review in the Autumn.

3.3.3 Communities

Early learning and childcare and schools do not exist in isolation and we recognise that many of the factors which influence a child's outcomes are outside the school gates in the family, the community and society⁸¹. Schools, however, make a major difference. They make that difference by working with families and communities and recognising the reality of the lives of the children and young people. Many schools are at the heart of their local communities. Improvement planning at school, cluster and regional level should take account of the work of the relevant Community Planning Partnerships. This will enable schools to strengthen their knowledge of, and engagement with, the wider community to achieve collective impact⁸². The contribution of Community Learning and Development (CLD) professionals should also feature as an integral part of local planning, taking account of local authority CLD plans, published through The Requirements for Community Learning and Development (Scotland) Regulations 2013.

We will strengthen parental and community engagement by working with the Scottish Parent Teacher Council to learn from their Partnership Schools initiative to ensure that schools support parents to play an active part in school improvement.

We will strengthen school, parental and community engagement by requiring that every school has a teacher or professional who has responsibility for promoting parental, family and community engagement.

80 National Parent Forum of Scotland (2017) op.cit.

81 Cummings, C, Dyson, A and Todd, L (2011) *Beyond the School Gates, Can Full Service and Extended Schools Overcome Disadvantage?* Routledge, <https://www.routledge.com/Beyond-the-School-Gates-Can-Full-Service-and-Extended-Schools-Overcome/Cummings-Dyson-Todd/p/book/9780415548755>

82 Henig, J R, Riehl, C J, Rebell, M A, & Wolff, J R (2015). *Putting collective impact in context: A review of the literature on local cross-sector collaboration to improve education*. New York, NY: Teachers College, Columbia University, Department of Education Policy and Social Analysis
<http://www.wallacefoundation.org/knowledge-center/Documents/Putting-Collective-Impact-Into-Context.pdf>

4. EDUCATIONAL IMPROVEMENT SERVICES TO SUPPORT A SCHOOL AND TEACHER-LED SYSTEM

We need to ensure that there is excellent support in place for schools and early learning and childcare settings in order for them to thrive. Every part of Scottish education has a key part to play in delivering this and should have a collective focus on delivering excellence and equity for our children and young people.

One of the key recommendations from the OECD in their report *Improving Schools in Scotland: An OECD Perspective*⁸³, called for a strengthened “middle” operating through collaboration across schools, and in and across local authorities. We also know that effective collaboration is an important driver of improvement, and we need to ensure that it is the hallmark of our system.

4.1 Regional improvement collaboratives

Empowered schools will need excellent educational improvement services aligned to the National Improvement Framework and informed by performance data on all aspects of school improvement. These should include curriculum area specialist support and hands-on improvement support when required.

Across Scotland the tailored education improvement support which local authorities are able to provide to schools has significantly reduced over recent years. Understandably resources available have focussed on frontline delivery. In a number of smaller local authorities there is no longer the critical mass to deliver the improvement support which schools need. Many local authorities have moved to a model of education and children’s services. This has advantages in bringing staff together from across professional groups to support children and their families. Whilst we recognise the value of this, it is important that there are sufficient numbers of staff with educational expertise and with a dedicated focus on improving educational outcomes within regional teams. Local authorities have identified the benefit of working across boundaries to support improvement. However, these initiatives vary in their nature, scope and maturity and schools in different parts of the country may not yet have felt the benefit of this collaboration.

In Wales, local authorities have been working together in regional consortia arrangements to support school improvement since 2011. We have looked closely at the Welsh model for regional collaboration and have noted the importance of clarity of purpose, leadership and clear accountability.

We will establish regional improvement collaboratives in Scotland to embed collaboration for improvement across all of our schools. The collaboratives will provide an enhanced educational improvement service to support teachers, practitioners and headteachers to deliver excellence and equity in education. These collaboratives will respond to the recommendations, including from the OECD, ICEA and IPPR Scotland, to drive and focus collaboration across our system. This regional approach will involve decentralising some Education Scotland resources to support improvement closer to schools. It will also involve local authorities sharing resource at a regional level to ensure an enhanced improvement capability.

We want an improved offer to all schools with some consistency of role, but we also want to empower schools and communities to shape the regional improvement offer which best meets their needs and to take account of their school improvement plans when developing regional plans and priorities.

83 OECD (2015a) op.cit.

We believe this is the most efficient and effective way to strengthen collaboration to improve education across Scotland, by pooling and strengthening the existing resources and by investing further in systematic improvement.

Regional improvement collaboratives will:

- provide excellent educational improvement support for headteachers, teachers and practitioners through dedicated teams of professionals. These teams will draw on Education Scotland staff, local authority staff and others;
- provide coherent focus across all partners through delivery of an annual regional plan and associated work programme aligned with the National Improvement Framework;
- facilitate collaborative working across the region, including sharing best practice, supporting collaborative networks and pursuing partnership approaches using technology to support this and embedding research informed practice. They will contribute to the work of the national Children and Young People's Collaborative;
- be led by a Regional Director, to be appointed by the Scottish Government and provide a direct line of accountability for the performance of the regional improvement collaboratives to Ministers. The Regional Director will report to the HM Chief Inspector/ Chief Executive of Education Scotland;
- be set up through the creation of a new legislative duty for local authorities to collaborate on specific functions to support their headteachers' duties to raise attainment and close the poverty-related attainment gap which we will consult on in the autumn as part of a new Education Governance Bill; and
- be funded through a combination of decentralising the national resources of Education Scotland and pooling of local government resources to support regional improvement delivery.

To focus the regional offer from Government and the national bodies, we anticipate that Scotland will initially establish up to seven regional improvement collaboratives. However, in ensuring that the regional offer is tailored to local needs, we will work with local professionals, local government and national bodies in defining the detailed regional improvement collaborative geographies and the arrangements for regional improvement models. We are keen to build consensus and partnership in their design, however, we must progress with pace.

As we have set out above, it is our aim to embed and support a culture of collaboration across our education system. The establishment of regional improvement collaboratives will build on the effective partnership working which currently takes place between schools, authorities, national bodies and other partners. It will strengthen the networks, relationships and support that is available to evaluate and share good practice, ensuring that the knowledge and innovation within our system is shared across it.

We will work with partners to ensure that the experience of current and emerging partnership working informs the establishment of regional improvement collaboratives.

4.2 School level – supporting collaboration

Collaboration at a school level is already a strong feature of Scottish education, particularly where schools work in clusters. Many schools and establishments are working collaboratively as are many teachers and practitioners, however, this is not universal. The model of collaborative working differs and the governance structures often make collaboration harder. Where it does take place effectively, it has a demonstrable and positive impact on children and young people.

We will provide a clear vision and framework within which effective school level collaboration can take place. We will work with partners to develop this framework and support development of resources and tools to support collaborative approaches in the classroom. As part of their inspection process Education Scotland will look at how schools and establishments are working collaboratively with others and we will share evidence about what works.

We will support schools and establishments to work together in a learning journey cluster to develop a 3-18 curriculum offer, support transitions and clearly focus on outcomes. We will also support schools and partners in working to support transitions to a positive destination as part of their wider learner journey.

The OECD stressed the importance of creating coherent and cohesive cultures of system-wide collaboration. We know that collaboration can cover a wide range of practice and that not all kinds of professional collaboration are equally effective. We also know that successful collaborative partnerships require local leadership, buy-in and direction, but that without an external prompt and support such collaborative partnerships often struggle. We are clear therefore that action is needed to embed and support effective collaboration at a school level.

Fullan and Munby⁸⁴ summarise what factors need to be in place to support effective system-wide school collaboration. These factors, which will inform our approach to collaboration, are:

- a clear focus on outcomes;
- partnerships must be founded on a clearly articulated shared moral purpose;
- transparency, trust and honesty are crucial;
- commitment to and capacity for peer review;
- peer review needs to be carried out within a long term relationship and a commitment to continuously improving practice and systems;
- partnerships must have a plan to move from collaboration to co-responsibility to a position of shared professional accountability;
- partnerships should go beyond school leaders and engage with students, families, teachers and communities; and
- partnerships welcome scrutiny and support from other partnerships as their contribution to a connected local, regional and national system.

We recognise that many teachers and practitioners want to work collaboratively, so we must remove the barriers that prevent this from happening.

We will establish a system of support through the regional improvement collaboratives to encourage and facilitate school improvement partnerships.

The National Improvement Framework will provide the evidence and regional improvement collaboratives will be tasked with supporting schools to identify potential partners. These collaborative partnerships may cross local authority boundaries. The focus will be linking schools which either have a shared challenge or where one school is keen to learn from successful practice in another school. The School Improvement Partnership Programme evaluation (2015)⁸⁵ has shown the effectiveness of these kinds of school partnerships in tackling educational inequity.

84 Fullan, M and Munby, S (2016) *Inside-out and downside-up: How leading from the middle has the power to transform education systems* Education Development Trust <https://www.educationdevelopmenttrust.com/~//media/EDT/files/News/f-global-dialogue-inside-out-and-downside-up-feb.pdf>

85 Chapman, C. Lowden, K. Chestnutt, H. Hall, S. Mckinnon, E and Friel, N. (2015) op.cit.

4.3 Local authority level – focussing on world class educational support services

This devolution of power to the school level means that the traditional roles of national and local government will change. Headteachers will be empowered to make high quality decisions to drive up attainment and close the equity gap; putting the needs of children and their families first and helping to build a more open, flexible and dynamic system.

Local government's role and importance is clear. A range of local authority provision, such as Children's Services and Community Learning and Development, have a very important role to play as we continue to improve outcomes for children and families. Local authorities will remain democratically accountable for the provision of early learning and childcare and of schools. Local authorities will focus on delivering excellent educational support services for children and young people – their role will be key in supporting schools and establishments to drive improvement and deliver better outcomes for children.

Local authorities will:

- 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.

4.4 National support for an empowered system

The Governance Review set out that the following organisations were within scope:

- Scottish Government;
- Education Scotland;
- Care Inspectorate (in relation to early years and childcare provision);
- Scottish Social Services Council (in relation to education, early years and childcare provision) (SSSC);
- Scottish Qualifications Authority (SQA);
- General Teaching Council for Scotland (GTCS);
- Scottish College for Educational Leadership (SCEL); and
- Universities providing Initial Teacher Education.

Evidence⁸⁶ points strongly to the importance of shared national priorities and a collective achievement so there is a clear line of sight between learning and teaching in the classroom through to school performance and the achievement of wider priorities.

We have a clear, shared and agreed vision for Scottish education: a vision of excellence and equity set out through our National Improvement Framework. This paper sets out our vision and plans for a school and teacher-led system, with a world-class support system in place to deliver on this ambition.

In order to capitalise on our shared vision and to ensure that there is coherence, pace and challenge at a national level, we recognise the need to provide an overarching structure to support the system.

We will establish a Scottish Education Council, chaired by the Deputy First Minister and Cabinet Secretary for Education and Skills, to ensure a system-wide focus on improvement can be delivered.

The role of national bodies including the Scottish Government, is to establish and support this national vision, in such a way that ensures a clear line of sight to the classroom. We are clear that a number of functions in education continue to need to be undertaken at a national level. These are:

- education policy;
- a national framework to support improvement and the curriculum;
- inspection and review of early learning and childcare, school education, educational psychology, community learning and development, children's services and local authorities;
- development, accreditation and awarding of national qualifications;
- national support for professional learning and leadership development for the teaching profession and wider education workforce;
- teacher workforce planning and initial teacher education; and
- terms and conditions of service for teachers, including pay professional standards and registration of teachers.

However, the findings from the Governance Review consultation, public events and discussions with various stakeholders suggest that currently the responsibilities at a national level are not clear and some functions feel too far removed from the classroom⁸⁷.

We will clarify and simplify the national landscape.

86 Fullan, M Rincón-Gallardo, S and Hargreaves, A (2015) *Professional Capital as Accountability*; Education policy analysis archives, volume 23 number 15; <http://epaa.asu.edu/ojs/article/view/1998/1511>

87 Scottish Government (2017b) op.cit

4.4.1 Education policy

The Scottish Government is responsible for setting clear priorities for Scottish education and for setting the national policy context within which the education system operates supported by our national research strategy⁸⁸. While respondents to the Governance Review debated the merits of individual policies no-one suggested that there was no need for a national vision for education or national priorities. The OECD have emphasised the importance of a strategic vision to secure effective delivery of reform. At a national level we must also monitor and evaluate the impact of reform we have set out in this paper, to ensure we are a learning system.

However, an empowered system does suggest a clarified role for national government – for example, empowering teachers and headteachers to make decisions about curriculum content raises questions about the extent to which we can mandate or require certain elements of that curriculum. The freedom for headteachers to choose the staffing mix and management structure within their schools could have implications for the national pupil-teacher ratio. We accept that empowering schools and devolving power also has implications for national government and we will continue to engage with partners, including parents and professional associations on the balance between national priorities and local flexibility.

The Scottish Government will remain responsible for national education policy.

4.4.2 A national framework to support improvement and the curriculum

Within the broad overall vision of achieving excellence and equity the National Improvement Framework is galvanising efforts to align our collective improvement activities across the whole education system, to address our key priorities:

- improvement in attainment, particularly in literacy and numeracy;
- closing the attainment gap between the most and least disadvantaged children;
- improvement in children and young people's health and wellbeing; and
- improvement in employability skills and sustained, positive school leaver destinations for all young people.

Education Scotland is currently responsible for supporting quality and improvement in Scottish Education. Innovations such as the National Improvement Hub have been welcomed. However, the responsibility for improvement needs to be held at all levels of the system and should be a collective responsibility for all. We have set out an enhanced responsibility for improvement at a regional level, designed and driven at local level, to align with the National Improvement Framework. Learning from each of the regional improvement collaboratives will be shared nationally.

4.4.3 Inspection of early learning and childcare and school education

Inspections and reviews are designed to improve outcomes for learners through providing assurance on the quality of education and promoting improvement and innovation to enhance learners experiences. Currently Education Scotland undertakes inspections for all educational establishments including education in early years settings while the Care Inspectorate inspect care and social care settings. Education Scotland and the Care Inspectorate undertake joint inspections where an establishment is providing care and education for example early learning provision or schools with residential accommodation.

88 Scottish Government (2017f) *A research strategy for Scottish Education*
<http://www.gov.scot/Publications/2017/04/8997>

The need to ensure both consistency of standards and oversight of the best educational practice across Scotland indicates that inspection should remain a national function. In order to ensure inspection is seen as part of the improvement cycle, rather than as a quality assurance audit, it is important that the inspection and improvement functions remain together at a national level in Education Scotland.

Some establishments are subject to inspection by both the Care Inspectorate and Education Scotland and while both Inspectorates have adopted a more joined up approach to inspection, respondents to the Governance Review reported that the current process is unsatisfactory, overly bureaucratic and can lead to confusion for parents⁸⁹. We believe that there is more that can be done to bring these two inspection processes more closely together.

Education Scotland and the Care Inspectorate will further enhance their single shared inspection model for early learning and childcare and ensure that an institution will only be subject to a single inspection per cycle.

4.4.4 Development, accreditation and award of national qualifications

Scottish Qualifications Authority (SQA) is the national body in Scotland responsible under statute for the development, accreditation, assessment and certification of qualifications. Whilst respecting SQA's independent responsibility for delivering these core functions, we expect SQA to have in place appropriate and robust processes to ensure accuracy, and for consulting and engaging with a wide range of stakeholders.

We will make clear our expectations of SQA on the importance of listening, and being open to, the voices of learners, teachers and parents. We will ensure that the Chair regularly reports to Ministers on the improvements being made in relation to these matters. We will request that SQA outline in their annual corporate plan their strategic communications and engagement plans.

4.4.5 Pay, workforce planning and initial teacher education

Many respondents to the Governance Review consultation cited the importance of the Scottish Negotiating Committee for Teachers (SNCT) which is the tripartite body comprising members from teaching organisations, local authorities, and the Scottish Government with responsibility for agreeing pay and terms and conditions for teachers⁹⁰. The 2001 teachers' agreement, *A Teaching Profession for the 21st Century*⁹¹, introduced a new negotiating framework for teachers' pay and conditions of service and this is supported by the SNCT. As we made clear during the Governance Review consultation, we remain committed to national terms and conditions of service including pay.

We remain committed to national terms and conditions of service including pay.

89 Scottish Government (2017b) op.cit

90 Scottish Government (2017b) op.cit

91 Scottish Government (2006) *A Teaching Profession for the 21st Century: Agreement reached following recommendations made in the McCrone Report.* <http://www.gov.scot/Resource/Doc/158413/0042924.pdf>

The Scottish Government undertakes an annual teacher workforce planning exercise each autumn to estimate how many student teachers should be enrolled by the relevant universities in the following year to ensure that we maintain an adequate supply of teachers to meet local authorities' and schools' requirements. This process is led by the Scottish Government supported by the national Teacher Workforce Planning Advisory Group comprising:

- Convention of Scottish Local Authorities (COSLA);
- Professional Associations;
- Headteacher organisations;
- Scottish Funding Council;
- General Teaching Council for Scotland (GTCS);
- Education Scotland;
- Universities providing Initial Teacher Education;
- Universities Scotland; and
- Association of Directors of Education in Scotland (ADES).

In recent years the process has been supplemented by more detailed local information and this has strengthened confidence in the workforce planning process. We will build on this approach in the future strengthening local input and continue to work with the national Teacher Workforce Planning Advisory Group.

Workforce planning will continue to be undertaken at a national level but with an enhanced role for local authorities and regional improvement collaboratives to ensure that national planning reflects local need.

4.4.6 Professional standards and registration of teachers and wider education workforce

One of the strengths of our education system is that we have national teacher professional standards underpinned by a national registration scheme which ensures the high quality of our teaching profession. We remain absolutely committed to these safeguards. It is right that we have a national system to determine who has the skills and expertise to work with our children and young people but that system also needs to be flexible and prompt in dealing with requests so that qualified, high-quality teachers are able to get into classrooms as quickly as possible.

It is also important that we have a system to identify people who should not be working with children and to address issues of competence. Procedures for dealing with competence investigations in relation to professional standards need to be robust and operate at a faster pace where possible. Professional Update where teachers demonstrate that they are continuing to meet the professional standards needs to have more impact on improving teachers' knowledge, skills and competences.

We support a professional workforce and recognise that there are many professionals, such as education support staff and Community Learning and Development (CLD) professionals, who play a key role in educating our children and supporting our teachers. Currently, not all of these professionals are part of a national registration scheme.

We will therefore consult on establishing an Education Workforce Council for Scotland which will take on the responsibilities of the GTCS, the Community Learning and Development Standards Council and register other education professionals. The full scope of the functions to be undertaken by this body will be included in our consultation on our Education Bill in autumn 2017.

4.4.7 National support for professional learning and leadership development

Currently the support for professional learning and leadership development of teachers rests with a number of different national bodies. Education Scotland has core responsibility for professional learning as set out in their Framework document. The Scottish College for Educational Leadership (SCEL) has responsibility for leadership development and the GTCS has brought together professional associations and other partners to develop a professional learning framework. In order to simplify the landscape and provide clarity to teachers, we believe that one national government agency should have responsibility for national support for professional learning and leadership. The improved regional organisation of Education Scotland, as outlined earlier in this paper, will mean that they are best placed to co-ordinate hands-on professional learning and leadership development to teachers in line with a focus on developing methods of improvement that work for local circumstances.

We will simplify the national support for professional learning and leadership development by placing these functions in a renewed and revitalised Education Scotland.

Education Scotland will have a significantly enhanced role and purpose going forward, with a strengthened inspection and improvement function. We do not accept the calls for these functions to be split; inspection remains a crucial tool that supports the system-wide goal of continuous improvement. Education Scotland will have a renewed focus on professional learning and leadership, providing clarity and coherence to the national landscape. Delivery via the new regional improvement collaboratives will mean that hands on advice, support and guidance can flow directly to schools to support improvement.

The table below sets out a comparison of which national bodies are responsible to which function now and how they will look in the future.

Function at national level	Body currently responsible	Body to be responsible in future
Education policy	Scottish Government Education Scotland (for community learning, adult learning and youth work)	Scottish Government
Inspection/Scrutiny	Education Scotland Care Inspectorate	Education Scotland Care Inspectorate
Improvement/ Curriculum Support	Education Scotland	Education Scotland
National qualifications	Scottish Qualifications Authority	Scottish Qualifications Authority
Professional learning	General Teaching Council for Scotland Education Scotland Scottish College for Educational Leadership Universities	Led by Education Scotland, supported by providers including Universities

Function at national level	Body currently responsible	Body to be responsible in future
Leadership development	Scottish College for Educational Leadership Universities General Teaching Council for Scotland Education Scotland	Education Scotland
Initial teacher Education	Aberdeen Dundee Edinburgh Glasgow Strathclyde University of the West of Scotland University of the Highlands and Islands Stirling Royal Conservatoire	Aberdeen Dundee Edinburgh Glasgow Strathclyde University of the West of Scotland University of the Highlands and Islands Stirling Royal Conservatoire Other routes into teaching and other providers as required
Initial teacher Education accreditation	General Teaching Council for Scotland (accreditation of ITE)	Education Workforce Council
Workforce Planning	Scottish Government in close collaboration with COSLA Professional Associations Headteacher organisations Scottish Funding Council General Teaching Council for Scotland Education Scotland Universities providing ITE Universities Scotland Association of Directors of Education in Scotland	Scottish Government in close collaboration with COSLA Professional Associations Headteacher organisations Scottish Funding Council Education Workforce Council Education Scotland Universities providing ITE Universities Scotland Association of Directors of Education in Scotland
Terms and conditions	Scottish Negotiating Committee for Teachers	Scottish Negotiating Committee for Teachers
Professional standards, regulations and registration	General Teaching Council for Scotland Scottish Social Services Council	Education Workforce Council Scottish Social Services Council

4.5 Fair Funding for an Empowered System

The transformation of education governance outlined in this paper needs to be supported by a fair and transparent funding system that puts schools at the heart of decision making.

There are broadly three approaches to funding that could support our vision for a school and teacher-led system.

A Fixed National Funding Formula

In recent years, many education systems have moved towards decentralisation of school funding through the use of funding formulas.

Under this approach, money for education in Scotland (or relevant parts of the education system) would be ring-fenced and go directly to schools, via the local authority. The total amount of money available to schools in an individual local authority could be calculated from the top down, determined by the current local government distribution calculation mechanism, or from the bottom up, based on the characteristics of the school population in that authority.

Allocations could be determined on a unit cost per child basis by a broad range of input variables and criteria, such as deprivation, rurality, etc. Alternatively, they could be determined by providing a school allocation based on pupil numbers and historic spend, supplemented by additional funds reflecting particular needs. The services currently provided for and funded centrally by local authorities, for example additional support needs and capital spending, could either be included within that formula, or excluded from it. Portions of funding would be allocated directly to clusters and regions to support collaborative working and maximise the use of resources.

While the OECD⁹² have found that a “*well designed funding formula can be the most efficient, stable and transparent method of funding schools*”, there is little direct evidence at present about the role and success of funding formulas in driving improved educational outcomes. In addition, moving towards a national funding formula could introduce unacceptable instability and inflexibility into education funding. We do not therefore intend to proceed with consulting on a fixed national funding formula.

As highlighted in Chapter 2, the Accounts Commission⁹³ suggests that it is how local authorities decide to spend their education budget, rather than the overall level of spending, which has most impact on attainment. The review of literature suggests that the impact of funding on attainment could be more significant if it was targeted at those schools and pupils where the need to improve attainment was greatest. A Centre for Economic Performance Paper⁹⁴ similarly found that “*increases in resourcing are usually more effective for disadvantaged pupils and/or schools*”. With this in mind, we are consulting on two possible approaches to funding, alongside this paper.

A national approach to devolved funding within the new “Headteachers’ Charter”

This paper sets out our intention to legislate to create a Headteachers’ Charter which will define across Scotland the leadership responsibilities of headteachers. The Charter could also provide for a Scotland-wide approach to funding. Set out in legislation, such an approach could build on best practice, bring consistency to the way local authorities fund schools while allowing some degree of flexibility in decision making to reflect local circumstances, and ensure maximum devolution to headteachers. It could also set out clearly where responsibilities for funding are held and shared.

92 OECD, (2012) *Equity and Quality in Education: Supporting Disadvantaged Students and Schools*. <https://www.oecd.org/education/school/50293148.pdf>

93 The Accounts Commission (2014) op.cit.

94 Gibbons, S and McNally, S (2013) *The Effects of Resources Across School Phases: A Summary of Recent Evidence*, Centre for Economic Performance Discussion Paper No. 1226.

Increased targeting of elements of funding, building on the approach taken to Pupil Equity Funding (PEF)

Through the establishment of the Pupil Equity Fund, we are already ensuring that more money to tackle attainment is going directly to schools, with headteachers having discretion over how that money is spent. An alternative to a national approach to devolved funding within the Headteachers' Charter - or that could be used in conjunction with the Charter - would be to build on and further embed this approach so that more funding would be targeted directly to schools in relation to specific additional need factors and for specific purposes.

We propose to develop an approach to funding that truly empowers schools, and provides the framework of support which schools need, based on the outcome of the consultation.

5. DELIVERING AN EMPOWERED SYSTEM – THE NEXT STEPS

5.1 Delivering changes over the short, medium and longer term

We have set out a clear vision for education, one which is led by teachers and schools, where collaboration is key to driving improvement, and where all children and young people are able to reach their potential. In the previous chapters, we have set out a number of actions which we believe are necessary to deliver this, and in practice, this will lead to a number of changes for everyone involved in education. A number of these changes will require legislative change. Whilst national Government has a role to play in directing and supporting many of these changes, it is clear that collective and shared effort will be required from all partners if the system is to be open, responsive and dynamic. However, we are clear that this work must begin now.

In the short term, our focus will therefore be to engage with teachers and practitioners, with parents, children and young people, and with all partners involved currently in the delivery of education, to take these changes forward. Work will begin immediately to ensure that enhanced improvement services are available to teachers and practitioners as early as possible, and so that when the legislation and structural changes are in place, this support is widely available to schools and functioning well.

Specific priorities in the short term will include:

- Commencing appointment **in summer 2017** of a substantive Chief Executive in for a strengthened Education Scotland, with the appointment of Regional Directors, to follow thereafter.
- Working in partnership with local authorities and partners to develop the shape and composition of the regional improvement collaboratives. We will ensure that the experience of current and emerging partnership working informs the establishment of regional improvement collaboratives.
- Strengthening of parental involvement and parental and community engagement, consulting on legislative changes to strengthen, expand and improve the Scottish Schools (Parental Involvement) Act 2006. We will consult on these changes as part of our consultation on our Education Bill in **autumn 2017**.
- Strengthening parental and community engagement by working with the Scottish Parent Teacher Council **over the next year** to learn from their Partnership Schools initiative to ensure that schools support parents to play an active part in school improvement.
- Strengthening the voice of children and young people by supporting all schools to promote and support pupil participation, consulting on a requirement that every school pursues the key principles of pupil participation. This will be included in our consultation on our Education Bill in **autumn 2017**.
- Consulting on an approach to fair funding, as set out in *Education Governance – Fair Funding to achieve Excellence and Equity in Education*, published alongside this document.
- Developing the Headteachers' charter and consulting on a proposed approach to the legislation to underpin this, in time for the introduction of an Education Bill by **June 2018**.
- Beginning work from **June 2017** on transferring relevant functions from national bodies, ensuring that there is continued stability for schools, children and young people during this period. This will include national support for professional learning and leadership development which will become part of Education Scotland.

- Establishing a Scottish Education Council by **October 2017**, chaired by the Deputy First Minister and Cabinet Secretary for Education and Skills, to ensure a system-wide focus on improvement can be delivered.
- Consulting on establishing an Education Workforce Council for Scotland which will take on the responsibilities of the GTCS, the Community Learning and Development Standards Council and register other education professionals. The full scope of the functions to be undertaken by this body will be included in our consultation on our Education Bill in **autumn 2017**.
- Working with the wider school workforce to introduce professional standards for these staff. We will start this work from **September 2017** onwards.
- Making clear our expectations by **early autumn 2017** of the SQA, including the importance of listening and being open to the voices of learners, teachers and parents. We will ensure that the Chair regularly reports to Ministers on the improvements being made in relation to these matters. We will request that SQA outline in their annual corporate plan their strategic communications and engagement plans.
- Working with our partners, and particularly the profession, to establish new career pathways for teachers allowing greater opportunities for development and progression into leadership, specialist or improvement roles. We will start these discussions in **September 2017**.
- Enhancing the leadership support package to build the capacity and culture for teachers and headteachers to take on their new more empowered roles. This is an ongoing commitment but one we will start working on from **August 2017**.

In the medium to longer term, we will embed these changes, ensuring that capacity is built and developed across the system, to ensure schools and teachers are fully empowered to take on their new role. Specific actions across the medium to longer term will include:

- Developing a specific recruitment campaign for headteachers building on the Teachers make People campaign in **spring 2018**.
- Developing a mechanism by **end of 2018** to identify aspirant headteachers early in their career and develop a programme of professional learning and work experiences to lead them to the Into Headship course – this will provide a fast-track leadership route for talented teachers providing a clear pathway to headship.
- Developing by the **end of 2018** new Executive Consultant Head and Cluster Leader roles with partners to strengthen school leadership.
- Developing by the **end of 2018** a new Systems Leadership role to provide clear progression opportunities and to strengthen educational leadership at all levels in the system.
- Ensuring by **2019** that every school has access to a home to school link worker to support parents and families who find it challenging to engage in their child's learning and feel excluded from the work and life of their child's school.
- We will strengthen school, parental and community engagement by requiring from **2019** that every school has a teacher or professional who has responsibility for promoting parental, family and community engagement.
- Working with Education Scotland and the Care Inspectorate to develop by the **end of 2018** a single shared inspection model for early learning and childcare and a commitment that each institution will only be subject to a single inspection per cycle.
- Developing an approach to funding that truly empowers schools, and provides the framework of support which schools need, based on the outcome of the consultation. We are launching our consultation on funding today and will set out our proposals by **summer 2018**.

5.2 What the system will look like in practice

As we have made clear, and based on international evidence of what works, we want our system to be open, responsive and dynamic. We accept that if we are to achieve that, and empower our schools, parents and communities, we cannot prescribe exactly how the system will look. We are clear, however, on how our system should feel and work for every person and at every level of the system. The table below sets out our expectations.

Children and Young People	<ul style="list-style-type: none"> • Realising their potential, being placed at the centre of learning • Successful, confident, responsible and resilient young people equipped for future success in learning, life and work • Closing the attainment gap with no pattern between living in poverty and lower attainment • Giving every child from lowest to highest performing the chance to do even better • Every child's needs met with all services in the school and community working together well • Giving children and young people a greater say in school decisions which affect them through enhanced participation • Supporting children with additional support needs with expertise at a regional level
Parents	<ul style="list-style-type: none"> • Engaging in their own child's learning and to understand their child's progress • Making decisions as equal partners with teachers on what is in the best interest for each child • Empowering Parent Councils to play a full role in school governance • Helping schools work in partnership with the parent community to shape and steer matters such as school improvement • Supporting parental and community engagement with new roles within the teaching profession and education workforce

Teachers	<ul style="list-style-type: none"> • Being the leaders of learning in their classrooms • Helping develop new career pathways allowing greater opportunities for career development and progression into leadership, specialist or improvement roles • Being supported by streamlined professional learning so that there is a coherent learning offer to teachers • Using professional autonomy to lead learning • Engaging in a refreshed and re-energised profession • Being supported by a renewed “offer” from Government to teachers, including: <ul style="list-style-type: none"> • new career pathways into leadership, specialist or improvement roles • improvement of ITE and professional learning • professional learning expanded and available at regional level • Enhancing support from all levels of the system including: <ul style="list-style-type: none"> • hands on, highly credible support from regional improvement collaboratives • increasing peer-to-peer and school-to-school support focussed on the core business of improving teaching and learning • support is increasingly about collaborative working rather than paperwork or written guidance
Headteachers and Schools	<ul style="list-style-type: none"> • Being the leaders of learning in their schools • Being supported through a revolutionised offer of support and improvement • Raising attainment and closing the poverty-related attainment gap • Delivering quality and improvement at school level • Selecting and managing the teachers and staff in their school • Deciding school management and staffing structure, including business managers • Deciding curriculum content and offer • Working with partners to meet learners’ additional support needs at school level • Collaborating for school improvement at school, cluster and regional level • Leading self-evaluation and improvement of school performance • Monitoring school progress and reporting • Managing defined and greater proportions of school funding (this will be part of the accompanying consultation on funding)

School Clusters	<ul style="list-style-type: none"> • Connecting early years, primary and secondary schools around a learning cluster. Providing dedicated resource to support transitions • Ensuring learning clusters are supported by a senior leader within each cluster • Empowering headteachers to share resources and staffing to meet the needs of children across the learning cluster • Working together and with other public services and the third sector to provide family learning and support for children and families beyond the traditional school day
Local Government	<ul style="list-style-type: none"> • Providing 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); such as HR functions; planning for future requirements; and securing excellent headteachers for the schools in their area • Providing HR services for all school staff and respond to HR requests from headteachers • Being the employer of the education workforce within their schools and local authority early learning and childcare settings • Supporting 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 • Appointing headteachers • Being accountable to local communities for the provision of education support services including early learning and childcare in their area • Appointing 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 • Having a new duty to collaborate to support improvement on a regional basis • Being responsible for improvement through their provision of education support services, their regional collaboration and securing leadership in their schools • Collaborating with other local authorities and national agencies to provide staff (including headteachers and teachers) to work within the regional improvement collaborative • Ensuring that other local authority provision, such as Children's Services and Library and Community Services work effectively with schools and regional improvement collaboratives to provide care and education to children and their families

Regional improvement collaboratives	<ul style="list-style-type: none"> • Providing a relentless focus on improvement and closing the attainment gap • Identifying and reporting on regional educational priorities with regional plans under the National Improvement Framework • Providing dedicated teams with sole focus on supporting collaboration and improving standards in all schools in the region • Providing professional learning • Providing clear accountability with Regional Directors reporting to the Chief Executive, Education Scotland
Inspectorates	<ul style="list-style-type: none"> • Supporting the new system with increased frequency of inspection – a new framework provided clarifying expectations on inspection and reporting. A single shared inspection model for early education and childcare
Scottish Government	<ul style="list-style-type: none"> • Providing strategic vision and national leadership of education • Providing accountability for national education bodies • Providing national standards and national priorities for education through the National Improvement Plan • Funding education • Recommending legislation to Parliament • Providing accountability for the performance of the regional improvement collaboratives • Providing accountability to Parliament for the performance of the overall system

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Further useful links

Association of Directors of Education Scotland (ADES) - <https://adescotland.wordpress.com/>

Care Inspectorate - <http://www.careinspectorate.com/>

Convention of Scottish Local Authorities (COSLA) - <http://www.cosla.gov.uk/>

Education Scotland - <https://education.gov.scot/>

Education Scotland - Curriculum for Excellence - [https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-\(building-from-the-statement-appendix-incl-btc1-5\)/What%20is%20Curriculum%20for%20Excellence](https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-(building-from-the-statement-appendix-incl-btc1-5)/What%20is%20Curriculum%20for%20Excellence)

General Teaching Council for Scotland (GTCS) - <http://www.gtcs.org.uk/>

Improvement Service - Devolved School Management Guidelines (2012) - <http://www.improvementservice.org.uk/documents/DSM/DSMguidelines.pdf>

Scottish College for Educational Leadership (SCEL) - <http://www.scelscotland.org.uk/>

Scottish Government - Getting it Right For Every Child - <http://www.gov.scot/Topics/People/Young-People/gettingitright/what-is-girfec>

Scottish Government - International Council of Education Advisors - <http://www.gov.scot/Topics/Education/Schools/govscot>

Scottish Government - National Improvement Framework - <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework>

Scottish Government - Pupil Equity Fund - <http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment/pupilequityfund>

Scottish Government - Scottish Survey of Literacy and Numeracy (SSLN) - www.gov.scot/ssl

Scottish Government - The Scottish Attainment Challenge - <http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment/>

Scottish Qualifications Authority (SQA) - <http://www.sqa.org.uk/>

Scottish Social Services Council (SSSC) - <http://www.sssc.uk.com/>



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South East Alliance

**South East Improvement Collaborative
Collaboration to Deliver Excellence and Equity**

South East Alliance Members:

Edinburgh City Council
East Lothian Council
Midlothian Council
Fife Council
Scottish Borders Council

Starter Paper– October 2017

Background

South East Alliance (SEA)

The existing South East Alliance partnership, (Edinburgh, East Lothian, Midlothian and Scottish Borders) have already been engaged in planning collaborative activity to support development work across the 4 local authority areas. Previous work developed is attached as appendix 1. Some of this existing work will be included as part of the Delivery plan for the South East Improvement Collaborative and some may sit as pieces of work that will be delivered as part of the South East Alliance partnership eg delivery of 1140hours of Early Learning and Childcare.

The South East Alliance has now included Fife and have begun plans for a Regional Improvement Collaborative with a focus on Quality Improvement and Raising Attainment. The South East Improvement Collaborative focus on Quality Improvement and Raising Attainment allows some existing work and any future work (eg the skills agenda as part of the Edinburgh City Deal) to be developed as part of the South East Alliance partnership.

The progress and outcomes of the Delivery Plan for the South East Improvement Collaborative will be reported to Education Scotland, other work carried out as part of the South East Alliance partnership will be reported to relevant groups such as City Deal Board or ELC regional structures.

South East Improvement Collaborative (SEIC)

The Scottish Government published its Education Governance: Next steps paper in June 2017, in response to the Delivery Plan and Consultation document Empowering teachers, parents and communities to achieve excellence in education and subsequent wide ranging consultation.

The Next Steps paper makes it clear that enhanced regional collaboration between education authorities will be a feature of future arrangements. COSLA, working with SOLACE and ADES, reviewed existing regional education collaborations across Scotland with a view to identifying a collective local government proposal on cross boundary collaboration. Each of these Regional Improvement Collaboratives would meet the strategic aims of the Delivery Plan and requirements for local authority accountability.

This offers the South East Alliance the opportunity to develop a vision for our South East Improvement Collaborative that is inclusive of our headteachers and schools to deliver excellence and equity on a regional basis. As the South East Alliance all local authorities are signed up to the key principles outlined within the Next Steps paper. Following these principles will allow a partnership approach in delivering the relevant aspects of the Edinburgh City Deal as well as the expectations detailed in the Next Steps document. The South East Alliance will not succeed in reducing inequity without a holistic approach across Children's Services. The wider Getting it Right for

Every Child (GIRFEC) agenda is of crucial importance when tackling inequalities and closing the attainment gap.

This document is intended to outline how we could use the South East Alliance to create a South East Improvement Collaborative Improvement (SEIC) with the function to:

- raise attainment and achievement
- help to deliver excellence and equity
- develop work related to GIRFEC and tackling attainment inequity
- share expertise across the Collaborative to effect change
- maintain local democratic accountability
- contribute to the growth of the regional economy
- contribute to relevant Edinburgh City Deal outcomes

Context for the Development of the South East Improvement Collaborative (SEIC)

Local Outcome Improvement Planning

In July 2015 the Community Empowerment Act and related legislation came into force requiring each Community Planning Partnership to have a coherent plan that will empower and support local communities even down to a neighbourhood level. The Local Outcome Improvement Plan may take account of the Council Plan or there may in some instances still be both. As a large part of each local authority, Education must play a central role in the development and delivery of the LOIP as part of the Community Planning Partnership.

Children's Services Planning

The Children and Young People (Scotland) Act 2014 is a key part of the Scottish Government's desire to make Scotland the best place to grow up. It is underpinned by the Scottish Government's continued commitment to the UN Convention on the Rights of the Child and the GIRFEC approach.

The Act aims to ensure that planning and delivery of services are integrated, focussed on securing quality and value, based on a preventative approach, dedicated to promoting, supporting and safeguarding children and young people's wellbeing.

Plans for each Community Planning Partnership are to be published for a three year period starting in April 2017 setting out how outcomes are to be improved for children and young people. An annual report on progress is to be published.

National Improvement Framework

In December 2016 the Scottish Government published the 2017 National Improvement Framework (NIF) and Improvement Plan for Education, which are

designed to deliver the twin aims of excellence and equity with a focus on four priorities:

- improving attainment, particularly in literacy and numeracy;
- closing the attainment gap between the most and least disadvantaged children and young people;
- improving children and young people's health and wellbeing; and,
- improving employability skills and sustained positive school leaver destinations for all young people.

The NIF also recognises the importance of six drivers for improvement:

- School leadership;
- Teacher professionalism;
- Parental engagement;
- Assessment of children's progress;
- School improvement; and,
- Performance information.

Education Governance

On 15th June 2017, the Deputy First Minister published the government's response to the Governance Review, focusing on the empowerment of schools and communities to deliver excellence and equity for all learners. The main thrust of the document is to empower headteachers to make more localised decisions on learning and teaching and the curriculum to meet the needs of their communities. In addition, the document states that up to seven Regional Improvement Collaboratives will be created.

Regional Improvement Collaboratives will:

- 1) *Provide excellent educational improvement support for headteachers, teachers and practitioners through dedicated teams of professionals. These teams will draw on Education Scotland staff, local authority staff and others;*
- 2) *Provide coherent focus across all partners through delivery of an annual regional plan and associated work programme aligned with the National Improvement Framework;*
- 3) *Facilitate collaborative working across the region, including sharing best practice, supporting collaborative networks and pursuing partnership approaches; and*
- 4) *Be led by a Regional Director, to be appointed by the Scottish Government and report to the HM Chief Inspector/Chief Executive of Education Scotland.*

Education Governance: Next Steps

In its *Education Governance: Next Steps* paper, Scottish Government indicates that Regional Improvement Collaboratives should align their plans with the Priorities and Key Drivers set out in the National Improvement Framework (NIF):

The SEIC is committed to the key drivers within the National Improvement Framework and the planning and reporting cycles as outlined in the Education (Scotland) Act 2016. The SEIC will identify and work on areas where collaboration will enhance each individual education authority's existing and future plans to implement the priorities and key drivers as outlined in the NIF. The SEIC also recognises the role of headteachers, teachers and parents in an empowered and collaborative approach to improving educational outcomes for our children and young people.

Focus for SEIC Delivery Plan

The priorities, key drivers and aims sit well with possible future work and indeed areas where some work has already taken place. In order to be able to have a clear focus and measure the impact of our work we have agreed two areas as an initial focus:

- 1) Improving Attainment and Achievement, including closing the attainment gap
- 2) Quality Improvement in Schools and Early Years settings

1. Improving Attainment and Achievement, including closing the attainment gap

Improving attainment and achievement is a key driver for all improvement work in school communities. Within SEIC we would wish to look at ways to improve attainment and achievement for all, ensuring that our children and young people are best placed to access a positive and sustained destination on leaving school leading to good life outcomes.

SEIC offers schools and early years' settings the opportunity to be part of, and benefit from, work streams linked to NIF key drivers that will focus on:

- professional learning and leadership development (**teacher professionalism**)
- how to engage parents, particularly from areas of deprivation and those that are hard to reach, in their child's learning (**parental engagement**)
- using data related to closing the attainment gap to maximum advantage (**performance information**)
- ensure effectiveness for the use of Pupil Equity Fund (PEF) and Scottish Attainment Challenge (SAC) resources (**school leadership**)
- share research and evidence-based practice to inform programmes of work (**school improvement**)
- the formation of specialist curriculum support (**teacher professionalism**)

- assessment and moderation of CfE levels (**assessment of children's progress**)

In order to develop our Regional Improvement Collaborative we require to:

- create a culture where our headteachers, teachers and parents embrace the responsibility of continuous improvement in schools, across clusters and on a regional basis
- develop a joint programme of professional learning based on developing teacher professionalism, professional enquiry and school leadership
- share practice in family learning to secure parental engagement in children's learning as well as parental involvement in schools
- share ways of preparing data and analysing data relating to vulnerable groups
- moderate PEF/SAC plans including PEF/SAC spend and sharing practice through peer review opportunities
- provide opportunities to share research outcomes and outcomes from Improvement Collaborative work
- establish specialist curriculum teams from central and school based staff which will offer support and professional learning to bring about improvements in curriculum delivery and learning and teaching.

Quality Improvement in Schools and Early Years' Settings

As stated in the Education Governance: Next Steps paper, local authorities will retain the duty to support schools to continuously improve. SEIC offers schools the collective opportunity to look inwards, outwards and forwards, as described in HGIOS²⁴, and will support and challenge schools and early years settings through:

- approaches to self-evaluation and quality improvement which improve outcomes (**school leadership**)
- use of data to secure continuous improvement (**performance information**)
- support and guidance on improvement planning in line with NIF (**school improvement**)

Each of the above will enhance and complement individual local education authority's existing practices and plans for Quality Improvement as well as building a sustainable model for the future. It will also build on partnerships and collaborations across schools encouraging a delivery model for improvement and accountability that will be the responsibility of the school to deliver.

In order to develop our Regional Improvement Collaborative we require to:

- identify resources available within each authority, across the region and in Education Scotland which will offer support and challenge to schools
- develop a proportionate formula to secure equity for each local authority
- build on each local authority's approaches to continuous improvement and self-evaluation and develop a SEIC plan to offer support and challenge to schools and early years settings
- offer opportunities for school improvement collaboratives across SEIC to share best practice and learning between and amongst schools and early years settings
- explore how best to engage children and young people in improving services
- identify and utilise available data analysis already in use, both quantitative and qualitative, to help drive improvement
- ensure engagement and ownership of headteachers to deliver improvement at a school, cluster and regional level
- develop a plan for SEIC to address continuous improvement.

Method of Delivery

We will ensure that our work produces collective added value through:

- Increased capacity to directly support in a targeted way
- Increased knowledge of a critical mass of staff to be focussed on specific areas to make a difference
- Using the expertise of a wide range of headteachers, deputies, principal teachers and teachers
- Making best use of the most effective systems from across the SEIC
- Sharing solutions to reduce bureaucracy

Examples of delivery of collective improvement through:

- the use of our expertise from across the region, including headteachers and teachers, to make best use of data analysis from the new national standardised assessments through a SEIC forum on assessment
- facilitating the delivery of a series of seminars/engagement sessions to allow for the sharing of best practice across schools, clusters and the regional area in closing the attainment gap
- developing with headteachers, teachers and parents support, guidance and practical advice on engaging parents in their child's learning
- establishing a culture of Peer Learning/Peer Review (schools pairing or clustering to quality assure across their group of schools) within the SEIC where headteachers take the lead role
- establishing a regional senior phase forum with school staff, specialists, employers and colleges
- developing school partnerships to evaluate the impact of PEF/SAC plans with a view to supporting the reporting cycle on the PEF/SAC and Improvement Planning; and

- providing an online forum to share research findings from practitioner inquiry and improvement collaborative tests of change.

Governance and Reporting

In addition to the priority areas, at the Deputy First Minister’s request, the Council also made some recommendations around the issue of governance. The Council felt that it was important to consider how to de-clutter the system without damaging it. The Council advised against becoming too focussed on changing the structure of the education system when, arguably, the more important aspects are the culture and capacity within the system. In particular the Scottish Government should:

- Learn from existing attempts to formally share education services between local authorities e.g. the Northern Alliance, and other forms of non-structural regionalisation that have been successful internationally.
- Create learning hubs around the country where education professionals can go to learn about different elements of educational practice.

INTERNATIONAL COUNCIL OF EDUCATION ADVISERS
July 2017

Getting governance right is imperative. It is vital to retain local democratic accountability whilst at the same time bringing together the key representatives involved in decision-making across the SEIC. The 3 groups of personnel as seen below would provide the relevant staff to drive improvement across the ‘region’ and provide accountability for the work of SEIC.

The South East Improvement Collaborative Governance



SEIC Oversight Group would comprise Education Conveners/portfolio holders x 5 and CEOs x 5. It is envisaged this group would only meet once or twice per year to oversee the work of SEIC as part of the political accountability.

The SEIC Board would be formed with Directors of Education or equivalent x 5, Headteachers x 5 and National Bodies (ES, SDS, Colleges) The SEIC Board would appoint a Chair. The SEIC Board will also approve the SEIC plans and receive reports on the progress of the plan and its impact. This will be the key officer leadership group, agreeing areas for priorities for collaboration, commissioning workstreams and receiving reports from workstream leads. It will meet quarterly with the first meeting in each new financial year considering progress with previous work and setting new priorities for the coming academic session, as well as overseeing the formulation of the SEIC Plan.

SEIC Delivery Plan Group will accept commission from the SEIC Board. Officers, headteachers and teachers will collaborate to undertake specific tasks, with Heads of Service, senior officers or Head Teachers taking the lead as appropriate to levels of expertise and need. Such delivery groups will meet as appropriate to address and deliver the commissioned tasks from workstreams within the SEIC Plans.

Importantly the work of each local education authority will continue to be overseen through existing governance arrangements, maintaining local government accountability for the delivery of education services to each community and local authority area.

The SEIC Board may be chaired by the 'Regional Lead Officer' or a nominated member of the group. This post should be appointed by Chief Executives of the SEIC from among the existing Directors/Heads of Service in the five local authorities. This would not be a substantive position but would be a leadership role for a fixed term. The Regional Lead Officer (RLO) will also report to the Chief Executive of Education Scotland on the outcomes of the SEIC Board decisions.

The support for the RLO would be agreed by Chief Executives and may take different forms dependent on existing structures and agreed priority workstreams. Additional resource could be added if available to support the co-ordination and delivery of the SEIC Plan.

Discussions would need to take place with Education Scotland to consider the best way in which they could support the Partnership. For example, this could be through a link senior officer, similar to their Area Lead Officer role. Rather than having the Partnership linking with up to five Area Lead Officers, there would be one Education Scotland appointee who would provide the Partnership with direct support.

These arrangements would also provide a platform for the potential development of self-evaluation and improvement work in wider children's services particularly where there is a close connection to school attainment such as with outcomes for looked after children. A more holistic GIRFEC approach would be beneficial in tackling the attainment gap and reducing inequity.

Proposed Measures to Evaluate Impact

Short-term measures required for implementation of action plan to be decided to help have a focus for value added impact in first 6 months.

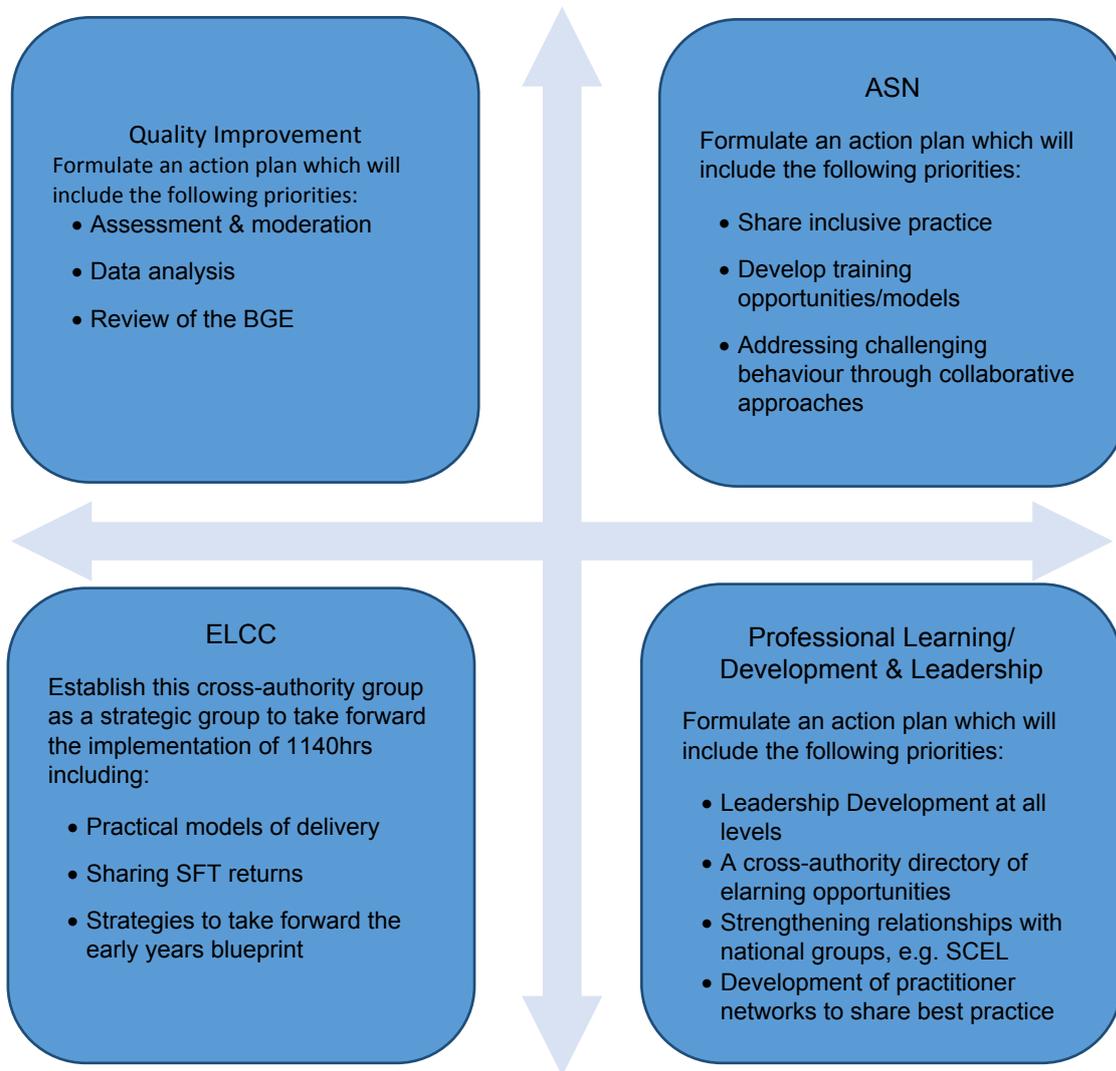
Improvement:

- Improved approaches to self-evaluation and managing change as measured by ES school inspections and local authority visits
- Effective Improvement plans in place
- Positive evaluations of events to share good practice across SEIC
- Number of schools involved in Learning Partnerships (schools that partner to support and challenge each other)

Attainment and Achievement including closing the attainment gap

- Number of schools engaged in moderating and evaluating PEF Plans and reports as part of a School Partnership
- Increase in number of pieces of research undertaken across the SEIC to inform practice
- Increase in CfE attainment across the SEIC
- Reduction in CfE attainment gap between the least and most deprived
- Increase in SQA performance across the SEIC
- Reduction in SQA performance gap between the least and most deprived
- Increase in % of positive school leaver destinations
- Reduction in gap between the most and least deprived for SLD

South East Alliance



South East Scotland Improvement Collaborative Overview of Key Data

Data on Deprivation

Registration for Free School Meals (FMR)

Table 1. Percentage of primary pupils registered for free school meals (FMR)

Local Authority	2006	2017 P4-P7	Long Term Trend	Rank 2017 P4-P7	Quartile 2017 P4-P7
East Lothian	11.6	9.9	-1.7	25	Top Q4
Edinburgh, City of	18.7	13.1	-5.6	19	Middle Q3
Fife	18.7	20.7	2.0	7	Bottom Q1
Midlothian	13.0	16.2	3.2	16	Bottom Q2
Scottish Borders ¹	9.5	11.9	2.4	23	Bottom Q3
Scotland	17.9	17.5	-0.4		

Table 2. Percentage of secondary pupils registered for free school meals (FMR)

Local Authority	2006	2017	Long Term Trend	Rank 2017	Quartile 2017
East Lothian	8.3	8.1	-0.2	25	Top Q4
Edinburgh, City of	13.2	10.2	-3.0	20	Middle Q3
Fife	14.4	17.0	2.6	7	Bottom Q1
Midlothian	8.1	12.9	4.8	13	Middle Q2
Scottish Borders	6.2	10.2	4.0	20	Middle Q3
Scotland	13.5	14.1	0.6		

- Very different rates of deprivation in the five authorities.
- Fife more deprived than Scotland. Midlothian close to Scotland. Other authorities less deprived than Scotland.
- Levels of deprivation declining in Edinburgh and East Lothian (slightly), but increasing in Fife, Scottish Borders and (particularly) Mid Lothian

Source: Summary Statistics for attainment, leaver destinations and healthy living (Scottish Government, June 2017)

Child Poverty (HMRC local measure)

Table 3. Percentage of children living in child poverty (HMRC local measure)

Local Authority	% of Children in low-income families		Rank		Quartile
	Under 16	Under 20	Under 16	Under 20	
East Lothian	14.1%	13.8%	22	22	Middle Q3
Edinburgh, City of	17.0%	16.8%	17	17	Top Q3
Fife	19.8%	19.4%	9	9	Top Q2
Midlothian	18.7%	18.2%	12	12	Middle Q2
Scottish Borders	14.4%	14.0%	19	19	Middle Q3
Scotland	18.6%	18.4%			

- Different rates of child poverty in the five authorities, ranging from top of quartile 2 (more deprived) to middle of quartile 3 (less deprived).
- Fife more deprived than Scotland. Midlothian close to Scotland. Other authorities less deprived than Scotland.

Source: Children in low-income households local measure: 2014 (HMRC, September 2016)

Data on the Costs of Children's Services

Table 5. School costs (LGBF indicators CHN1 and CHN2)

Local Authority	Primary school costs				Secondary school costs			
	CHN1 2010-11	CHN1 2015-16	Change	Rank 2015-16	CHN2 2010-11	CHN2 2015-16	Change	Rank 2015-16
East Lothian	4597.68	4343.98	-253.70	5	5787.46	6260.54	473.08	3
Edinburgh City	4436.31	4278.40	-157.91	4	6536.89	6316.19	-220.70	6
Fife	4996.03	4425.48	-570.55	8	5834.93	6435.07	600.14	8
Midlothian	4679.35	4649.97	-29.38	13	6163.71	6298.73	135.02	5
Scottish Borders	4819.00	4753.50	-65.50	14	6388.08	6580.37	192.29	12
Scotland	4868.33	4743.73	-124.60		6421.88	6729.30	307.42	

- Costs of schools in both the primary and secondary sectors are relatively low by national standards, for all four authorities (all costs are in quartile 1, except the Midlothian primary school cost which is mid quartile 2)

Source: Local Government Benchmarking Framework 2015-16 (Improvement Service, 2017)

PEF Amounts

	Total Allocation	School Allocations
East Lothian	1,569,000	1200 to 111,600
Edinburgh, City of	7,470,000	4800 to 223,200
Fife	9,787,200	1200 to 302,400
Midlothian	2,272,800	
Scottish Borders	1,840,800	1200 to 130,000

Data on the Scale of the School System

Table 4. Comparison of numbers of schools and pupils, and of average school size

Local Authority	Pupils			
	Primary	Secondary	Special	Total
East Lothian	8,492	5,612	0	14,104
Edinburgh City	29,745	18,145	635	48,525
Fife	29,126	19,896	133	49,155
Midlothian	7,271	4,987	120	12,378
Scottish Borders	8,171	6,392	0	14,563
All local authorities	396,237	280,408	6,528	683,173

- Numbers of pupils similar in East Lothian/Midlothian/Scottish Borders and in Fife/Edinburgh
- Approximately four times as many pupils in Fife/Edinburgh as in East Lothian/Midlothian/Scottish Borders

Local Authority	Schools			
	Primary	Secondary	Special	Total
East Lothian	35	6	0	41
Edinburgh City	88	23	12	123
Fife	135	18	9	162
Midlothian	32	6	2	40
Scottish Borders	61	9	2	72
All local authorities	2,030	358	134	2,522

Local Authority	Average School Size (Pupils per School)			
	Primary	Secondary	Special	Total
East Lothian	243	935	0	344
Edinburgh City	338	789	53	395
Fife	216	1105	15	303
Midlothian	227	831	60	309
Scottish Borders	134	710	0	202
All local authorities	195	783	49	271

- Scottish Borders has the smallest average school size in both primary and secondary sectors. Both figures are below the Scottish average.
- The average school size for the other four authorities is larger than the Scottish average, both for the primary and secondary sectors

Source: Summary Statistics for Schools in Scotland (Scottish Government, December 2016)

**EDUCATION GOVERNANCE REVIEW – CONSULTATION
RESPONSE**

Report by Service Director Children and Young People

SCOTTISH BORDERS COUNCIL**22 December 2016**

1 PURPOSE AND SUMMARY

1.1 In 2015 a Report entitled "Improving Schools in Scotland: An OECD Perspective" highlighted the many strengths in the Scottish education system. It also highlighted some of the challenges facing schools in achieving the vision of excellence and equity for all children and young people. A number of recommendations were made:

- a) Be rigorous about the gaps to be closed and pursue relentlessly "closing the gap" and "raising the bar" simultaneously.
- b) Ensure a consolidated and evidence-informed strategic approach to equity policies.
- c) Develop metrics that do justice to the full range of CfE capacities informing a bold understanding of quality and equity.
- d) Create a new narrative for the *Curriculum for Excellence*.
- e) Strengthen the professional leadership of CfE and the "middle".
- f) Simplify and clarify core guidance, including in the definitions of what constitutes the *Curriculum for Excellence*.
- g) Focus on the quality of implementation of CfE in schools and communities, and make this an evaluation priority.
- h) Develop targeted, networked, evaluated innovation in secondary schools learning environments to enhance engagement.
- i) Develop a coherent strategy for building teacher and

leadership social capital.

j) Develop an integrating framework for assessment and evaluation that encompasses all system levels.

k) Strike a more even balance between the formative focus of assessment and developing a robust evidence base on learning outcomes and progression.

l) Strengthen evaluation and research, including independent knowledge creation.

1.2 In response to some of these recommendations, the Scottish Government set out to seek the views from stakeholders on a range of matters.

1.3 This report contains the proposed consultation response from Scottish Borders Council to the Scottish Government's document 'Empowering Teachers, Parents and Communities To Achieve Excellence and Equity in Education – A Governance Review'.

2 RECOMMENDATIONS

2.1 **I recommend that Council approves the consultation response from Scottish Borders Council regarding the Education Governance Review as detailed in Appendix 2.**

3 BACKGROUND

- 3.1 In September 2016, the Scottish Government published a document entitled 'Empowering Teachers, Parents and Communities To Achieve Excellence and Equity in Education – A Governance Review' (Appendix 1). This paper sets out, through a consultation process, the opportunity for all stakeholders to consider how each part of the education system supports the vision of excellence and equity.
- 3.2 The Scottish Government, whilst recognising the many strengths in the Scottish education system, believes that there are some challenges and barriers impacting upon the performance of schools.
- 3.3 The governance review seeks views on how the multi-levels of governance, ie Scottish Government, local government, national agencies and other bodies, are leading and supporting the delivery of education. The review also asks how funding can be made fairer and how teachers, support staff and school leaders can be best supported and empowered to improve the education and life chances of the children they educate and nurture.
- 3.4 The governance review is part of the Scottish Government's wider commitment to the reform of public services. The review states that the 'best people to decide the future of our communities are the people who live in those communities'. The Council in the attached response makes it very clear that Scottish Borders Council is currently delivering very good outcomes for our children and young people and Officers believe that many of the existing arrangements for governance and decision making should remain with Scottish Borders Council and the staff in its schools.
- 3.5 The Scottish Borders Council response to the consultation is attached as Appendix 2.

4 PROPOSED SBC RESPONSE

- 4.1 In the Scottish Borders response to the Governance Review, the key strengths of Scottish Education are highlighted as follows:
- a) The recognition that delivering the Curriculum is best achieved by taking account of Scotland's varied geographies, degrees of rurality and different educational needs.
 - b) The provision of local democratic accountability for delivery of primary and secondary schools, early learning and childcare.
 - c) The strong partnership working that exists through community planning partners (public bodies, voluntary bodies, communities and businesses), supporting the delivery of services that improve outcomes for children and young people.
 - d) The decision making and interventions taking place at local level to quality assure school performance resulting in improving trends in pupil examination performance, a wider range of pupil

achievements, increasing participation and improved inclusion indicator performance in recent years.

- e) The richness and diversity of the learning experiences in the local community embedded within the curriculum which are part of the history, the traditions and the culture of our communities; these learning experiences are part of the broader wellbeing of communities and enrich heritage, belonging and bring a sense of identity to our children and young people as these aspects are celebrated and included as part of the school curriculum. Our children and young people through their learning also bring a great deal to the lives of communities.

4.2 The success of the Scottish Borders approach to schools education is clearly evidenced by:

- a) The success in education achievements in terms of educational qualifications over a long period of time.
- b) The sustained and very high positive destination rates for young people leaving school going on to Higher or Further Education, training and employment opportunities.
- c) The early years, specialist education, and social and health services developed for children, young people and adults.
- d) The building programmes of new secondary schools at Earlston, Duns, Eyemouth, and most recently at Kelso High School and new primary schools at Kingsland, Peebles, Broomlands, Kelso, Clovenfords, Denholm and Newlands.

4.3 Scottish Borders Council in the response makes the case that the success of current governance arrangements and the uniqueness of the Scottish Borders should result in the maintenance of the Borders as an education region in its own right. The response also recognises the importance of ensuring that governance arrangements create as much time as possible for practitioners to focus on the work they do every day in educating and nurturing children and young people. The Council believes in empowering communities, parents, staff and young people to make decisions about education in partnership with the systems of support and connectedness that exist within the Council and the wider partnerships of services for children and young people.

5 IMPLICATIONS

5.1 Financial

There are no costs to the Council associated with the agreeing of the recommendations in this Report.

5.2 Risk and Mitigations

There are no economic, social or environmental impacts arising as a result of this report.

5.3 Equalities

It is anticipated that there are no adverse equality implications as a result of this report.

5.4 Acting Sustainably

There are no economic, social or environmental impacts arising as a result of this report.

5.5 Carbon Management

There are no anticipated impacts on carbon emissions as a result of this report.

5.6 Rural Proofing

The Council’s response takes account of delivering education in rural areas.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to either the Scheme of Administration or the Scheme of Delegation arising as a result of this report.

6 CONSULTATION

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Donna Manson
Service Director Children and Young People **Signature**

Author(s)

Name	Designation and Contact Number
Donna Manson	Service Director Children and Young People (01835 826742)

Background Papers: Improving Schools in Scotland: An OECD Perspective
Previous Minute Reference:

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Donna Manson can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION

A GOVERNANCE REVIEW



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EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION

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RESTRICTED

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FOREWORD BY THE DEPUTY FIRST MINISTER AND CABINET SECRETARY FOR EDUCATION AND SKILLS



Improving the education and life chances of our children is the defining mission of this Government.

I believe that the success of our education system depends on the quality of teaching and the exercise of clear and effective leadership. Teachers and practitioners want to secure the best possible outcomes for children. They are entitled to operate in a system where they are supported by leadership that adds value to their own professional input and are supported to collaborate to deliver for young people.

In *Improving Schools in Scotland: An OECD Perspective*, the OECD confirmed the many strengths in our education system. I have seen the positive impact that teachers are making to the lives of children and young people. I have

also heard about some of the challenges and barriers they face.

If we are to deliver our vision of excellence and equity in education, we must empower our teachers to make the best decisions for children and young people. Decisions about children's learning and school life should be taken within schools themselves, supported by parents and local communities.

We must be willing to consider and question how each part of the education system – from early learning and childcare provision through to secondary school education – supports the vision of excellence and equity. We must ask these questions holding true to the strong values which underpin Scottish education and which are supported by international evidence and best practice. Evidence shows that co-operation and collaboration, not competition or marketisation, drives improvement. Scotland pioneered publicly-funded comprehensive school education for all and the Scottish Government remains absolutely committed to this.

This governance review offers an opportunity to build on the best of Scottish education and to take part in a positive and open debate. I want to hear views from across every part of Scotland in the weeks and months ahead – from children and young people, from parents, teachers, practitioners and the wider community. I want to hear from those with a formal role in our education system and those who share a stake in its success.

Above all, during the course of this review, we must keep in sharp focus this shared endeavour of excellence and equity to deliver the world-leading education system our children and young people deserve.

A handwritten signature in black ink, appearing to read 'John Swinney'.

John Swinney MSP

**Deputy First Minister and
Cabinet Secretary for Education and Skills**

September 2016

1. Responding to this review

This review asks a number of questions about the governance of Scottish education.

Responses should reach us by **6 January 2017**. Earlier responses would be welcome.

Responses can either be sent through the Scottish Government's Citizen Space consultation platform, by email or by hard copy (a paper copy through the post).

The most straightforward way to respond is on-line through Citizen Space. Details are available in the Consultation Hub on the consultation section of the Scottish Government's website: <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>

Citizen Space contains some mandatory fields asking for details of the person or body responding to the consultation and whether the person or body is happy for their response to be published.

Email or hard copy responses must include the Government's Respondent Information Form which is provided in the Annex. This asks for details of the person or body responding to the review and whether the person or body is happy for their response to be published.

Emails can be sent to: governancereview@gov.scot whilst hard copy responses should be addressed to:

Empowering Schools Unit
Scottish Government
2A-South
Victoria Quay
Edinburgh
EH6 6QQ

There is no obligation to respond to all questions. We welcome responses to some or all of the questions.

If you ask for your response not to be published we will regard it as confidential and we will treat it accordingly. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this review.

Engagement events are also being held throughout Scotland during the course of this review. You can find out how to get involved in these through the Scottish Government website: gov.scot/educationgovernancereview

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public on the Scottish Government Consultation Hub consult.scotland.gov.uk.

How will this be used?

Following the closing date, all responses will be analysed and considered along with other available evidence to help us shape future proposals for the governance of Scottish education.

2. Introduction

There is a strong and shared commitment to the vision of excellence and equity for all children and young people across Scottish education:

- **Excellence through raising attainment:** ensuring that every child achieves the highest standards in literacy and numeracy, set out within Curriculum for Excellence levels, and the right range of skills, qualifications and achievements to allow them to succeed; and
- **Achieving equity:** ensuring every child has the same opportunity to succeed, with a particular focus on closing the poverty-related attainment gap.

The improvements and reforms which have been driven forward across early learning and school education have been broad and deep – and include reforms to our curriculum and our workforce. The one area which has not been reviewed since devolution is the governance of the system itself.

This Government was elected to deliver a range of reforms to help us transform education to ensure it is world class for all our children and young people. This review of governance examines the system changes required to deliver our commitments to empower schools and decentralise management and support through school clusters and the creation of new educational regions.

This review is an essential part of our focus on empowerment. In particular, it seeks views on how we can further empower our teachers, practitioners, parents, schools and early learning and childcare settings, starting with a presumption that decisions about individual children's learning and school life should be taken at school level. References to parents include guardians and any other persons having parental responsibilities or care of a child.

These reforms are part of the Scottish Government's wider commitment to the reform of public services to ensure they are fit to serve communities across Scotland. We believe the best people to decide the future of our communities are the people who live in those communities.

What do we mean by the governance of education in Scotland?

We are reviewing the *organising system* of early learning and childcare and school education. References to education include early learning and childcare and school education unless otherwise specified. Like many education systems across the world, Scottish education is multi-level with the Scottish Government, local government, national agencies and other bodies playing different roles to govern, lead and support the delivery of education.

In Scottish education:

- **The Scottish Government** develops national policy and sets the overall direction of education policy. Scottish Ministers have a duty to secure improvement in school education provision and to use their powers to raise the standards of such provision. The Scottish Government provides funding to local authorities within the Local Government Settlement for the provision of early learning and childcare and school education.
- **Local authorities**, as the education authority, have a duty to provide adequate and efficient school education including early years provision in their area. They also have a duty of improvement as an education authority and on behalf of their schools. Local authorities set education budgets for their areas, including school-level budgets.

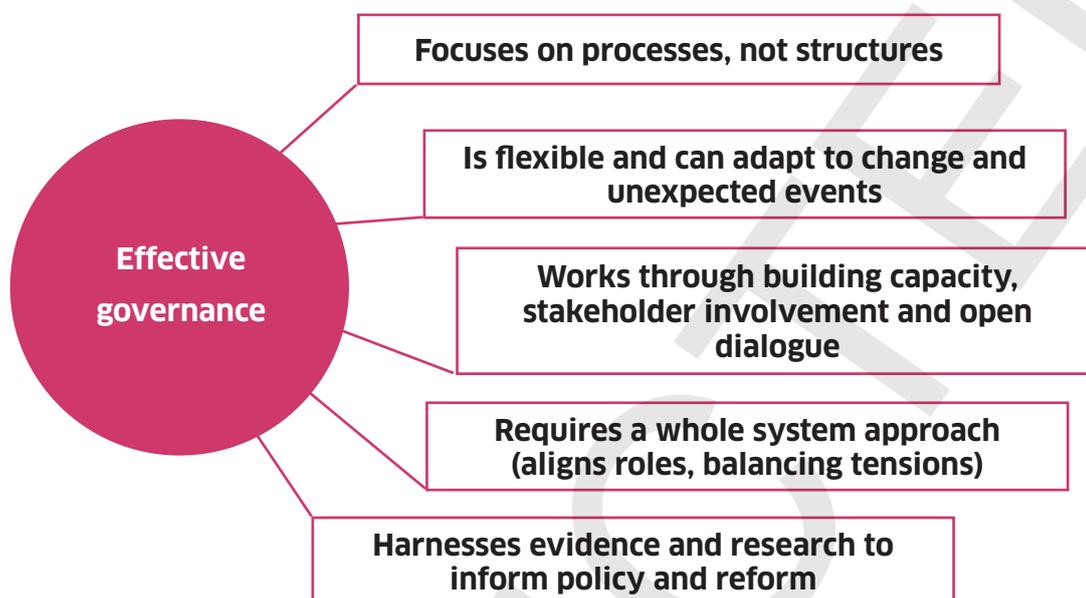
Local authorities have direct responsibility for the provision and quality of early learning and childcare and schools, the employment of educational staff, the provision and financing of most educational services and the implementation of Scottish Government policies in education.

Local authorities also have responsibility for a range of other services which support children and young people, families and communities such as child protection, social services and housing.

- **Education Scotland** is the national body for supporting quality and improvement in learning and teaching. It is responsible for inspecting schools, providing guidance on developing the curriculum at local level, and for organising an extensive range of professional learning opportunities and the sharing of effective practice.
- The **Care Inspectorate** regulates and inspects care services in Scotland, including in early years settings, residential schools and local authority-provided school hostels, to make sure that they meet the right standards.
- The **Scottish Social Services Council** (SSSC) is the regulator for the social service workforce in Scotland, including all those involved in day care of children services. They protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development.
- The **Scottish Qualifications Authority** (SQA) develops, reviews, validates and awards qualifications below degree level which are used largely by schools, colleges, private training organisations and some individual organisations. It quality assures all the centres that deliver SQA qualifications. It also has an accreditation role.
- The **General Teaching Council for Scotland** (GTCS) is the independent professional body which sets teachers' professional standards and accredits Initial Teacher Education. It also oversees a number of key programmes in relation to induction, professional learning and student placement.
- The **Scottish College for Educational Leadership** (SCEL) is responsible for developing leadership and programmes for the early learning and schools education system.
- **Initial Teacher Education** (ITE) is provided by universities in partnership with local authorities and is designed to bring students to a level of competence that allows them to work in schools. These ITE universities also offer professional learning to teachers and other education professionals including professional learning at Masters level and leadership programmes such as the Into Headship qualification.

In its recent publication, *Governing Education in a Complex World*, the OECD (Organisation for Economic Co-operation and Development) recognised that creating open, dynamic and strategic governance of complex education systems is not easy. Successful systems, however, are those where governance and accountability are inclusive, adaptable and flexible. Roles and responsibilities across the system must be clear and aligned; teachers, practitioners, schools, early learning and childcare settings and system leaders should collaborate across effective networks to improve outcomes; parents and communities require to be engaged; and funding and decision making should be transparent.

The OECD found that there are five key components to good governance of education systems:



Governing Education in a Complex World, OECD, 2014

The OECD also identified three themes vital for effective governance and successful reform:

- **accountability** – the challenge of holding different actors at multiple levels responsible for their actions
- **capacity building** – identifying gaps, skill needs and dynamics of implementation on individual, institutional and system level
- **strategic thinking** – the development of a long-term plan and set of common goals for the educational system among a broad array of actors

Why should we review education governance now?

Our Delivery Plan, *Delivering Excellence and Equity in Scottish Education*, builds on an impressive track record of improvements and reforms which have been driven forward across education and children's services in recent years. This includes Getting it Right for Every Child, Curriculum for Excellence and Developing the Young Workforce. The National Improvement Framework sets out how we will provide the information to drive improvement right across education and we are adopting a targeted approach to closing the attainment gap through the Scottish Attainment Challenge, backed by £750 million of investment over the next five years.

Whilst the main legislation underpinning Scottish education – the Education (Scotland) Act 1980 – has been amended and added to on a number of occasions, the broad framework of Scottish education has been in place since before devolution. Now is the right time to review that broad framework. Challenging our thinking and practice, building capacity to deliver in the right places and ensuring roles, responsibilities and accountability are clear and transparent, will also be critical to our success in delivering excellence and equity in Scottish education.

Each year around £5 billion is spent on early years and school education across Scotland. It directly impacts on the life chances of over 680,000 pupils in primary, secondary and special schools and around 125,000 children in early learning and childcare. Young people are staying on longer in school, overall attainment is rising and the gap between the most and the least deprived pupils with qualifications is decreasing. On any measure, however, there continues to be a clear gap between the attainment of children and young people from the most and least deprived areas of Scotland. But deprivation alone does not explain the variation in outcomes achieved by children and young people in Scottish education.

The Accounts Commission and the OECD have both highlighted that attainment and achievement levels vary across local authorities and that some children from similar socio-economic backgrounds outperform children from similar backgrounds in other areas. The Accounts Commission report, *School education*, published in 2014, highlighted the significant variation in attainment between individual councils, schools, and groups of pupils. Deprivation and poverty undoubtedly have a large impact on attainment, but the Accounts Commission found that some schools have achieved better attainment results than their levels of deprivation would indicate.

Furthermore, whilst the financial context in recent years has been challenging for the whole of the public sector in Scotland, the Accounts Commission's findings also highlighted that differences in outcomes could not be explained by spend on education alone.

Question 1

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

Question 2

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

3. Scope and principles

Scope

Early learning and childcare and schools, do not exist in isolation and a child's outcomes are strongly influenced by factors outside school. But schools, together with early years provision, are the universal services for children and young people. In short, they make a difference to every child.

The primary focus of this review is on publicly-funded school-age education and the system and funding which supports the journey of all our children and young people through Curriculum for Excellence from 3 to 18. The governance arrangements of publicly-funded early learning and childcare are also in scope.

The role and functions of the following bodies and organisations are within the scope of this review:

- all publicly-funded schools, including Gaelic medium and denominational schools
- all publicly-funded early learning and childcare provision, including local authority provision and that being delivered by private providers and the third sector
- all special publicly-funded provision for children and young people, including for those with additional support needs
- local authorities
- Education Scotland
- Scottish Government
- Care Inspectorate
- Scottish Social Services Council
- Scottish Qualifications Authority
- General Teaching Council for Scotland
- Scottish College for Educational Leadership
- universities providing Initial Teacher Education

We recognise that, in considering governance, a whole system approach is required. This means taking into account the wide range of relationships which education has with other people and bodies at a local, regional and national level which support children and young people, parents and wider communities in Scotland.

Principles

The focus of this review is on how governance can be improved to support delivery of excellence and equity to our children and young people. Our approach to public sector reform continues to be rooted in the four pillars of reform laid down by the Christie Commission: a presumption of prevention, integration and partnership, a sharp focus on performance, and investment in people.

We consider that the following key principles should also underpin our approach. Our education system must:

- be focused on improving outcomes, and support the delivery of excellence and equity for children and young people
- meet the needs of all of our children and young people, no matter where they live or their family circumstances
- support and empower children and young people, parents, teachers, practitioners and communities
- be supported by a simple and transparent funding system to ensure the maximum public benefit and best value for money
- support children and young people to make smooth transitions into formal learning, through school and into further education, training or employment

Question 3

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

4. Empowering teachers, practitioners, parents, schools and communities

Teachers and schools

Children flourish in education systems where there are high levels of professionalism and where teachers, practitioners and schools are empowered with the autonomy and flexibility to make decisions. In *Improving Schools in Scotland: An OECD Perspective* the OECD highlight that: 'Inherent in the principle of [Curriculum for Excellence] is the enhancement of the role that should be exercised by schools and teachers.'¹

We want to see more decisions about school life being driven by schools themselves, starting with a presumption that decisions about children's learning and school life should be taken at school level. Local authorities have different relationships with their schools and empower headteachers and teachers in a variety of ways, notably via devolved school management. Devolved school management (DSM) is essentially where local authorities pass control of a proportion of their education budgets to headteachers of secondary and primary schools or heads of early years establishments through detailed local DSM schemes which set out clear spending requirements. DSM statutory guidelines (revised in 2012) means that some management and funding decisions are already taken by headteachers at school level.

Currently, however, legal responsibilities for delivering education and raising standards in our schools sit largely with local authorities, not with the schools and teachers that teach our children and young people every day. We are committed to extending to schools responsibilities that currently sit with local authorities and to allocating more resources directly to headteachers to enable them to take decisions, based on local circumstances, to give all our children and young people the best chance of success.

Evidence shows that the quality of teaching and school leadership are the most important in-school factors in a child's outcomes. Investing in the professionalism and autonomy of our teaching profession means trusting teachers to make the best decisions for our children and young people and for our schools. That is why we are committed to empowering our teachers and schools and will ensure they have the flexibility and freedom to teach.

Question 4

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

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.

1 *Improving Schools in Scotland: An OECD Perspective* OECD (2015). (Ch 3, Page 100)

Children and young people, parents and wider communities

We know that when parents are fully involved in their child's learning, and in the life and work of their school, we see better outcomes for children, parents and schools. That is why we are committed to giving a stronger voice to parents and communities in our schools. Research from the Children and Young People's Commissioner in Scotland has also shown that the level of participation of children and young people within schools can have a significant impact on attainment, so empowerment matters for them too.

Children and parents are involved in school life in a variety of different ways, including through formal mechanisms such as parent councils and pupil councils and through formal and informal interactions with teachers, other professionals and schools. Schools and individual teachers work hard to develop effective relationships with children, parents and the wider community to support learning.

Our clear objective is to devolve decision making and funding to teachers, schools and communities and to open schools up and ensure that parents, the third sector, colleges, universities and employers can better support efforts to raise attainment and ensure that young people progress into positive destinations. The work being undertaken through Developing Scotland's Young Workforce is already making progress in this area but we are interested to hear what more can be done.

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?

Early learning and childcare

Evidence shows us that quality early learning opportunities are fundamental to supporting children and young people to succeed in life. Increasing the provision of quality early learning and childcare is a key element of the Scottish Government's approach to raising attainment. Quality early learning opportunities make a significant and lasting difference to the attainment of children and young people, particularly the most vulnerable.

The early learning and childcare sector has traditionally had strong links with communities and parents. We are committed to further empowerment in early learning and childcare settings. As we consider the expansion of early learning and childcare we are open to innovative delivery approaches where they can add value. There may be specific opportunities to encourage expansion within the social enterprise sector, and to explore how community empowerment could encourage and develop community-led provision, particularly in remote and rural areas which face unique delivery challenges.

Question 7

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

5. Strengthening 'the middle' – how teachers, practitioners, schools and other local and regional partners work together to deliver education

In *Governing Education in a Complex World*, the OECD highlights that effective governance in multi-level education systems requires models that balance local diversity with the ability to ensure delivery of national objectives, accountability with trust, innovation with risk avoidance and consensus building with decision making. Key to this is a strong and effective 'middle' and a focus on its processes rather than its structures.

It is important that education is based within, and is responsive to, local communities. Strengthening 'the middle' was a key recommendation of the OECD in their review *Improving Schools In Scotland: An OECD Perspective*. Strengthening the middle means, among other things, considering what happens above the level of the individual school or early learning and childcare setting and beneath the level of national government in Scottish education. This includes: enhancing the capacity of teachers, practitioners, early learning and childcare settings and schools to collaborate and become mutually accountable for improvement; how they work with other partners; and the role of local authorities and other partners in leading and supporting improvement in education.

The OECD highlighted the importance of building teacher leadership and social capital in improving Scottish education and increasing the capacity for collaborative working and learning across Scottish education. They also highlighted the need for greater clarity about the kinds of collaboration that work best. The Scottish Government recognises that increased collaboration and greater leadership 'from and in the middle' is essential.

Our ambition is for systemic, widespread and effective collaboration and professional learning across Scotland, including, but not limited to, the network of regional, inter-regional and inter-school 'cluster' partnerships required to innovate and lead improvement. This was a key recommendation of the OECD in their report *Improving Schools in Scotland: An OECD Perspective*. We are therefore seeking views on the ways in which groups of schools, early years providers and other local and regional partners work together to deliver and improve education.

Clusters

Collaboration and partnership working are already strong features of Scottish education. School clusters – most commonly understood as the early years, primary schools and secondary schools associated within one locality or learning community – are working right across Scotland. There are also schools which are working together in clusters or learning communities and some examples of funding being shared across clusters to deliver particular projects.

The OECD stressed the importance of creating coherent and cohesive cultures of system-wide collaboration. Not all kinds of professional collaboration are equally effective. We agree that collaboration in improving teaching, assessing, and connecting schools to take collective responsibility for each other's improvement and results should be prioritised.

The Scottish Government is committed to encouraging school clusters and other forms of collaborative working between schools and other partners across Scotland.

Question 8

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

Question 9

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

Educational regions

The Scottish Government is committed to freeing teachers of unnecessary burdens and is taking a range of actions to de-clutter Curriculum for Excellence. We recognise there may be some functions which are best delivered at a local or regional level rather than at school level.

Currently, local authorities have primary responsibility for the delivery of education in their areas. This is supported by a range of other local and national partners such as Education Scotland and from within local communities.

The Scottish Government is committed to introducing new educational regions to ensure best practice is shared more systematically and to ensure improvement is driven collaboratively, deliberately, and continuously across Scottish education.

Whilst there are some examples of partnership working across local authorities, the OECD highlighted in particular the need for greater and more effective partnership and collaboration amongst local authorities in Scottish education. Effective and sustainable collaboration amongst partners at local and regional levels is a key component of a strengthened middle and is essential to the delivery of excellence and equity in Scottish education.

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.

Question 11

What factors should be considered when establishing new educational regions?

6. A clear national framework and building professional capacity in education

It is important that every part of Scottish education understands the role it plays in empowering our professionals and creating the collaborative and innovative culture required to ensure Scottish education can be amongst the highest performing in the world.

National government is responsible for setting clear priorities for Scottish education. Getting it Right for Every Child, Curriculum for Excellence, Developing the Young Workforce, the National Improvement Framework and the Scottish Attainment Challenge are part of the national framework which the Scottish Government has put in place to support improvement and deliver excellence and equity.

The Scottish Government aims to provide clarity and purpose in the actions we take and this is demonstrated through our Delivery Plan for Scotland: *Delivering Excellence and Equity in Scottish Education*. We are rightly ambitious for our children and young people and want to provide the right support and challenge to our education system to ensure our teachers and practitioners can deliver. We also want national priorities to be joined-up across different policy areas and for there to be coherence and alignment.

We are taking a whole system approach. This means that in addition to taking action to empower schools and communities and strengthen the middle, we must consider the role of national government, other national bodies and the wider framework (including, but not limited to, the legislative framework) which supports Scottish education. This includes considering the functions of the range of national bodies which support the delivery of Scottish education such as Education Scotland, the Scottish Qualifications Authority, the General Teaching Council for Scotland, the Scottish College of Educational Leadership, the Care Inspectorate and the Scottish Social Services Council.

Leadership and support for learning comes from different places in Scottish education: the Scottish Government, local authorities, other bodies such as Education Scotland, the Care Inspectorate, the Scottish Qualifications Authority, the General Teaching Council for Scotland and the Scottish College of Educational Leadership, universities; through joint governance arrangements such as the Curriculum for Excellence Management Board; within schools themselves; through regional local authority partnerships; and a wide range of other relationships.

We need to ensure the Scottish Government and other national bodies provide the right support to deliver the empowered and flexible education system we want to see. They must support the empowerment of our teachers and build their capacity to drive improvement and raise the attainment and achievement of children and young people.

Question 12

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

Teachers and practitioners access a range of support starting with their accredited qualifications and via continuous professional development throughout their careers. This support is currently provided within schools and early learning and childcare settings and through formal provision such as training opportunities provided by a range of different bodies. Professional learning is both an expectation and an entitlement. In seeking to empower practitioners and teachers we must ensure that they can all access high-quality development opportunities.

The Scottish Government is committed to strengthening the professional leadership of Curriculum for Excellence, as recommended by the OECD and bold new ways of thinking are required. We are committed to encouraging school clusters and other forms of collaboration and networking amongst teachers, practitioners, schools, early learning and childcare settings and the wider community, including employers, colleges and universities, to drive improvement across Scottish education.

Question 13

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

7. Fair funding – learner-centred funding

Effective governance requires funding to be fair and transparent and for resources to be available to support good decision making. The Scottish Government is committed to establishing a fair and transparent needs-based funding formula for schools.

The Scottish Government provides local authorities with the majority of their funding which is allocated using a needs-based formula. The formula takes into account a number of measurements of need including population, pupil numbers, levels of deprivation and the distances over which the services have to be delivered. It is then the responsibility of local authorities to allocate their total funding as they see fit taking into account local and national priorities.

Local authorities delegate responsibility for some aspects of the administration and management of schools to headteachers. In line with the Devolved School Management guidelines (2012), local authorities currently provide financial resources (with certain restrictions) to headteachers.

We will consult on proposals for a funding formula in March 2017 but this review offers an opportunity to comment on the principles which will underpin this formula. The way we fund schools needs to support the collaborative and flexible culture which we are seeking to develop.

If schools are to have greater control over the decisions they take, there is a clear rationale for changing the current allocation of resources to support this.

We consider that the design of a funding formula should:

- **support excellence and equity** – ensuring every child and young person has the same opportunity to succeed
- **be fair** – placing the needs of all children and young people at the centre
- **be simple, transparent and predictable** – ensuring the costs of delivering education can be easily understood and explained and that schools are able to manage and plan ahead with certainty
- **deliver value for money** – ensuring that every penny spent is used effectively

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?

Question 15

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

8. Accountability

Empowering our teachers and headteachers is key to delivering our vision of excellence and equity. A more empowered system requires clear and effective accountability. Accountability is described by the OECD as the challenge of holding different actors at multiple levels responsible for their actions. Ensuring an effective balance of flexibility and accountability is a challenge that is faced by all modern education systems.

Our accountability system currently includes a range of bodies with formal roles including: the Scottish Government, local authorities, Education Scotland, the Care Inspectorate, the General Teaching Council for Scotland and the Scottish Social Services Council. Education Scotland and the Care Inspectorate provide independent inspection with a clear focus on self-evaluation and improvement. The General Teaching Council for Scotland and the Scottish Social Services Council provide the professional standards for their members.

At a system level, the Accounts Commission and Audit Scotland hold local authorities and the Scottish Government to account and help them to improve. As democratically-elected representatives, local and national governments are accountable to their electorates. Scottish Ministers have powers under section 70 of the Education (Scotland) Act 1980 to intervene if local authorities are failing to fulfil their duties under the Act or any other education-related legislation.

Schools should primarily be accountable to parents and their local communities. The development of the National Improvement Framework will support parents and communities to make informed decisions and choices by providing accessible data to drive improvement and allow everyone to play their part effectively. It is important that accountability aligns with the allocation of responsibilities and resources and that there is a clarity about the level of responsibility at different levels in the system. We want our accountability and scrutiny arrangements to be joined-up where possible and to reduce the burden of scrutiny on those delivering education. It is important that we have the right governance arrangements in place to continually review the range of accountability and scrutiny systems and to ensure that these approaches are delivering improvement. Those providing scrutiny also need to be held to account on the quality and impact of their work and to ensure that approaches to scrutiny are fair, transparent and consistent.

Question 16

How could the accountability arrangements for education be improved?

Question 17

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

9. Summary of questions

Question 1

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

Question 2

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

Question 3

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

Question 4

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

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.

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?

Question 7

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

Question 8

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

Question 9

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

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.

Question 11

What factors should be considered when establishing new educational regions?

Question 12

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

Question 13

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

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?

Question 15

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

Question 16

How could the accountability arrangements for education be improved?

Question 17

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

10. Evidence and reference materials

The Scottish Government is committed to taking an evidence-led approach to the reform of Scottish education. Our approach to this review is underpinned by current evidence on the performance of Scottish education and best practice internationally of what leads to effective governance of education systems. In particular the following reports and sources have been key.

Accounts Commission (2014) School education

http://www.audit-scotland.gov.uk/docs/local/2014/nr_140619_school_education.pdf

Scottish Government School education statistics

<http://www.gov.scot/Topics/Statistics/Browse/School-Education>

OECD (2015) Improving Schools in Scotland: an OECD perspective

<http://www.oecd.org/edu/school/improving-schools-in-scotland.htm>

OECD (2016) Governing Education in a Complex World

http://www.oecd-ilibrary.org/education/governing-education-in-a-complex-world_9789264255364-en

Mckinsey and Company (2007) How the World's Best Performing School Systems Come Out On Top <http://mckinseysociety.com/how-the-worlds-best-performing-schools-come-out-on-top/>

Mckinsey and Company (2010) Capturing the Leadership Premium

<http://mckinseysociety.com/capturing-the-leadership-premium/>

Programme for International Student Assessment (PISA) – Highlights from Scotland's results

<http://www.gov.scot/Topics/Statistics/Browse/School-Education/PISA>

Scotland's Commissioner for Children and Young People (2015) How Young People's Participation in School Supports Achievement and Attainment -

<http://www.cypcs.org.uk/ufiles/achievement-and-attainment.pdf>

The following information may also be useful in responding to this review:

What is GIRFEC (Getting it Right for Every Child)?

<http://www.gov.scot/Topics/People/Young-People/gettingitright/what-is-girfec>

Scottish Government, Delivering Excellence and equity in Scottish Education – a delivery plan for Scotland (2016) <http://www.gov.scot/Publications/2016/06/3853>

Scottish Government, National Improvement Framework for Scottish education – Achieving Excellence and Equity <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework>

Education Scotland, Curriculum For Excellence – Building the Curriculum materials

<http://www.educationscotland.gov.uk/learningandteaching/thecurriculum/buildingyourcurriculum/curriculumplanning/whatisbuildingyourcurriculum/btc/index.asp>

Devolved School Management Guidelines (2012) The Improvement Service

<http://www.improvementservice.org.uk/documents/DSM/DSMguidelines.pdf>

Teaching Scotland's Future (2011) <http://www.gov.scot/Publications/2011/01/13092132/0>

The Crerar Review (2007) <http://www.gov.scot/Topics/Government/PublicServiceReform/IndependentReviewofReg/latest-news/TheCrerarReview>

General Teaching Council for Scotland, Professional Standards
<http://www.gtcs.org.uk/professional-standards/professional-standards.aspx>

Engaging with Families, Key Statistics
<http://engagingwithfamilies.co.uk/strategy/key-statistics/>

Engaging with Families, Further Evidence
<http://engagingwithfamilies.co.uk/useful-links/further-evidence/>

Commission on the Future Delivery of Public Services (2010)
<http://www.gov.scot/About/Review/publicservicescommission>



Annex

**Empowering teachers, parents and communities to achieve
Excellence and Equity in Education
A Governance Review****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

Phone number

Address

Postcode

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



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APPENDIX 4(iii)

APPENDIX 2

RESPONDENT INFORMATION FORM

Question 1

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

1.1 The key strengths of the current governance arrangements of Scottish Education are:

- a) The recognition that delivering the Curriculum is best achieved by taking account of Scotland's varied geographies, degrees of rurality and different educational needs.
- b) The provision of local democratic accountability for delivery of primary and secondary schools, early learning and childcare
- c) The strong partnership working that exists through community planning partners (public bodies, voluntary bodies, communities and businesses), supporting the delivery of services that improve outcomes for children and young people
- d) The decision making and interventions taking place at local level to quality assure school performance resulting in improving trends in pupil examination performance, a wider range of pupil achievements, increasing participation and improved inclusion indicator performance
- e) The richness and diversity of the learning experiences in the local community which are part of the history, the traditions and the culture of our communities. These learning experiences are part of the broader wellbeing of communities and enrich heritage, belonging and bring a sense of identity to our children and young people. Our children and young people, through their learning, contribute positively to the wellbeing and sustainability of our communities.

1.2 These strengths are clearly shown by the example of the Scottish Borders. The Scottish Borders has particular characteristics that link geography, educational needs, culture and community wellbeing:

- a) Scottish Borders is a distinct geographical entity within Scotland which is reinforced by its highly developed sense of community, historical and cultural identity;

- b) It is an extremely large rural region, twice the size of the combined area of its neighbouring local authorities in South East Scotland (Edinburgh City, East Lothian, West Lothian, Midlothian and Fife);
- c) Third lowest population density of the mainland local authorities in Scotland at 23 people per square kilometre after Dumfries and Galloway, 22 people per square kilometre and Highland 13 people per square kilometre;
- d) A settlement structure with no dominant urban centre and based on small towns in the Scottish Borders with a population greater than 1500 and none of them exceeds 16,000 people;
- e) Proximity to the national border with Northumberland and the resulting daily movement of people across the border for work, accessing services and community living;
- f) Particular socio-economic challenges in the delivery of education related transportation and connectivity challenges;
- g) Its distinct economic characteristics with large numbers of micro and small businesses and a significant reliance on agriculture, forestry, fishing, tourism and manufacturing, particularly textiles;
- h) Rural poverty and disadvantage within households is spread out across the Scottish Borders rather than concentrated in particular areas;
- i) A rich curriculum which promotes heritage and identity. The children and young people's learning experiences are woven into the fabric of annual community celebrations, pageants, major sporting events, common ridings and festivals; these activities bring economic prosperity to Borders communities, community identity, spirit and wellbeing.

1.3 The Scottish Borders has been identified as a strategic area for local government and the delivery of school education services in Scotland since the Local Government (Scotland) Act 1973 when it was designated as one of the nine Regional Council administrative units in Scotland. This recognition was confirmed once again at the last reorganisation of local government in 1995 with strong support from the public and local communities for the continuation of this regional type service delivery including education by Scottish Borders Council.

1.4 The strategic boundaries of the Scottish Borders have been similarly recognised for delivery by other public services, particularly Health and Further Education. Police Scotland and Scottish Fire and Rescue Services also recognise the boundaries of the Scottish Borders for their local Police and Fire and Rescue Plans. These partners have made very significant contributions to support the delivery of school education through prevention, early intervention and supporting training and employment. They also work together to deliver outcomes for children and young people across the full range of well-being indicators: Safe, Healthy, Achieving, Nurtured, Active, Respected and Responsible, and Included.

1.5 These advantages have enabled the Scottish Borders to take a broad and comprehensive view of the needs of the provision of Education for children and young people in the Scottish Borders. The success of the Scottish Borders approach to schools education, 2 – 18 years, is clearly evidenced by:

- a) The success in education achievements in terms of educational qualifications over a long period of time;
- b) The sustained and very high positive destination rates for young people leaving school going on to Higher or Further Education, training and employment opportunities;
- c) The early years, specialist education, and social and health services developed for children, young people and adults;
- d) The building programmes of new secondary schools at Earlstoun, Duns, Eyemouth, and most recently at Kelso High School and new primary schools at Kingsland, Clovenfords, Denholm and Newlands in addition to current projects at Broomlands and Langlee.

1.6 Another key strength is the extremely close working that takes place between Education, Social Work and Community Learning and Development within Scottish Borders Council. This covers the creation of Scottish Borders Council's Integrated Children's Service in 2009 to the full integration through our current Children and Families Service. There have been tangible benefits of this close working.

- a) High levels of participation of our children and young people in extra-curricular activity and youth work; national best practice in youth work and volunteering;
- b) Locality approach to multi-agency service delivery where all our staff know our vulnerable children and families well and make the right interventions at the right time ensuring prevention and early intervention;
- c) Strong partnership relationships across and within services resulting in very low level anti-social behaviour and youth crime.

1.7 Improvements to Scottish Borders Council's ICT infrastructure and in particular better Business Intelligence will facilitate the easier join up of data sets from, for example SEEMIS and Framework, working to improve outcomes in terms of attainment, achievement, participation, inclusion, care, support and protection.

Question 2

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

2.1 Research into best and emerging good practice in Scottish Education.

In recent times research based good practice in Scottish schools is not gathered, celebrated and built upon to drive further improvement in Scottish schools. There is a need for an identified body that has research as its core function and makes links to international practice and enterprise opportunities. The set-up of the international advisory panel as part of the NIF was very disappointing, as there is a great deal of expertise in Scottish Education which is not used in the development of policy. Historically, research bodies such as SCRE researched best practice from schools in Scotland and used it to inform practice papers and school improvement. The merger of Education Scotland and Learning and Teaching Scotland has not resulted in practitioner support in improving teaching and supporting learning in classrooms. In England the Education Endowment Foundation and the Sutton Trust provide extensive opportunities for classroom based research. Limited research into best and emerging practice in Scotland's schools results in over-reliance upon international research contexts and policy development that may not be relevant to the Scottish learning context. The Early Years Collaborative, RAFA developments and the introduction of SCEL are a welcome focus on innovation and teacher leadership research, but they do not come together to provide the direction that is required and are not accessible to all practitioners and leaders.

There should be a body that attracts funding for research in Scottish schools. Many top performing school systems have a research function which attracts funding from philanthropists and major investors. Scotland needs to establish a body focused on developing research which celebrates good practice and builds innovation from within classrooms in Scotland. Scotland should assert its place on the international stage promoting what Education is achieving and encouraging investment in our education system, our success and our young people. The highest attaining school systems in the world very much celebrate their achievements and build pride in Education – something very much needed rather than the very negative reporting of education in the media at the moment. It should not be forgotten that the OECD report highlighted that there are many key strengths in Scottish Education.

2.2 Broader Contexts Affecting Education Provision and Governance

Many children and young people are living in challenging family circumstances such as 'in work poverty'. The impact of welfare reform upon our most vulnerable families in society, coupled with the fiscal challenge, makes it difficult for many children and young people to access all the learning experiences that are available, eg extra-curricular sporting activities; internet connectivity in the evening; fuel poverty. Studying at home is a major part of examination preparation, yet so many young people

do not have access to the kind of learning environment afforded to their peers. Some of these challenges are exacerbated in rural communities where broadband and transport restrict access. The broader range of factors affecting attainment, achievement, inclusion and participation must be considered as part of Governance structures. In the Scottish Borders the Council benefit from being structured as a Children's Service and having a single Health Board partnership. It is important that these partnerships are considered as part of the review: it would be a significant barrier to Scottish Borders if new governance structures were created which did not take cognisance of existing successful children's service partnerships. The Council is focused on the specific barriers for children and young people. There is a focus on improving connectivity and accessibility through broadband and transport infrastructure improvements. These broader contexts very much affect the decision making in schools and the learning experiences they provide, eg the Council has a very successful Countryside Day where all the Primary 5 children come together to experience an in-depth contextualised curricular experience which benefits their learning. The governance arrangements must take cognisance of the broader context children are educated in: the challenges that are a focus for improvement and the existing learning experiences that are relevant to the context the children live in.

2.3 *Bureaucracy*

Scottish Borders Council knows its schools. It has a presence in schools with regular care and welfare visits as well as quality improvement activities. It is important to recognise the balance between the support of staff and wellbeing matters, as well as the need to challenge practice; consideration must be given to who is best to provide both support and challenge. All stakeholders must work in partnership to reduce bureaucracy in the Education system. Scottish Borders Council welcomes the recent change in approach to local schools being able to identify within the curriculum the key aspects for their school to focus on. This has to be supported with an inspection system that focuses on the outcomes being achieved by learners; the range of inputs and expectations illustrated within How Good Is Our School IV should be there to illustrate aspects of practice, but schools should have the freedom to prioritise the elements that are important to the learning of their children rather than be expected to be improving across all the quality indicators. This approach is not always followed in the inspection process and brings undue stress to schools who are actually doing a very good job of improving what the staff, the parents and the Local Authority have agreed is a priority for their children's learning and progress.

2.4 Knowledge of Existing Governance Arrangements

The good work and interventions that take place at every level of governance are not celebrated at the moment, nor has the definition of strong governance been described: what staff and school leaders do on a daily basis to improve the life chances of children and young people, how local clusters of schools collaborate to improve outcomes, how Local Authorities intervene, how parents support their local schools, how local and national bodies work in partnership. Details of success or challenges in existing governance arrangements need to be described in order for all stakeholders to be able to take a view on the barriers to achieving the vision of excellence and equity for all. The Scottish Borders can evidence success in the outcomes being achieved for children and young people and believe that the Council has the capacity to intervene when there are issues of underperformance.

Question 3

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

3.1 In the scope, Skills Development Scotland and the college sector are not included yet the 'Developing the Young Workforce' strategy including the ambition for vocational education to be provided in schools by 2020 is a key strategic priority. This is a key part to achieving excellence and equity and transition into further education is a key principle. The Council would advocate that the links with Borders College should be a consideration, as should the role of University provision across Scotland. There are clear barriers to our young people attaining their destination of choice; living in a rural community means they are not always afforded the same opportunities as their peers in connerbations, eg should they wish a career path in teaching they have to leave their community to train; with the developments in distance learning all young people should be afforded the opportunity to study and train to become a teacher whilst living in their local community. Not all families have the resources to fund a young person going onto further education outwith their community. On this basis, Scottish Borders would suggest that the principle based on transitions should be amended to 'Support children and young people to make smooth transitions into formal learning, through school and into further education, training or employment no matter where they live or their family circumstances'.

3.2 Scottish Borders Council believes that there should be a principle that acknowledges the holistic nature of the child's life and the range of children's services that work in partnership with Education to deliver the vision of excellence and equity for all. The range of supports and entitlements our

most vulnerable children need to be able to fulfil their potential must be recognised. Tremendous progress has been made in partnership working across Scotland in recent years but these principles show no recognition of the importance of services working in partnership around the child.

Question 4

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

Current Governance Arrangements

- 4.1 Scottish Borders works with staff from schools in creating policies and governance arrangements. The concern the Council would have if schools were to be separate to Local Authorities would be the consequences for children with additional support needs. Officers from Scottish Borders Council visited schools in the Academy System in London, engaging with a range of professionals currently practising in England. The Council would have a concern that the values upheld by the Local Authority in valuing every individual child and the pre-sumption of mainstream education could be compromised if schools were managed outwith the Local Authority. There is strong evidence from areas south of the Borders that the needs of ASN children are overlooked where resources and decision making go straight to schools and there is a risk of such children been 'excluded' from schools as a result. We would also have concern about the management of staff and ensuring principles of equality of opportunity and conditions of service. In the Scottish Borders there has been no representation of parents wishing to have more governance responsibilities; indeed our staff and parent representatives indicate that it is very challenging for many parents to have the time to contribute to the parent partnership activities that already exist. It is the Council's belief that parents can contribute to their child's learning and school life at local level, but equally so there are many matters which they trust to be managed through the partnership between the school, the Council and local Elected Members.
- 4.2 There is a great deal of coverage in the document about empowering teachers and Headteachers. In discussion with Headteachers there is a strong view that there are many governance areas currently sitting with the Local Authority that they wish to remain: school transportation, emergency planning, Health and Safety, HR and Legal Services, admissions, ASN services, Early Learning and Childcare, quality improvement co-ordination and policy development. The Council believes that their practitioners and Headteachers should be focused on improving learning and teaching and have as much time as possible to focus on developing professional learning

opportunities for all staff. Headteachers have expressed concern that further business and administrative tasks delegated to schools would actually compromise the capacity of school leaders and staff to focus on improving the quality of education and achieve the vision of excellence and equality for all children. The document states that 'we are committed to empowering our teachers and schools and will ensure they have the flexibility and freedom to teach'. The document also states that 'we are committed to extending to schools responsibilities that currently sit with Local Authorities and to allocating more resources directly to Headteachers...'. The Council works in partnership with schools to make decisions about resource allocations; the extension of responsibilities would place additional bureaucracy on teachers and Headteachers rather than reduce it. In the context of Scottish Borders, many of our small rural schools would not have the capacity to cope with the level of responsibility alluded to in the document. The Council adheres to the Christie principles of public sector reform, but have serious concern that the separation of education governance from Council governance does not take cognisance of the connectedness and interdependencies that currently exist to deliver services to schools. In times of fiscal challenge there is a need for greater cohesion of public sector service governance arrangements rather than a separation, especially in areas of Scotland where Children's Services have come together to deliver outcomes for children and young people.

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 which cannot currently be made at school level.

5.1 Tackling bureaucracy to enable teachers to focus on teaching and learning is a key priority for Scottish Borders Council. Teachers and Headteachers intimate that they already feel a pressure in relation to administrative tasks and functions; that is why Scottish Borders Council are in the process of transforming all Business Support processes through digital transformation. Headteacher recruitment is a key challenge across Scotland. Feedback from Depute Headteachers and aspiring Headteachers informs that school leaders would like to see a reduction in the range of responsibilities so that they can focus on improving learning and teaching and the development of the curriculum. The direction of travel to transfer responsibilities currently managed by the Local Authority to school level is not in accordance with the voice of our school leaders. Any decisions that are made at Local Authority level are assessed to ensure that the outcomes for all young people in all schools are being considered and to ensure that the conditions of service for all staff are upheld. Decision making is based around the Christie principles

of prevention and intervention, partnership and integration, efficiency and empowering local communities. However it is important in working to these principles that the capacity of staff in education is considered and they are focused on the learning experience in the classroom; the Council is mindful of this and makes decisions which support this focus and also recognises the role of staff in Children's Services in working with partner services for children and young people.

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?

- 6.1 'How Good Is Our School IV' sets out the place of the pupil voice and family learning within school life. All schools in the Scottish Borders are working to improve their practice in both areas; the Council does not believe that a change to Governance arrangements are required. Concerns about moving to parents managing local schools have already been stated in the response to Question 4.
- 6.2 The 'Developing the Young Workforce' strategy is focused on developing learning pathways for young people through stronger links and connections between schools, employers, colleges and universities. There are partnerships in place to take forward this strategic development that are embedding.
- 6.3 It is the view of Scottish Borders Council that the strong cultural heritage and community engagement in the Borders benefits children and young people. It is the Council's belief that communities play a strong role in the life of their local schools. Schools appreciate the support and involvement they receive from a range of community partners.

Question 7

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

- 7.1 Scottish Borders has examples of good practice in this area through the Supported Childminding Scheme and the presence of many playgroups in rural areas. In the proposed expansion of early learning and childcare, Scottish Borders Council will be working closely with communities to identify best ways forward which will be bespoke to local communities. The Council does not see this as a Governance issue as it is committed to rural proofing

our early learning and childcare provision to ensure we are delivering quality, enhanced services to meet the needs of children and families in partnership with communities.

Question 8

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

- 8.1 Scottish Borders school staff are dedicated professionals. Collaboration opportunities must be high quality and practical. For example some schools do not have another school establishment within a 30 minute car journey so collaboration after school can be quite restrictive and not a good use of the teacher's preparation or collegiate time. High quality IT provision across Scotland and resource for IT would support more effective collaboration in some areas of practice. Scottish Borders Council is committed to enhancing IT provision through investment with CGI, a leading IT provider.
- 8.2 There is already, as the document states, very good collaboration taking place in schools. Scottish Borders schools collaborate well in high school clusters during In-Service training and cross-schools days. The Council also support staff's participation in national collaborative learning opportunities. The Council engages with neighbouring authorities in areas such as ASN, ELCC, professional learning and training, but the majority of collaboration takes place at cluster and school level as the practicalities and size of the Scottish Borders means that collaboration outwith Scottish Borders boundaries would not be a best value use of teachers' time.

Question 9

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

- 9.1 Similar to the response to Question 5, clusters must have the time to focus on improving teaching, learning and the curriculum. In the Borders, the Council has in place many locality arrangements that support clusters of schools, eg the Locality Integration Police Officer for each school cluster; Heads Up!, a project that aims to increase opportunities for 10-14 year olds to build resilience, confidence and self-esteem by delivering a new Health and Wellbeing programme through the CLD service, the high school, feeder primaries and the local youth club. There is a great deal of successful existing cluster working with partners.

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.

- 10.1 Services or functions for the delivery of school education need to be based on positive Educational outcomes. As indicated in the answer to Question 1, there is no 'one size fits all' for Education regions. Education regions need to take account of Scotland's varied geographies, degrees of rurality and different educational needs.
- 10.2 For this reason, it is considered that rural regions such as the Scottish Borders, as shown by their positive performance on educational outcomes, should continue to take a strategic overview and deliver school educational services. The Council currently collaborates with other areas on matters such as quality assurance, assessment, Early Learning and Childcare and professional learning and training as appropriate. Decision making around collaboration should lie with the Local Authority, who have responsibility for the quality of Education provision. There are many activities, if delivered at a regional level, would be of detriment to the improvement journey of Scottish Borders schools as they would not represent best value of officer or school staff time owing to the Council's size and geography.

Question 11

What factors should be considered when establishing education regions?

- 11.1 Education regions need to be based on the areas that recognise varied geographies and different educational needs within Scotland that are best placed to enable local democratic accountability of the delivery of education and that can achieve effective partnership working.
- 11.2 As mentioned in answer to Question 1, the Scottish Borders is a good example of this with its:
- a) Particular rural regional needs and challenges;
 - b) Strong local, cultural and historical identity;
 - c) Effectiveness in terms of local and democratic decision making and close engagement with local communities;
 - d) Close partnership working between public bodies, the voluntary bodies, communities and businesses across the area.
- 11.3 In terms of the delivery of education services, the Scottish Borders approach to education has proved successful in terms of school education achievements in terms of better qualifications, positive destinations,

schools educational service investment to meet educational needs and the provision of new fit for purpose primary and secondary schools.

- 11.4 For example, already Developing the Young Workforce (DYW) partnerships, co-ordinated and facilitated efficiently by Scottish Borders Council, are highlighting the large variation in need across its 9 secondary school catchment areas. In order to better prepare children and young people for the world of work, and reduce youth unemployment, unique town based partnerships are already highlighting the significant differences in need and opportunity – from the post-industrial mill towns of Hawick and Selkirk, to Galashiels which has been reconnected via the Borders Railway, to the marine economy of the East coast.
- 11.5 Industrial sectors that dominate the Scottish Borders include farming and manufacturing sectors that are not well supported through the current enterprise arrangements, but through closer working through DYW, young people can prepare for the opportunities that these sectors can provide, as well as preparing for emerging sectors such as distilling. Close working with colleagues who have responsibility for Economic Development will be key and the facilitation of this type of cross-disciplinary working should be considered seriously when establishing education regions (which could potentially weaken this direct relationship and subsequent benefits).
- 11.6 Education regions need to be based on the practicalities of physical and digital connectivity:
- a) Broadband and mobile phone coverage;
 - b) Public transport;
 - c) Road networks and travel times.

Question 12

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

- 12.1 From the point of view of rural regions such as Scottish Borders, it is important that the current service and support functions provided nationally, particularly Education Scotland, the Care Inspectorate, the Scottish Social Services Council, and the Scottish Qualifications Authority, should be continued. As indicated in answer to Question 10, collaborating informally with other areas on matters such quality assurance, assessment, and professional learning and training is viewed as the best way forward.

Question 13

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

- 13.1 The Council is committed to developing professional learning opportunities and recognise their importance. Considering the challenge of geography, there must be the opportunity of delivery in local areas. Currently too many national professional learning activities are centralised to Edinburgh and Glasgow and this presents many challenges and this does not afford equity of opportunity for all staff, eg SCEL. The Council's commitment to enhancing the Council's IT infrastructures will support developments in this area.
- 13.2 Scottish Borders Council would welcome greater investment in research into teaching and learning as suggested in the Council's response to Question 2 to support professional learning developments.
- 13.3 Scottish Borders Council does have a concern that the qualification for Headship is to become a requirement. There should be opportunities at local level for Councils to assess the standard for Headship; the current arrangements are not best suited to all staff's personal commitments, nor do they recognise the challenge of access to existing courses which are based in cities.
- 13.4 Schools and staff are very good at collaborating to provide high quality professional learning opportunities such as teach-meet or curriculum development at cross schools days. The development of high quality professional learning opportunities is a cultural matter rather than a governance issue and should be addressed through quality improvement practice at school, cluster and Local Authority level.

Question 14

- 14.1 **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 formula?**
- 14.2 The principles above are a reasonable basis for any funding formulae, although they omit the very important issue of how effective the current levels of resource deployment actually are in delivering educational outcomes. It is not clear how the principles proposed actually differ from existing local arrangements that support devolved school management, what improvement they will deliver, nor how they will actually support "excellence."
- 14.3 The criteria seem to mainly focus on measuring the level of financial inputs as a proxy for fairness and effectiveness. It is essential that any move to adopt a more standardised national funding formulae recognises that only those budgets which can best be managed at school level should be

devolved to Headteacher control and that those budgets, eg home to school transport, school meals, additional support needs, long term absence, capital expenditure and the requirement to fund PPP projects, should not impact upon the quantum of resources available to support the process of learning and teaching, nor reduce the flexibility of Headteachers to deploy resources across financial years and across the curriculum through their DSM carry forward. The notion that all schools can be provided with the a one size fits all formulae, if that is indeed what is proposed, that is simple and fair, easily understood and at the same time predictable is somewhat naive. Fairness should not be mistaken for a system based upon "one size fits all".

14.4 The reality is that ensuring the equitable funding for schools is a complicated process driven by inter alia:-

- a) the nature of local communities and the challenges they face;
- b) the level of deprivation experienced by pupils;
- c) the quality and skills of the leadership team;
- d) the educational support needs of local children;
- e) the requirements of the curriculum;
- f) the support provided by Local Authorities through their quality assurance teams;
- g) the strength of community engagement including volunteering and links to sports clubs;
- h) the size, rurality, occupancy level, age, delivery model, eg PPP, and energy efficiency of buildings; and
- i) the nature of the staffing compliment within schools.

14.5 A national funding formulae will have a material impact on the local government finance settlement and local Council budgets and will require significant redistribution of existing resources.

14.6 The Council Tax is also a material determinant of the resources that a local Council can deploy to support a range of services, including education. Scottish Borders Council has the fourth lowest Council Tax in mainland Scotland and a relatively low cost per pupil, yet it deliver some of the best results in terms of achievement and attainment.

Question 15

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

Many areas of funding are devolved to schools. Most Headteachers have expressed reluctance to have some of the existing control budgets devolved, eg school transport, ASN.

Question 16

How could the accountability arrangements for education be improved?

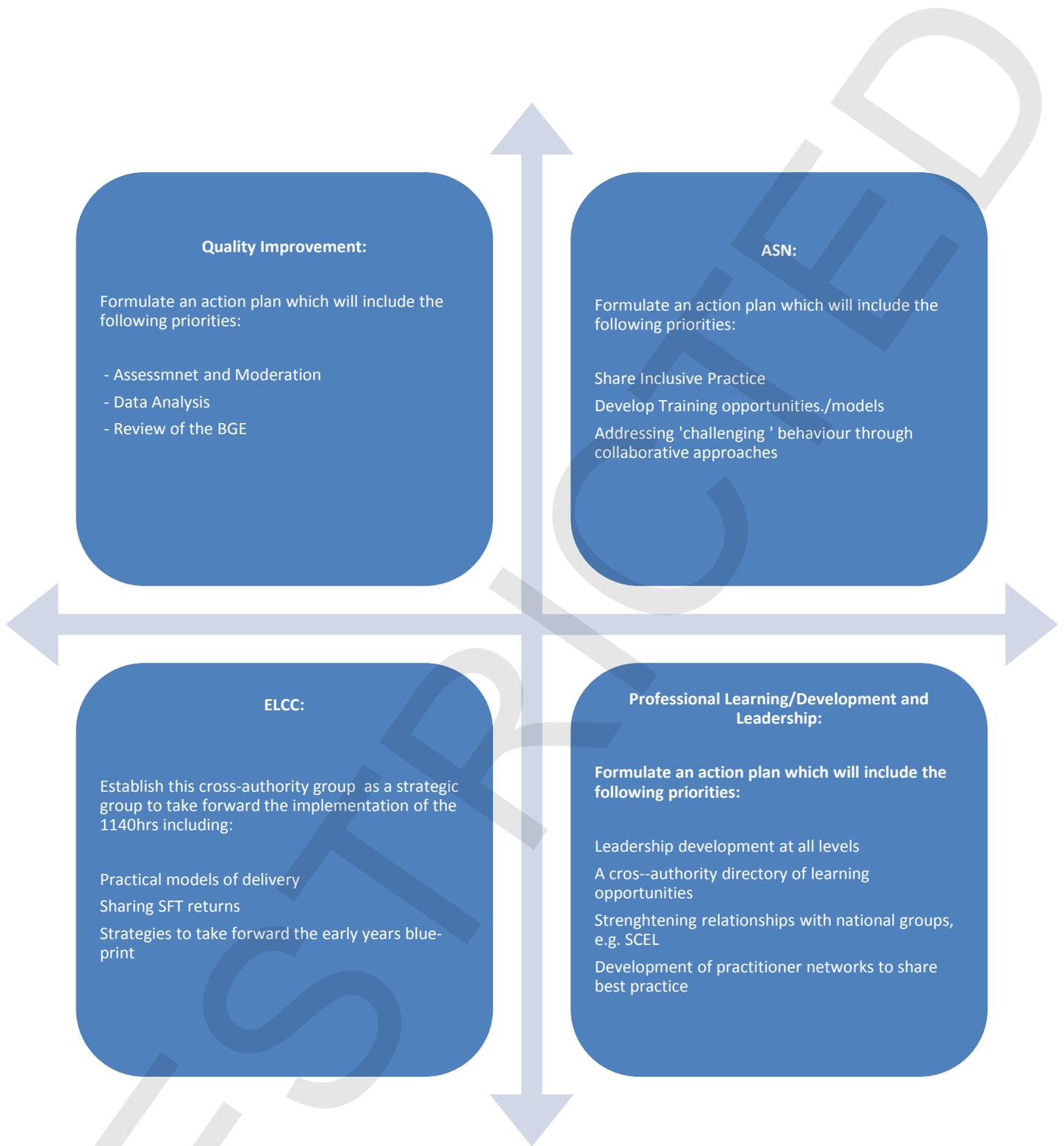
- 16.1 Accountability arrangements could be improved by recognising the strengths of rural regions such as the Scottish Borders being democratically accountable for providing both strategic and local school education services. There is a need to ensure national services support this delivery. There is also a need for stability in accountability structures going forward, which would enable rural education regions such as the Scottish Borders to plan effectively for the medium and longer term together with partners, parents, communities and businesses.
- 16.2 In the Scottish Borders it is recognised that school education needs to continue to benefit from and build on the partnership work of the Scottish Borders Community Planning Partnership, with its focus on growing the Scottish Borders economy, tackling regional inequalities, and service transformation and the ongoing partnership work as part of the integration of health and care services. The Scottish Borders Community Planning Partnership approach is working with local communities, including school communities, to provide locally tailored solutions to meet local needs. This is in line with the requirements of the Community Empowerment (Scotland Act) 2015.

Question 17

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

- 17.1 With respect to the rural regions such as the Scottish Borders, it is important to recognise the achievements and progress in the delivery of school education. It is particularly the case in rural regions that successful change needs to take account of the capacity of schools, parents, and communities. Local Authorities such as Scottish Borders Council are in the best position to improve the capacity of these groups in order to improve school education.

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

Report by Service Director, Children and Young People

SCOTTISH BORDERS COUNCIL

25 January 2018

1 PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to seek approval from Full Council on the Council's response to the 'Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill (Appendix 1). Linked to this response, a separate but connected report is being considered as a separate item on this Agenda "Education Governance Review: Next Steps", which outlines the work of the South East Regional Improvement Collaborative and seeks approval for Scottish Borders Council's continued role within this Regional Improvement Collaborative.
- 1.2 The Consultation seeks responses on key aspects of Education Governance: the role of Scottish Government, Local Authorities, Regional Improvement Collaboratives, Education Workforce Council, Education Scotland, Headteachers, parents/carers and young people. The Council's response is very clear in that within statute the Local Authority is accountable for the provision of education and outcomes for children and young people in the Scottish Borders and this must be recognised in all aspects of Governance. It is important to note that a school or Headteacher has no legal entity in respect of accountability linked to Education provision. There are many aspects of the Consultation that the Council is supportive of, but there are some areas where the Council has suggested amendments. The Council has expressed in its response concern regarding some areas of responsibility in the new Headteachers' Charter, improvement planning and the newly established Regional Collaboratives. The goals of the provisions of the Education (Scotland) Bill 2018, to improve the outcomes of children and young people, are very much at the heart of the Council's response.
- 1.3 There are a number of responses that the Council is fully supportive towards: the changes which look to increase the participation and inclusion of parents /carers and young people in improving Education and the establishment of the 'Education Workforce Council'.

2 RECOMMENDATIONS

- 2.1 I recommend that Full Council approve the Council's response to 'Empowering Schools; A Consultation on the Provisions of the Education (Scotland) Bill' as detailed in Appendix 3.**

3 BACKGROUND

Governance

- 3.1 There is a strong alignment between the Scottish Government's and the Council's vision for improvement in Education, evidenced in the Council's Education Service Plan 2017-2018 (Appendix 2). The commitment to excellence and equity through raising attainment and 'Closing the Poverty Related Attainment Gap' linked into improved outcomes in literacy, numeracy, health and well-being and positive, sustained destinations is clear; as the Council ensures the 'core purpose' of keeping all children and young people 'in our sight, in our minds and in our actions' in delivering high quality outcomes for all children and young people. The Education Service Plan has translated that commitment into key priorities for action, with very clear targets for improvement linked to the National Improvement Framework key drivers for improvement: school leadership, teacher professionalism, parental engagement, assessment of children's progress, school improvement and performance information.
- 3.2 In the last two years there have been extensive papers, discussion and consultation on how Scotland could move forward in improving the quality of Education and improving outcomes for all children and young people. The Council has fully participated in this debate in a number of forums: COSLA, SOLACE, Governance Review consultation responses, Directors' meetings and Headteacher engagement sessions.
- 3.3 In 2017 it became clear that although aligned in vision, there were some challenges in how Local Authorities and the Scottish Government viewed the pragmatic steps required to bring about improvement. In the last twelve months some agreements have been concluded through many national discussions at COSLA as to the nature of governance and control. The Education Governance Next Steps paper was published in June 2017. In response, the Council has become part of and participated in the South East Improvement Collaborative, which looks to strengthen collaboration across Local Authorities to enhance the quality of the 'middle' tiers within Scottish Education. The Council is fully supportive of this collaboration, with the proviso that all activity must evidence benefit to children and young people in the Scottish Borders. The collaboration is in addition to the improvement carried out within the Borders by the schools, the Council officers and range of partners. The arrangements for the South East Improvement Collaborative are being considered in a separate item on this Agenda (Education Governance Review: Next Steps, 25 January 2018).
- 3.4 In the Next Steps Governance paper it states quite clearly that, "Importantly the work of each local education authority will continue to be overseen through existing governance arrangements, maintaining local government accountability for the delivery of education services to each community and local area". Overarchingly the Council's response to the Consultation (Appendix 3) is clear that the pragmatics of effecting improvement and all the aspects of managing and leading schools in their communities lies firstly with the Council in partnership with its staff. Equally so, the Council recognises that all levels of the Education system must be working collaboratively and have a role to play in effecting the best outcomes for Children and Young People. There are some key questions in the consultation whereby the Council expresses some

concern that the actions being implied do not fully recognise the daily improvement work of the Council in improving outcomes, the holistic nature of service provision and the wider context in which schools operate, ie within Community Planning in Localities and Partnership Improvement Plans. The Council, in response to many of the consultation questions, is clear that if the Local Authority is to be held to account for improvement, then aspects of Service provision must remain to be governed by the Local Authority. The Council has a strong track record of school improvement in recent years set within the context of a Children's Services Structure; there is a concern that some aspects of this consultation are not fully cognisant of the ethos set out in the Community Empowerment Act and the strong localities agenda. All matters of Governance must take account of Education within the context of the local community.

Headteachers' Charter

- 3.5 The Council does believe in empowered and enabled communities and schools. However, with empowerment comes responsibilities and accountability and this must be balanced with the reality of the time that staff need to be engaged with children and young people and focused on what they are in place to do; engage and motivate children's learning through the provision of high quality teaching and learning experiences. As a Council, there are currently a number of areas where Headteachers do have autonomy, but equally so there are areas that Headteachers have quite clearly intimated that they feel the task and responsibility should remain with Council staff, eg the allocation of resource for children with additional support needs. The Council's response to the consultation has been produced through discussion with the Headteacher Strategic Leadership Group, a range of officers who currently provide support to schools and within the Corporate Management Team. There are many aspects relating to transferring of responsibilities to Headteachers through the Headteachers' Charter which the Council and Headteachers have expressed concern towards and these are detailed in the Council responses. The schools in the Scottish Borders can evidence strong improvement in recent years through partnership working with the Council; there is a very robust plan for continued improvement that has been developed through a relationship of trust, respect and transparency in relation to all aspects of education provision whether it be curriculum or finance matters. It is a concern that some of the language and content contained within this consultation does not recognise the existing positive relationships and collaboration that are in existence.

Regional Improvement Collaboratives

- 3.6 The Council is fully supportive of the establishment of Regional Improvement Collaboratives and recognises that there is work that can be carried out at Regional level which can benefit school improvement. However, there is a diagram in the Consultation paper which directs all improvement and curriculum work through the Regional Collaborative and only directs school support activities such as HR and Finance through the Council. The Council makes a very robust response that this diagram be amended to recognise the role of the Local Authority and its local partners in school improvement. The Governance paper that has been produced by the South East Regional Improvement Collaborative recognises the

importance and primacy of the work of the Local Authority in school improvement:

"As stated in the Education Governance: Next Steps paper, Local Authorities will retain the duty to support schools to continuously improve. SEIC offers schools the collective opportunity to look inwards, outwards and forwards, as described in "How Good is Our School 4", and will support and challenge schools and early years settings through:

- approaches to self-evaluation and quality improvement which improve outcomes (**school leadership**)
- use of data to secure continuous improvement (**performance information**)
- support and guidance on improvement planning in line with NIF (**school improvement**)

Each of the above will enhance and complement individual local education authority's existing practices and plans for Quality Improvement as well as building a sustainable model for the future. It will also build on partnerships and collaborations across schools encouraging a delivery model for improvement and accountability that will be the responsibility of the school to deliver."

Scottish Borders Council is fully committed to the plan being developed by the South East Improvement Collaborative and this is recognised in a separate paper being considered as an item on this Agenda.

Parental and Community Engagement

3.7

A key area within the Consultation is 'Parental and Community Engagement'. The aim set out by the Scottish Government is to make existing legal duties in relation to parental involvement clearer and stronger. The Council is supportive of greater collaboration and engagement of parents and the community on Education matters. It is positive to see the consultation recognise the important role that parents play beyond the school day in the education and wellbeing of their children. The challenge within the delivery of legal duties in setting out greater parental involvement will be the extent to which parents will be responsive to these expectations and opportunities and subsequently then the implications this may have for school improvement plans and school inspections. The Council is supportive of taking forward the principles of clearer and stronger parental involvement.

Pupil Participation

3.8

The Council is supportive that provisions in the Education Bill ensure that the principles of pupil participation are pursued in every school. The Council is very positive about the aim to recognise the importance of equalities and diversity within schools in areas such as pupil participation.

Education Workforce Council for Scotland

3.9

The Council is supportive of the establishment of the Education Workforce Council which will take on responsibilities of the GTCS, the Community Learning and Development Standards Council and register other education

professionals. The Council has expressed that costs of registration and administrative processes are carefully consulted upon and considered as part of developments to take into account the 'in work poverty' issues that exist for some staff and the pressures within Councils in terms of staff available to complete administrative processes, ie new processes must be as low cost and as efficient as possible.

Conclusion

- 3.10 The Council is in alignment with the Scottish Government in their commitment to excellence and equity through raising attainment and 'Closing the Poverty Related Attainment Gap' linked into improved outcomes for all children and young people in literacy, numeracy, health and well-being and positive destinations. The Council is supportive of many aspects contained within the consultation (linked to changes to provisions within the Education Bill) which seek to support the drive for improvement within Education in Scotland. All documentation to date from the Scottish Government rests the accountability of outcome delivery and provision of education with the Local Authority. Scottish Borders Council in accepting these responsibilities has indicated through this consultation areas of concern where it believes the Council's ability to fulfil these responsibilities needs to be recognised. The Education Bill must seek to represent the existing activities that positively contribute to improving Education every day in schools in Local Authorities and localities; it must recognise the positive ethos and partnerships that exist between schools and the Council, and the interdependencies between Education, the Council and Children's Services. Scottish Borders Council has a strong track record of school improvement in recent years. Improving schools and providing education is a complex and multi-faceted task which has to be responsive within the communities children are educated within as well as within the lives they have at home and in their communities. The Bill must wholeheartedly see Education within this context, which it does in part in elements of the Consultation document. The Council hopes that the feedback provided will be taken into account when the final provisions within the Bill come through as Scottish Borders Council does believe that the Scottish Government and the Council are jointly aiming for the same goals for the children and young people of the Scottish Borders and is confident that collaboration at all levels of governance can positively contribute to achieving the aspirations set out in local and national guidance and policy for Education and Children's Services.

4 IMPLICATIONS

4.1 Financial

There are no costs attached to any of the recommendations contained in this report.

4.2 Risk and Mitigations

There are risks within the Education Bill that could affect the outcomes for children and young people in the Scottish Borders if some of the suggested steps are taken by National Government. The Council has outlined these risks in the consultation response.

4.3 **Equalities**

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications at this stage as it is a consultation. However, if some of the steps are taken as suggested, then there would be serious risks to equalities for staff and pupils with additional support needs.

4.4 **Acting Sustainably**

There could be significant sustainability issues if elements of the Education Bill proceed in their existing format.

4.5 **Carbon Management**

The contents of this report will have no effects on carbon emissions.

4.6 **Rural Proofing**

There is no change to any strategy linked to rural proofing.

4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report as it is a consultation at this stage.

5 **CONSULTATION**

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Donna Manson

Service Director, Children and Young People Signature

Author(s)

Name	Designation and Contact Number
Donna Manson	Service Director, Children and Young People

Appendices:

Appendix 1: Empowering Schools, A Consultation on the provisions of The Education (Scotland) Bill

Appendix 2: Education Service Plan

Appendix 3: Scottish Borders Council: Consultation Response re the The Provisions of the Education (Scotland) Bill 2018

Background Papers: N/A

Previous Minute Reference: N/A

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Donna Manson can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

EMPOWERING SCHOOLS

A CONSULTATION ON THE PROVISIONS OF THE EDUCATION (SCOTLAND) BILL

TheScottishGovernment 
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www.gov.scot



EMPOWERING SCHOOLS

A CONSULTATION ON THE PROVISIONS OF THE EDUCATION (SCOTLAND) BILL

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CONTENTS

Foreword	1
About this Consultation	3
Introduction	5
1. Headteachers' Charter	6
2. Parental and Community Engagement	18
3. Pupil Participation	21
4. Regional Improvement Collaboratives	23
5. Education Workforce Council for Scotland	26
Summary of Questions and Respondent Information Form	31

FOREWORD BY THE DEPUTY FIRST MINISTER AND CABINET SECRETARY FOR EDUCATION AND SKILLS



Improving the education and life chances of our children and young people is the defining mission of this Government. Our vision for education is to close the unacceptable gap in attainment between our least and most disadvantaged children and to raise attainment for all. We know that education is by far the most effective means we have to improve the life chances of our young people. Our education system must enable children to achieve their full potential regardless of their background. In addition to being a moral imperative it is critical for the future success of our country on the world stage.

We know that to achieve success our education system needs excellent school leaders and teachers, strong curriculum and improvement support, more transparent measures of progress, and engaged pupils, parents and communities. The reforms set out in this consultation will strengthen all of these elements of Scotland's education system and empower our headteachers, enabling them to adopt a relentless focus on improving learning and teaching.

We accept that the responsibility of this Government is to work with our partners in local government to create the culture and capacity for teachers and practitioners to improve the learning outcomes in their classrooms – and across our schools and early learning centres. We expect to be held to account for this, just as parents expect schools to be accountable to them.

Building on advice from the Organisation for Economic Co-operation and Development and the International Council of Education Advisers, responses to the Education Governance Review and the commitments set out in the Next Steps paper, we will introduce a Bill to create a school and teacher-led system, centered on the child. As a result, decisions that shape the education of young people will be made in classrooms, schools and establishments, by those working with young people, their parents and communities.

Headteachers, their staff and schools will be supported by three key elements: enhanced career and development opportunities; new Regional Improvement Collaboratives to provide consistent, high quality support and improvement services; and world class educational support services from local authorities.

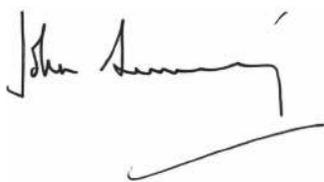
We will continue to trust and invest in teachers and practitioners as empowered, skilled, confident, collaborative and networked professionals. To ensure that they flourish, we will transform the support available to teachers and practitioners at every level of the system.

The legislative reforms on which we are consulting will aim to strengthen flexibility at school level while also addressing unacceptable variability in attainment across the country.

Teacher professionalism and judgment remains at the heart of our approach. That is why we are taking steps to enable teachers and headteachers to collaborate and drive forward improvement. Our aim is to enable all headteachers to determine the resources and approaches best suited for their own learners' journeys and – most importantly – to become leaders of learning in their schools.

This Bill will not simply increase the freedom of headteachers to make choices while leading learning and teaching in our schools. Teachers and schools need consistently excellent education support services and consistently excellent improvement services. It is a collaborative effort, which starts with leadership in our schools and should be complemented by our local authorities and supported by new Regional Improvement Collaboratives which are relevant to, designed by, and close to the communities they serve.

Our determination is clear: to deliver the world-leading education system our children and young people deserve. This Bill will be instrumental in achieving that aim and I am keen to hear views from schools, parents, pupils and education professionals about our proposals.

A handwritten signature in black ink, appearing to read 'John Swinney', with a long horizontal flourish underneath.

John Swinney MSP
Deputy First Minister and
Cabinet Secretary for Education and Skills

ABOUT THIS CONSULTATION

This consultation seeks views on the detailed policy proposals being taken forward by the Scottish Government in the Education Bill.

Responding to this Consultation

We are inviting responses to this consultation by **Tuesday 30 January 2018**. Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. You can view and respond to this consultation online at <https://consult.gov.scot/learning-directorate/education-scotland-bill>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of **Tuesday 30 January 2018**.

If you are unable to respond online, please complete the Respondent Information Form (see "Handling your Response" below) and send to:

Email: EducationReform@gov.scot

Or write to us at:

Workforce, Infrastructure and Reform Unit
 Scottish Government
 2B - North
 Victoria Quay
 Edinburgh
 EH6 6QQ

Handling your response

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to EducationReform@gov.scot.

Scottish Government consultation process

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>).

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

INTRODUCTION

The primary focus of the Bill we will introduce later this parliamentary year is to create a school and teacher-led education system and therefore to empower our schools and school leaders. The 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. This legislative underpinning will make it clear that headteachers are best placed to make decisions about how learning happens in our schools. The Charter will also set out the support headteachers can expect to receive to meet the needs of their school communities by clarifying the responsibilities that local authorities will fulfil in order to enable headteachers to lead.

Headteachers as leaders of learning need to be able to choose the people in their team. This is arguably the most important factor in their ability to improve the quality of learning and teaching in their school. Headteachers should have more influence on how staff are recruited, select who works in their school and determine the structure within which those professionals are deployed. Currently, in some areas, key decisions about staffing are often taken without headteacher involvement and the Bill will aim to change this.

The Bill will also improve parental and community engagement in school life and in learning outside of school, and strengthen the voice of children and young people, by actively promoting and supporting pupil participation. The Bill will provide the legislative underpinning for the establishment of Regional Improvement Collaboratives to allow them to fulfil their agreed functions which will include (but are not limited to): regional priorities and regional improvement plans; professional learning and leadership; curriculum support; sector specific support; improvement methodology; sharing good practice and the impact of research; peer to peer and school to school collaboration and a regional approach to supporting staffing challenges.

In addition, the Bill will enable registration of other education professionals with the Education Workforce Council. This will be established to take on the responsibilities of the General Teaching Council for Scotland (GTCS) and the Community Learning and Development Standards Council (CLDSC) and to establish appropriate professional standards for other groups within the education workforce.

The Headteachers' Charter will support rather than replace some elements of the existing legislative framework such as the duties placed on local authorities and headteachers through 'Getting it Right for Every Child' legislation; requirements to promote and support equality and inclusion and health and wellbeing for all pupils; duties relating to additional support for learning provision which apply to local authorities; and legislation relating to maximum class sizes. How the provisions in the Charter will work alongside other legislative duties relating to education will be set out in detail in the Bill.

We have set out in this consultation paper why we think these changes will improve the educational outcomes for young people, how they will work in practice and how the legislation needs to change to enable them to happen. We are seeking views on whether the changes which we have set out will deliver the empowered school and teacher-led system which we aim to achieve.

We will continue to work with stakeholders during the consultation period and during the parliamentary scrutiny of the Bill to ensure that headteachers are well prepared to take on their more empowered roles and that local authorities, Regional Improvement Collaboratives, and school communities are well prepared to support them to do so.

1. HEADTEACHERS' CHARTER

We will include provisions in the Education Bill to establish a Headteachers' Charter. This will clearly empower headteachers to make the key decisions about learning and teaching in their schools and clarify the responsibilities that local authorities have to enable headteachers to be the leaders of their schools.

The OECD identifies a clear relationship between school autonomy and performance. Looking at the evidence from the PISA programme they conclude that "...the greater the number of schools that have the responsibility to define and elaborate their curricula and assessments, the better the performance of the entire school system¹..." Giving headteachers more power to make important decisions will make a difference to the educational outcomes of the young people in their schools but will also help improve school education in Scotland as a whole. It will enable all headteachers to do their jobs more effectively than is currently possible in many cases and enable them to access the additional support and resources they need in order to do so.

We know that different headteachers across the country currently have different levels of freedom to make important decisions. Some have considerable levels of choice enabling them to shape the staffing structure and curricular offer in their schools in ways which best meet the needs of their communities. There are many good examples of effective arrangements but they do not exist in every school.

We want to create a genuinely school and teacher-led system which is centered on the child, and where decisions that shape the education of our young people are made by those working with young people, their parents and communities. That is the basis of Curriculum for Excellence. The Headteachers' Charter will play an important role in transforming the system by enabling headteachers to make the decisions that most affect the quality of teaching and learning in their school. It will also support a number of important elements of the existing legislative framework, founded on the values and principles of Getting It Right For Every Child, which will continue to apply.

We believe that education will be improved if headteachers are able to make decisions in four key areas:

- **Curriculum for Excellence**
- **Improvement**
- **Staffing**
- **Funding**

¹ OECD (2011) *PISA in Focus* (2011/9) *School autonomy and accountability: Are they related to student performance?* <https://www.oecd.org/pisa/pisa-products/pisainfocus/48910490.pdf>

Curriculum for Excellence

Curriculum for Excellence sets out a national framework for the design of learning and teaching in schools across Scotland. National expectations around children and young people's learning, and the standards to be achieved, are set out in the Experiences and Outcomes and the Benchmarks respectively. Within this national framework, schools have the freedom and authority to design a curriculum that best meets the needs of their individual learners. In doing so, practitioners should take account of seven broad principles of curriculum design: challenge and enjoyment; breadth; progression; depth; personalisation and choice; coherence; and relevance.

Headteachers should have the freedom to decide how best to plan and design learning and teaching in their schools within this framework. Headteachers are responsible for the quality of learning and teaching in their schools and for empowering their staff to develop approaches which meet the needs of individual learners and groups of learners.

While they will have the ability to make these choices as a result of our reforms, headteachers should also be open to professional challenge of their decisions in relation to curriculum design and content, particularly where there is greater opportunity to maximise the flexibilities of the Curriculum for Excellence. This should be provided by a supportive network of critical friends, including their staff, local community and headteachers of other schools. As their employer, the local authority will continue to play an important line management role, engaging in constructive discussion with the headteacher on the rationale for the decisions they are taking on the curriculum in their school. The Regional Improvement Collaborative and Education Scotland will also be able to provide support and critical feedback.

Currently some headteachers find their freedom within the framework of Curriculum for Excellence is reduced by requirements from their local authority that they adopt particular approaches to learning and teaching. Some headteachers will already be free to take decisions about the curriculum offer in their school but many are not. Where this freedom is available, it is given at the discretion of the local authority. We want to provide a clear, firm legal basis for all headteachers to have this freedom of choice.

All local authorities have a statutory duty to provide adequate and efficient education for the children in their area, having regard to the age, ability and aptitude of their pupils and with a view to developing children and young people's talents and abilities to their fullest potential. They must also have due regard to the views of children and young people when making decisions that significantly affect them, taking account of their age and maturity. In practice, when it comes to actual provision of school education, headteachers and the teachers in their schools carry out these roles on behalf of the local authority which employs them.

Some local authorities provide high quality support for teaching and curriculum development. In particular there are examples of work being done by some to enable design of the curriculum in secondary schools to be more efficient and collaborative, for example through e-learning or timetable alignment. Others, however, impose local restrictions on the organisation of subjects into specified 'faculties' in each school, which constrains headteachers' flexibility to lead learning and teaching as well as limiting the staffing and management structures which they can adopt.

How will the Headteachers' Charter lead to improvement?

In relation to the Curriculum for Excellence, the Headteachers' Charter will:

- Give headteachers freedom to lead teaching and learning in their schools, by setting out that it is for headteachers to decide how best to design their local curriculum in line with the national framework set out by the Curriculum for Excellence;
- Create a new duty on headteachers, alongside their leadership teams, to work collaboratively with other schools and partners on curriculum design and improving learning and teaching. That collaboration can take different forms and focus on different issues as headteachers see fit. The OECD Review suggested that priority should initially be given to collaboration on improving teaching, assessment and connecting schools to take collective responsibility for each other's improvement and results;
- Require that headteachers will continue to involve their school community (pupils, parents and staff) in the life of the school and in key decisions which affect them. Proposals for clarifying and strengthening this are set out later in this consultation; and
- Ensure local authorities retain their overarching duties in relation to the sufficiency of education provision but, when it comes to actual teaching and learning in schools, the role of the local authority will be 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.

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?

Improvement

The National Improvement Framework is central to the Government's ambition of improving outcomes for all children and young people. It brings together evidence from across the education system to tell us how well things are working and to help identify what needs to be done to secure the necessary improvement. The National Improvement Framework has been developed in collaboration with partners across the system and the key priorities it identifies have been supported and agreed by all involved.

Headteachers should align their school's priorities for improvement with the policy direction set out in the National Improvement Framework and they should decide how best to implement these priorities. Within the context of the National Improvement Framework schools' priorities should have primacy and these should not be overridden by alternative priorities set by local government. Instead, schools should be supported in their improvement activity by local authorities working through the Regional Improvement Collaborative. The Bill will make these changes.

The Scottish Attainment Challenge and the introduction of the Pupil Equity Fund have already generated a number of examples of creative and innovative interventions designed by schools to deliver improvements in attainment. The purpose of the Headteachers' Charter is not to place new duties on headteachers in this regard but rather to provide further support to them in their efforts to secure excellence and equity for all pupils.

Headteachers should be able to determine the improvement priorities for their own schools, based on rigorous self-evaluation and evidence. They should be supported and, when appropriate, challenged in the exercise of that function, by local authorities acting in their capacity as part of the Regional Improvement Collaborative.

We envisage a shared model of accountability. Headteachers will meet their responsibilities for improvement in their schools by planning and monitoring improvement in collaboration with their peers, staff, parents and pupils. Local Authorities will contribute to school improvement differently in future and the Bill will set out their new role. Local authorities will continue to employ and line manage headteachers and will meet their responsibilities by working with other authorities in their region and with Education Scotland through the Regional Improvement Collaboratives to provide robust and constructive challenge and support to their headteachers.

Local authorities have a long-standing statutory duty to improve the quality of school education. They are responsible for producing local improvement plans and have to consult headteachers on their priorities. The responsibility for producing individual school improvement plans is currently delegated to headteachers through the Devolved School Management scheme. All of these improvement plans are required to be consistent with the National Improvement Framework and its priorities.

Under the Bill local authorities will retain their duty to improve the quality of school education but will be required to achieve this through their participation in the work of the Regional Improvement Collaboratives. The reform will deliver more empowered schools while maintaining the democratic accountability of local authorities for education. These changes will not result in additional bureaucracy or additional layers of reporting on improvement: there will be a school improvement plan and a regional improvement plan, both of which will inform the National Improvement Plan. Local authorities will no longer be required to develop individual improvement plans.

The functions and structure of the Regional Improvement Collaboratives have been agreed between local and national government. The Collaboratives are now being established and will start actively to involve headteachers locally, helping them to understand how they can inform and access this new offer of improvement and curricular support. Much will rest on the relationships that the Regional Improvement Collaboratives establish with headteachers, and the extent to which headteachers are involved in setting the priorities of the Collaborative. The Bill will ensure this involvement.

Headteachers have a strong sense of moral purpose towards breaking the cycle of poverty and helping to close the poverty-related attainment gap. While they and their staff are key agents in making changes which will close the poverty-related attainment gap, we are clear that successfully doing so will require the collaboration of a wide range of public services. Therefore, while we do not intend to hold headteachers to account individually for the impact of other services, we do expect them to work in a collaborative way with other professionals to achieve excellence and equity in their school: to ensure that every child achieves the highest standards of literacy and numeracy and the right range of skills, qualifications and achievements to allow them to succeed; and to ensure that every child has the same opportunity to do this, regardless of their background.

How will the Headteachers' Charter lead to improvement?

In relation to improvement, the Headteachers' Charter will:

- Empower headteachers and teachers to work collaboratively by requiring schools to work together. While the Charter will not specify precisely what form that collaboration should take we expect it to apply not just in relation to other schools, but in relation to the work of the Regional Improvement Collaboratives and the wider school community. Guidance will be provided to ensure these expectations are clear;
- Ensure local authorities and headteachers will continue to be required to have regard to the importance of reducing inequalities of outcome for socio-economically disadvantaged pupils but headteachers will be able to decide improvement priorities for their school (in consultation with their school community); and
- Remove the requirement for local authorities to develop separate improvement plans given the new requirement for Regional Improvement Plans which should reflect the school improvement plans in that region.

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?

Question 3

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

Staffing

The quality of learning and teaching is the most important in-school factor in determining a child's educational outcomes. While local authorities will remain the employers of staff, including headteachers, it is the headteacher who should decide who works in their school and the staffing and management structure within which they work. We know that the ability of headteachers to influence the process through which teachers are recruited varies between local authorities. In some areas headteachers can participate in general recruitment exercises to recruit teachers to the local authority but cannot appoint individual teachers to specific posts in their school. In other areas, headteachers are able to decide personally on most of the permanent appointments to their school and are able to observe candidates engaged in teaching as part of that process.

Headteachers should have the ability to select the vast majority of their school's permanent staff. They should have the option to see candidates engaged in teaching in order to make informed choices and they should have a strong representative voice in the design of recruitment processes locally.

As officers of the local authority, headteachers must cooperate with the local authority in carrying out its employment duties. While they may be obliged when filling a vacancy to consider staff being redeployed within the authority they should not be obliged to select them if they are not the best fit for the post. Ultimately a headteacher must be able to select the team with whom they work. Headteachers already support the development of the profession by providing places for centrally-allocated students and probationers and will continue to do so. Local authorities must be able to allocate resource to support the provision of additional support for learning.

The same argument applies to determining an appropriate staffing and management structure in a school. Currently, headteachers have very different levels of input into the leadership structure of their school. Some are able to design the structure that will best support their school's priorities, but others have their school's leadership structure set by a central formula. Headteachers are best placed to decide the leadership structure of their school, taking into account the needs of learners, the capacity of existing staff and the resources available. They should be able to decide how their leadership team is configured in terms of teaching and management time, and distribute leadership throughout their school using a promoted post structure that they themselves have designed within the budget allocated to their school.

Headteachers will not be the employer of the staff in their school; that role will be retained by the local authority who will ensure recruitment decisions are consistent with employment law and with national agreements on pay and conditions. As the employer, the local authority will address any issues of performance, discipline or grievance which arise and be expected to provide support to headteachers should members of their staff be performing below expected standards to enable their development needs to be met or more appropriate roles to be found for them. That also applies where staff have been recruited to meet learner needs which have become less of a priority in the school over time. Processes for dealing with performance issues and redeployment of surplus staff need to be fair, efficient and timely.

We recognise that some issues, such as allocating newly qualified teachers as probationers or providing placements for Initial Teacher Education students should be coordinated at local authority or regional level and so this will be a limitation on headteacher freedom of choice. But headteachers should have the option to be more involved in that process should they wish. Similarly, there is scope to achieve economies of scale in shared recruitment exercises at a local authority or regional level. So while it will not always be possible for headteachers to choose every single member of their staff, they should be the principal voice in the designing and reviewing of recruitment processes.

The impact of leadership in a school extends beyond teachers. Other professionals who deliver education and other staff who provide vital functions in the school (such as business management, administration, and catering and janitorial services) are all fundamental parts of the life of the school, supporting its ethos and aims and contributing to its success. Headteachers and their management teams should have the option of selecting the staff who work in their schools.

Greater freedom for headteachers in this area can usefully be supported by appropriate engagement with the wider school community. Proposals for strengthening parental engagement are set out later in this paper.

How will the Headteachers' Charter lead to improvement?

In relation to staffing, the Headteachers' Charter will:

- Give headteachers the right to be involved in devising and reviewing recruitment processes within the local area;
- Give headteachers the ability to choose their team and to decide the promoted post structure within their school, in order to design a leadership team which best meets the needs of pupils and enables staff progression and development within a school level budget;
- Clarify that headteachers should continue to cooperate with their local authority in its on-going role as employer e.g. in its duty to manage the allocation of probationers, student teachers, surplus staff and compulsory transfers; and
- Clarify that education authorities continue to play a significant role as the employer of teaching and non-teaching staff within the school (including the headteacher) and provider of HR support and other services to schools.

Question 4

The Headteachers' 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?

Funding

A separate consultation seeking views on possible future approaches to funding school education to support our vision of excellence and equity for all children and young people was carried out between June and October 2017. The Government will be reporting on the outcome of that consultation in summer 2018.

Headteachers should have more of a say in how the budget allocated to their school can be used on delivery of school education e.g. to obtain learning and teaching resources, to recruit additional staff for particular purposes or to adopt a different leadership structure. There should be transparency in how those allocations are calculated so that the reasons for variations in budgets of similar schools are clear. However, headteachers must not become accountants or business managers as a result of these reforms.

Local authorities will remain the overall budget holders and will still be accountable for education spending. It is already possible for them to delegate funding to individual schools for headteachers to decide spending priorities through Devolved School Management schemes. Local authorities take different approaches to this, with some allowing headteachers to decide how to use the available staffing budget (e.g. using a 'points' system) while others retain this centrally delegating only a small proportion of discretionary expenditure to headteachers.

In order to support headteachers' new powers to determine the leadership structures in their schools, the Charter will require greater delegation of staffing budgets to individual schools. As a result, headteachers will have freedom to choose how their staffing budget is used to support learning and teaching in the school. Headteachers will be accountable to the local authority as their employer for the decisions they make in relation to staffing and budget, and will have to have due regard to the need to secure best value in spending public funds. Pupil Equity Funding (PEF) supports this approach with headteachers having the right to decide how to spend the PEF allocation and the local authority being ultimately responsible for the role in best value assurance in relation to public funds. If appropriate headteachers should be able to access suitable school business management support to fulfil their empowered role.

Procurement processes should support headteachers while making sure that the relevant legal obligations of the local authority, including procurement law, are met.

Local authorities will continue to be responsible for ensuring provision of specialist services and for managing provision of support for learners' additional needs as well as expenditure on the school estate and other issues connected to placing of pupils in schools such as school transport.

How will the Headteachers' Charter lead to improvement?

In relation to funding, the Headteachers' Charter will:

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

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?

Question 6

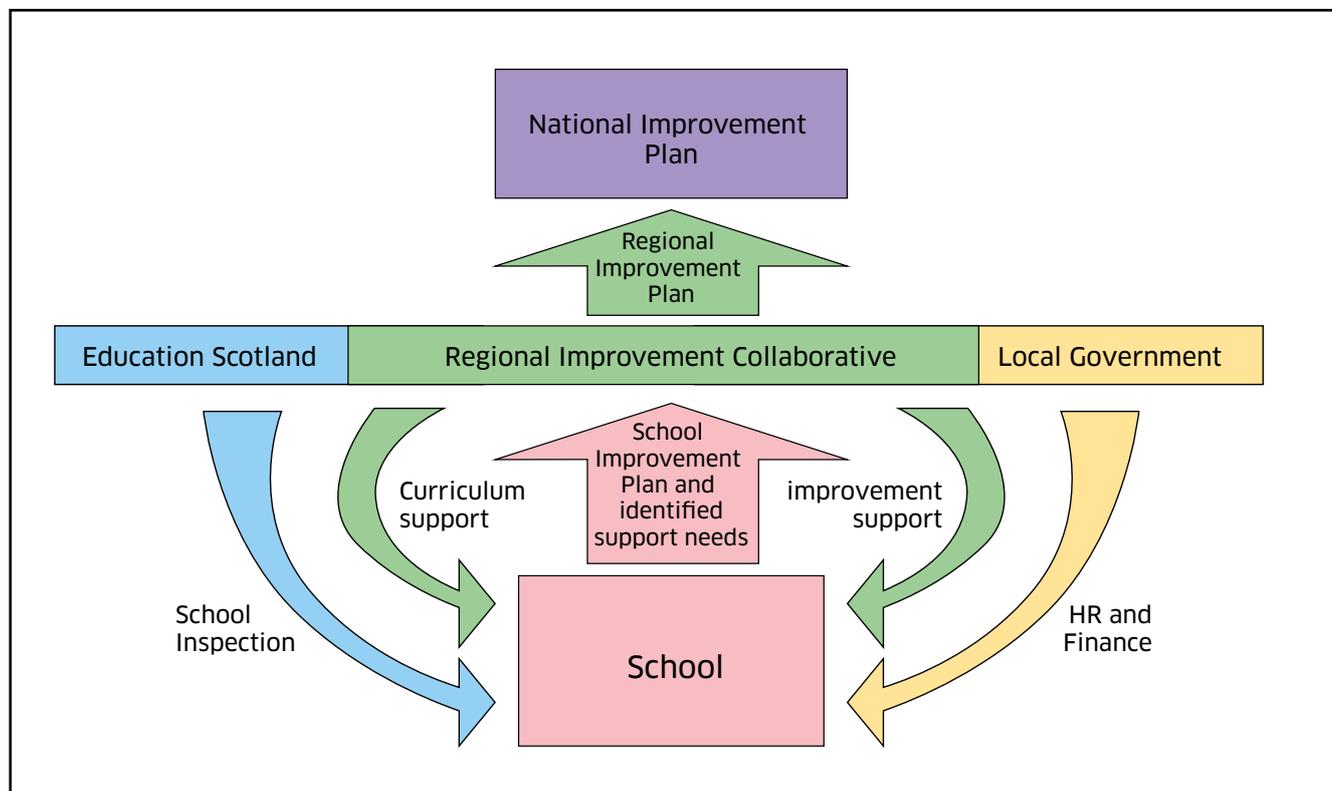
How could local authorities increase transparency and best involve headteachers and school communities in education spending decisions?

Supporting Empowered Headteachers

In addition to empowering headteachers, our reforms will provide them with improved support from their local authority, from Education Scotland and from both working together through the new Regional Improvement Collaboratives. Headteachers will have clarity on what support and guidance is being provided through the Collaborative, what is being provided by their individual local authority, and where to go for specialist advice. The need to provide that clarity will be a key element in the development of each Collaborative.

Through the Collaboratives, headteachers will have greater access to educational support and advice to assist them in leading learning and teaching and closing the attainment gap in their schools. They will have the opportunity to help shape the priorities for their Collaborative, and an important role in supporting improvement and the sharing of best practice and innovation in and between schools.

We envisage the Collaborative providing support on curriculum and improvement issues, the local authority providing support on funding and staffing issues and Education Scotland identifying areas for improvement through the school inspection process. The school will identify the issues on which it needs support from the Collaborative whose Regional Improvement Plan will be informed by school improvement plans from across the participating local authorities. This model of support provision for schools is illustrated in the diagram below:



While these reforms will result in greater responsibility and freedom for education professionals than many of them presently have, they must not result in additional unnecessary workload. On the contrary, having more control over their staffing complement, their improvement priorities and their curricula means that headteachers and their staff will be better able to ensure that they are focusing entirely on activity which supports the progress of learners.

Building on the work of the Scottish College for Educational Leadership, Education Scotland will be reviewing the provision for aspiring and serving headteachers to reflect the enhanced decision-making powers they will have as a result of the Charter. GTCS will also be reviewing its Standards for Leadership and Management to reflect these powers (which will subsequently be applied by the Education Workforce Council when established – see Section 5 below) and Government will work to review career pathways with the profession as part of the non-legislative phase of the reform programme. We also acknowledge that these reforms will necessitate a review of pay and reward for headteachers through the tripartite Scottish Negotiating Committee for Teachers.

Headteachers already feel a strong sense of accountability to their school community for the quality of learning and teaching in their schools and the outcomes the school achieves; and to their local authority employer as an officer of the authority, charged with fulfilling delegated statutory duties. Under the Charter, headteachers will retain this accountability to their school community and employer, but have greater operational flexibility to make key decisions that enable them to fulfill their duties and achieve excellence and equity in their schools. By doing so they will be driving forward improvement which will help to ensure that the poverty-related attainment gap will close. In fulfilling this newly empowered function, headteachers will be well supported by their local authority as their employer and by their Regional Improvement Collaborative which will deliver a network of skills and talent from across the education landscape.

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?

In summary, the Headteachers' Charter will:

In relation to the Curriculum for Excellence

- Give headteachers freedom to lead teaching and learning in their schools, by setting out that it is for headteachers to decide how best to design their local curriculum in line with the national framework set out by the Curriculum for Excellence;
- Create a new duty on headteachers, alongside their leadership teams, to work collaboratively with other schools and partners on curriculum design and improving learning and teaching. That collaboration can take different forms and focus on different issues as headteachers see fit. The OECD Review suggested that priority should initially be given to collaboration on improving teaching, assessment and connecting schools to take collective responsibility for each other's improvement and results;
- Require that headteachers will continue to involve their school community (pupils, parents and staff) in the life of the school and in key decisions which affect them. Proposals for clarifying and strengthening this are set out later in this consultation; and
- Ensure local authorities retain their overarching duties in relation to the sufficiency of education provision but, when it comes to actual teaching and learning in schools, the role of the local authority will be 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.

In relation to Improvement

- Empower headteachers and teachers to work collaboratively by requiring schools to work together. While the Charter will not specify precisely what form that collaboration should take we expect it to apply not just in relation to other schools, but in relation to the work of the Regional Improvement Collaboratives and the wider school community. Guidance will be provided to ensure these expectations are clear;
- Ensure local authorities and headteachers continue to be required to have regard to the importance of reducing inequalities of outcome for socio-economically disadvantaged pupils but headteachers will be able to decide improvement priorities for their school (in consultation with their school community); and
- Remove the requirement for local authorities to develop separate improvement plans given the new requirement for Regional Improvement Plans which should reflect the school improvement plans in that region.

In relation to Staffing

- Give headteachers the right to be involved in devising and reviewing recruitment processes within the local area;
- Give headteachers the power to choose their team and to decide the promoted post structure within their school, in order to design a leadership team which best meets the needs of pupils and enables staff progression and development within a school level budget;
- Clarify that headteachers should continue to cooperate with their local authority in its on-going role as employer e.g. in its duty to manage the allocation of probationers, student teachers, surplus staff and compulsory transfers; and
- Clarify that education authorities continue to play a significant role as the employer of teaching and non-teaching staff within the school (including the headteacher) and provider of HR support and other services to schools.

In relation to Funding

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

2. PARENTAL AND COMMUNITY ENGAGEMENT

We will include provisions in the Education Bill to make the existing legal duties in relation to parental involvement clearer and stronger, to reflect the transfer of responsibilities to headteachers through the Headteachers' Charter and to encourage stronger collaboration between school leaders and parents. We will also clarify the relevant duties which apply to early learning and childcare which is funded but not provided by the public sector.

Parents are the main educators in their children's lives, particularly in the very early years. As such, it is vital to measure and understand parents' and families' influence on children's outcomes. A range of international evidence has shown that children and young people who have at least one parent or carer engaged in their education achieve better exam results, higher retention rates and smoother transitions between nursery, primary and secondary schools. They are also more likely to:

- attend school more regularly;
- have better social skills;
- have improved behaviour;
- adapt better to school and engage more in school work;
- have better networks of supportive relationships;
- have a better sense of personal competence; and
- be more likely to go on to further or higher education.

We already have 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. However, we agree with the recommendations resulting from the National Parent Forum of Scotland's review of the impact of the 2006 Act. We will strengthen, modernise and extend the provisions of the 2006 Act, ensuring that as we empower headteachers and teachers, we also empower parents to engage in their child's education.

The improvements that we will make to the 2006 Act are:

- To strengthen the duties on headteachers to work collaboratively with their Parent Councils on substantive matters of school policy and improvement. Overall, the move from School Boards to Parent Councils has been welcomed and the NPFS Review of the 2006 Act identified strong evidence of effective practice across the country. It is, however, important that there is greater consistency in the role and influence of Parent Councils over substantive matters of school improvement. We intend to replace the current duties on headteachers to inform and consult with their Parent Council with revised duties to work in a collaborative way with their Parent Council. We will provide greater clarity as to what we mean by such collaboration, and we will specify that headteachers must collaborate on matters relating to school policies and school improvement;
- To provide duties on headteachers to communicate with the wider parent forum. We know some parents will not be able to or may not wish to, join the Parent Council. We need to ensure that the legal framework reflects this by requiring headteachers to take appropriate steps to work in partnership with the wider parent forum in tandem with their engagement with the Parent Council. Collaboration should be based on genuine and strong partnerships with all parents. We will ensure that the duty to collaborate with the forum includes substantive matters of school policy, improvement planning and curricula design. In doing so, we will take care to retain flexibility for headteachers to work with parents in the ways which are reflective of their own local circumstances;

- To update the legal definition of parental involvement, ensuring that the definition is sufficiently broad and covers all aspects of parental involvement and engagement. Whilst it is important that parents are supported to play an active role in formal matters of school life via their Parent Council, the evidence shows that it is parental engagement in learning outside of school which offers the greatest potential to impact attainment and long term outcomes for children. We intend to modernise our legal definition and capture the full range of parent-related activity by schools by expanding the legal definition of parental involvement and engagement. This will include a prominent place for parental engagement in learning, learning in the home and family learning;
- To require a review of parental involvement strategies within three years of initial development and at least every three years thereafter. We will also require all parental involvement strategies to include clear objectives and measures of success; and
- To clarify the application of the 2006 Act to early learning and childcare settings. We do not expect to impose a requirement for dedicated Parent Councils in early learning and childcare settings. Instead, we intend to develop broader duties to ensure effective communication and interaction with parents, reflecting and strengthening the extent of very good parental involvement practice which is already a key feature in many early learning and childcare settings.

In addition, we intend to:

- update and clarify the duties on Parent Councils to represent the diversity of the school community and to actively promote contact with pupils;
- include parental involvement and engagement as one of the relevant improvement matters covered by the Regional Improvement Collaboratives; and
- reflect the updated legal responsibilities on parental involvement within the Headteachers' Charter.

Changes to the statutory guidance

The NPFS Review also recommended that statutory guidance on parental involvement should be updated in line with changes to the 2006 Act to provide a summary of schools' and Parent Councils' duties in relation to the Equality Act 2010 and to provide further comprehensive guidance on the 'learning at home' strand of the 2006 Act. As part of our reforms, we will update the statutory guidance to reflect the amendments to the 2006 Act and to ensure that the entire legal framework for parental involvement is modernised.

Wider activity

We will complement our amendments to the legal framework with a comprehensive package of wider activity including a national action plan on parental engagement and family learning, the annual improvement cycle (which includes a "driver" on parental engagement) and the introduction of a home to school link work in every school to support parents who find it challenging to engage in their child's learning.

Question 8

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

Question 9

How should the 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 curriculum 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

We will include provisions in the Education Bill to ensure that the principles of pupil participation are pursued in every school.

Ensuring that the views of children and young people are considered gives them an opportunity to participate in decisions and activities which influence policies or services that can impact on their lives. It contributes to their sense of belonging, helps communities to become stronger, and increases the likelihood that services will make a positive impact.

A recent Scottish study² has shown that schools which were achieving better than expected results given their catchments areas were all making comprehensive efforts to address learner participation across all areas of school life. Across many studies, we can say the main evidenced effects of enhancing learner participation are:

- improved pupil-teacher relations;
- improved peer relations across the school age ranges;
- improved teaching and learning;
- improved guidance and support;
- a better school ethos and greater sense of a shared community;
- a reciprocal sense of feeling valued, trusted and respected;
- life skills such as teamwork, problem-solving, and citizenship;
- improved engagement, empowerment, and commitment to education;
- improved achievement and attainment; and
- addressing the ‘attainment gap’ between learners from different backgrounds.

In schools and early years settings, learner participation is core to a good education. Alongside this, it is a right of children and young people to have a say in matters that affect them as part of that experience. In all schools and early learning and childcare settings young people should have opportunities to:

- provide inputs that shape educational provision – both in terms of the formal curriculum and wider curriculum – and have a say in planning where and how learning takes place;
- learn through participating in many kinds of educational processes as part of everyday schooling and early learning; and
- create impactful outcomes for themselves and others as a result of intergenerational dialogue.

Where effective learner participation is planned and structured and based on core principles it can lead to good education becoming relevant, valuable, and supportive of achievement and attainment.

² Mannion, G. and Sowerby, M. and l'Anson, J. (2015), *How young people's participation in school supports achievement and attainment – Edinburgh, Scotland's Commissioner for Children and Young People (SCCYP)*. <https://www.cypcs.org.uk/ufiles/achievement-and-attainment.pdf>

Curriculum for Excellence provides a very positive framework for good practice in this area, however it is important that we provide a consistent framework across Scotland. In defining certain legal duties we will provide a consistent understanding of the importance of pupil participation, to define the areas of education that are relevant, and to clarify the key steps that need to be taken to ensure participation.

What we propose to do

We must help young people understand and exercise their rights regardless of age, gender, ethnicity and background, and help them contribute in all kinds of decision-making both locally and through linking to the wider community. Teachers and school leaders are distinctively positioned to enable this.

There are many good examples of pupil participation such as Pupil Councils or Pupil Parliaments but it is for headteachers as leaders of learning in each school to choose the right model of participation for their learners. We do not, therefore, intend to prescribe particular models or particular methods to ensure effective participation. Instead, we intend to provide a general duty on headteachers to promote and support pupil participation in specific aspects of education and school life:

- the pupil's own learning as part of the formal and extended curriculum;
- decision-making relating to the life and work of the school (such as school policies, school improvement activity); and
- the pupil's participation in the wider community.

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

- collaboration and dialogue;
- authenticity; and
- inclusion.

In addition to the proposed duties for headteachers we are keen to explore whether it would be appropriate to develop additional strategic duties on local authorities and Scottish Ministers, for instance to ensure that young people are supported to influence the development of local and national education policy. This would also include the ways in which national education agencies are required to engage with young people.

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

We will include provisions in the Education Bill to provide appropriate legislative underpinning for national and local government participation in the new Regional Improvement Collaboratives.

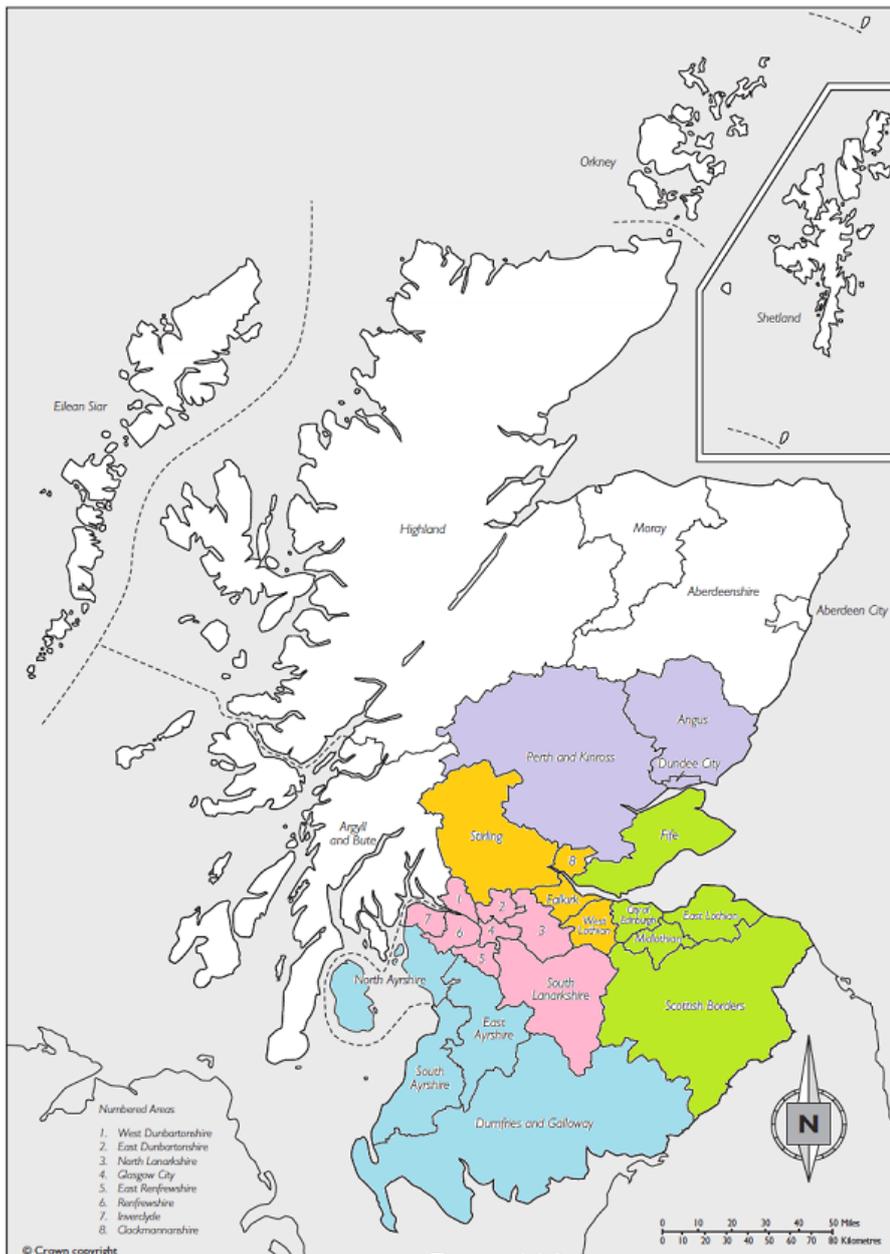
Regional Improvement Collaboratives will bring together a range of professionals with a relentless focus on supporting teachers and other school staff working with children and young people to improve their wellbeing, attainment and outcomes. The Collaboratives will include sector and curriculum area support including additional support for learning. They will provide targeted advice and support in order to drive improvement, making use of all available evidence and data. They will help teachers to access the practical improvement support they need, when they need it. We will continue to work with partners on the detail of how the Regional Improvement Collaboratives will be developed.

Schools will be able to draw on a range of expertise through their Regional Improvement Collaborative. This could be from local authority, Education Scotland or other sources such as Speech and Language Therapists or other NHS Allied Professionals. This will provide access to the targeted support based on the needs schools have identified. The Collaboratives will bring a collective focus to driving continuous and systematic improvement, particularly in relation to closing the attainment gap. They will demonstrate, strengthen and support collaborative working, innovation and the sharing of best practice between schools and across our education system.

Since June this year Scottish Government officials have worked closely with local government through a joint Steering Group to develop an agreed model of how the Collaboratives could work effectively and at the same time retain local and national accountability. The Steering Group's report has been agreed by the Deputy First Minister and by COSLA Leaders.

The Northern Alliance	
Aberdeen City Council	Aberdeenshire Council
Argyll and Bute Council	Comhairle nan Eilean Siar
Highland Council	Moray Council
Orkney Islands Council	Shetland Islands Council
The Tayside Collaborative	
Angus Council	Dundee City Council
Perth and Kinross Council	
The West Partnership	
East Dunbartonshire Council	East Renfrewshire Council
Glasgow City Council	Inverclyde Council
North Lanarkshire Council	Renfrewshire Council
South Lanarkshire Council	West Dunbartonshire Council

South West Collaborative	
East Ayrshire Council	North Ayrshire Council
South Ayrshire Council	Dumfries and Galloway Council
South East Collaborative	
Edinburgh City Council	East Lothian Council
Fife Council	Midlothian Council
Scottish Borders Council	
Forth Valley and West Lothian Collaborative	
Clackmannanshire Council	Falkirk Council
Stirling Council	West Lothian Council



Each Collaborative will be led by a Regional Improvement Lead, appointed by agreement of the Chief Executives of local authorities that make up the Collaborative and the Scottish Government (advised by the Chief Inspector). The Regional Improvement Lead will be employed by one of the authorities in the Region, and formally line managed by the Chief Executive of that authority, whilst reporting to all of the collaborating authorities in the Region and to the Chief Inspector. All 6 Regional Improvement Leads are now in place.

Each Collaborative will have a detailed Regional Improvement Plan in place by January 2018. It is proposed that the Collaboratives should also be required to publish reports about what has been achieved as a result of those plans.

Existing legislation gives local authorities powers to collaborate on various functions including the provision of education but does not require them to do so or define the nature or extent of that collaboration. Given the central importance of collaboration in improving education outcomes it may be desirable to require local authorities to participate in the Regional Improvement Collaboratives. This is something we will keep under consideration but, at a minimum, the Bill will embed the requirement for collaboration between various parties involved in education provision.

As such, new statutory duties could secure in legislation the status and underpinning framework for Regional Improvement Collaboratives and provide a basis for any statutory guidance that may be required to provide further detailed direction or clarity.

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?

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

We 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 education professionals.

The key policies of Getting It Right For Every Child, Curriculum for Excellence and Developing the Young Workforce require an approach to education which is focused on and responsive to the needs of individual children and groups of children. They require a wide range of outcomes to be achieved and a similarly wide range of professionals to be engaged with children and young people in their achievement. There are now many professions involved in the delivery of education with considerable differences between their requirements for professional standards, qualifications, initial training, performance management and continuing professional development.

Currently all teachers in publicly funded schools, all teachers in grant-aided schools and new teachers in independent schools must be registered with the GTCS in order to teach in Scotland. From 1 October 2020, existing teachers in independent schools must be registered. As part of this regulation process the GTCS sets professional standards, maintains a register of teachers and determines whether teachers from outwith Scotland meet the requirements of the standards to enable them to join the register and thereby teach in schools in Scotland. It also, through the Fitness to Teach process, considers whether teachers have fallen below the expected professional standards. The Scottish Social Services Council fulfills a similar role for the social services workforce in Scotland including early years practitioners.

Community Learning and Development (CLD) primarily supports disadvantaged or vulnerable groups and individuals of all ages to engage in learning, with a focus on bringing about change in their lives and communities. CLD practitioners cover a wide range of activity such as youth work, family and adult learning, including adult literacy and English for Speakers of Other Languages (ESOL), community development and community capacity building. While every local authority must secure and co-ordinate the provision of CLD, registration of professionals with the CLDSCS is not mandatory so we do not have comprehensive information on their number.

Other professionals working within the education workforce, including school learning and additional support staff, school librarians and teaching and support staff in the higher education sector are not currently required to register with a standard setting body.

The quality of teaching is the most important in-school factor that affects student learning and achievement which is why teacher professionalism and school leadership are key drivers within the National Improvement Framework

Research has shown that the GTCS standards and its processes requiring teachers to engage in professional learning, self-evaluate that learning using the standards, and maintain a record of their learning have all played a very important role in increasing the teaching profession's engagement with professional learning. Those involved in the research felt that the standards provided coherence through all stages of a teacher's career and promoted a shared language around professional learning and teaching practice.

While there has been a clear acceptance of the importance of teacher professionalism, and therefore investment in teacher professional development, this has not been replicated across the wider education workforce. Creating an Education Workforce Council for Scotland (EWCS) which covers teachers and non-teacher professionals will help recognise

the role and status of all those working to support learning and teaching as part of a coherent education workforce in Scotland. It will encourage non-teachers to engage in self-reflective professional learning, professional dialogue, collaborative working and the sharing of best practice.

We intend that the Education Workforce Council for Scotland should operate independently from Scottish Ministers rather than being an Executive Agency of Scottish Government.

The Education Workforce Council for Scotland will have the following purpose and aims:

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.

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?

The Education Workforce Council for Scotland will have the following functions:

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;
- Accredite, 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.

Question 19

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

Question 20

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

Registration

In order to ensure its remit focuses on those who support the learning and teaching of all in Scotland we think that the new Education Workforce Council for Scotland should be able to register members of the following professions:

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

It is proposed that implementation of these registration provisions are staggered in order to allow appropriate time for planning and preparation for each professional group. The initial phase of implementation will be the registration of teachers and CLD practitioners. While we are clear that the registration of teachers should remain mandatory i.e. only teachers who are registered should be able to work in Scottish schools, we propose that registration of CLD practitioners remains voluntary and free of charge until the Education Workforce Council for Scotland can establish how best to take this forward, including the setting of registration fees.

We intend to include in the Education Bill a power for Ministers to amend the list of practitioners required to register with the Education Workforce Council for Scotland in future.

Question 21

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

Question 22

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

Governance

The Councils which govern the work of GTCS and CLDSCS are already large (37 and 50 members respectively) with varied and complex processes for the election, nomination and appointment of members.

GTCS members are appointed to its Council via three routes:

1. Teachers who are registered with the GTCS can elect 19 members all of whom are teachers;
2. A further 11 members can be nominated by a range of stakeholders set out in the legislation which established the GTCS: COSLA can nominate 3 members after consultation with ADES; Universities Scotland can nominate 3 members after consultation with universities providing teaching qualifications; further education colleges can nominate 1 member as can the Scottish Council of Independent Schools, the Church of Scotland, the Catholic Church and the National Parent Forum of Scotland.

3. GTCS has an appointments scheme which includes an Independent Appointments Committee which can appoint a further 7 members.

The council which governs the work of the CLDSCS has 50 registered members who sit on its Executive Committee, Committees for Approvals, Committee for Professional Learning and Committee for Registration.

Clearly joining these two Councils and processes together, and expanding them to ensure to ensure appropriate representation of other professions, would not be feasible.

Reducing the numbers of members on the governing Council to a more practicable level will allow all professions to be represented, to ensure that the Council can act impartially and without undue regard to any one particular interest, pressure or influence. This will help ensure that the Council can focus on strategic rather than operational issues with the aim of assuring excellence in delivery in the long term.

In order to function effectively and to sustain confidence in its independence, we think that the Council governing the EWCS should be constituted to ensure that professionals do not form a majority. We therefore anticipate a more 'board like' operation which holds the executive to account in exercising its core functions to deliver for relevant professions.

Question 23

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

Name

Is "The Education Workforce Council for Scotland" the right name for a body which will establish professional standards and registration for a range of education professionals?

Question 24

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

SUMMARY OF QUESTIONS AND RESPONDENT INFORMATION FORM

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?

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?

Question 3

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

Question 4

The Headteachers' 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?

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?

Question 6

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

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?

Question 8

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

Question 9

How should the 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?

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...?

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?

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?

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?

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Empowering Schools

A Consultation on the provisions of the Education (Scotland) Bill

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

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 (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

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



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Children and Young People's Services

EDUCATION SERVICE IMPROVEMENT PLAN
2017/2018



CONTENTS

CHILDREN AND YOUNG PEOPLE'S SERVICES EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

FOREWORD	3
1. SBC CONTEXT	5
2. NATIONAL PRIORITIES AND NATIONAL IMPROVEMENT FRAMEWORK (NIF) DRIVERS	7
3. SELF-EVALUATION 2016/17	11
4. SERVICE IMPROVEMENT PLAN 2017/18	15
APPENDICES	
APPENDIX 1 PROJECTS LINKED TO THE NATIONAL IMPROVEMENT FRAMEWORK DRIVERS	21
APPENDIX 2 SUMMARY OF QUALITATIVE IMPACT OF SUCCESSFUL DELIVERY OF PROJECTS	22

In Scotland today, over one in five children lives in poverty. It affects their health, their education, their connection to wider society and their future prospects for work. Although Scottish education does well for many of its children, it does not serve these most vulnerable children well and the gap in educational attainment between pupils from the richest and poorest background is wider than in many similar countries.

(Closing the Attainment Gap in Scottish Education, **Joseph Rowntree Foundation**, 2014)

EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

FOREWORD

Dear Reader,

At Scottish Borders Council we recognise that every child and young person is unique and has individual dreams, abilities, talents and needs. The Children & Young People's Service supports schools to ensure these needs are met, ambitions are realised, and that every learner reaches their full potential. Schools and Early Years settings are committed to delivering the very best start by providing a high quality and nurturing experience in which learners can thrive. The quality of education is key to every learner's future; we want a fairer and more inclusive society where all our young people secure positive destinations on leaving school. Also, research tells us that when parents, carers and partners are involved in their child's education the child will do better. We are committed to working collaboratively with partners, families and communities to ensure the best possible outcomes for our children and young people.

Each year the Children & Young People's Service creates a Service Improvement Plan setting out ambitious targets for improvement. These targets continue to address national priorities and are based on:

- National Improvement Framework Drivers
- Self-evaluation of previous performance
- Consultation with stakeholders

The Education Service Improvement Plan does not sit in isolation, rather it is part of the broader Scottish Borders Children's Services plan including the Community Planning Partnership (CPP), the Local Outcome Improvement plan (LOIP), and the National Improvement Framework (NIF). A key focus for Scottish Borders is to reduce inequality and to improve outcomes. The Education Service Improvement Plan for 2017-18 is underpinned by Getting it Right for Every Child (GIREFC) and the UN Convention on the Rights of the Child. The focus is achieving excellence and equity by improving attainment and wellbeing outcomes, as well as reducing disadvantage. We want all our children and young people growing up in Scottish Borders, regardless of background or location, to be: safe and happy; listened to and respected; engaging in a wide range of active learning opportunities; and achieving positive outcomes.

In June 2017 the Scottish Government published its Education Governance: Next steps paper in which enhanced regional collaboration between local authorities is a key feature. Scottish Borders forms part of the South East Alliance (SEA) with East Lothian, Mid-Lothian, City of Edinburgh and Fife. The focus of the collaborative working will be on quality improvement and improving attainment. This is an exciting opportunity, for a variety of staff, to share best practice and to work with colleagues beyond the Borders.

All Staff involved in the education of children in Scottish Borders strive to do their very best every day and also recognise the importance of listening carefully to others. In that spirit, we welcome feedback on any aspect our education service.

Yours sincerely

Michelle Strong

Chief Education Officer – Scottish Borders Council



EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

1. SCOTTISH BORDERS COUNCIL CONTEXT

The Scottish Borders area is 473,614 hectares (1,827 square miles); located in the South East of Scotland. It has Edinburgh and the Lothians to the North, Northumberland to the South and Dumfries and Galloway to the West.

Scottish Borders is a rural local authority where 30% of the population lives in settlements of under 500 people or in isolated hamlets. The largest town is Hawick followed by Galashiels. The only other towns with a population of over 5,000 people are Peebles, Kelso and Selkirk. Almost half the population in Scottish Borders have been resident in their locality for over 10 years, which is higher than the Scottish average.

For catchment purposes, Scottish Borders is divided into 9 clusters each with a secondary school and varying numbers of feeder Primary Schools. In total there are 9 secondary schools and 64 primary schools. There are 4 Roman Catholic Schools situated in Peebles, Galashiels, Selkirk and Hawick. There is a primary and secondary Inclusion and Wellbeing Service and 1 special primary school which is designed to cater for children with autism. In addition we have 4 primary and 4 secondary enhanced provisions which meet the needs of young people with severe and complex additional needs. These provisions cover all areas of Scottish Borders.

Despite interventions by partners since the Scottish Index of Multiple Deprivation (SIMD) was first published, the same areas within the Scottish Borders are still showing as some of the most deprived in Scotland.

Overall there is a well-educated and skilled workforce in the Scottish Borders with a lower proportion of people of working age with low or no qualifications compared to Scotland, and it has consistently had a similar or greater proportion of school leavers sustaining a positive destination compared to Scotland as a whole.



EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

2. NATIONAL PRIORITIES

The 2017 Scottish Government set out its vision for education in Scotland

- **Excellence through raising attainment:** ensuring that every child achieves the highest standards in literacy and numeracy, set out within Curriculum for Excellence levels, and the right range of skills, qualifications and achievements to allow them to succeed; and
- **Achieving equity:** ensuring every child has the same opportunity to succeed, with a particular focus on closing the poverty-related attainment gap.

Scottish Borders Council is tasked with delivering both excellence in terms of ensuring children and young people acquire a broad range of skills and capacities at the highest levels, whilst also delivering equity so that every child and young person should thrive and have the best opportunity to succeed regardless of their social circumstances or additional needs. An inclusive approach to education affords all children the opportunity to be part of a community, boosting their emotional wellbeing and aiding the development of social skills. Our key purpose is to ensure all our young people are in our sight, in our minds and in our actions.

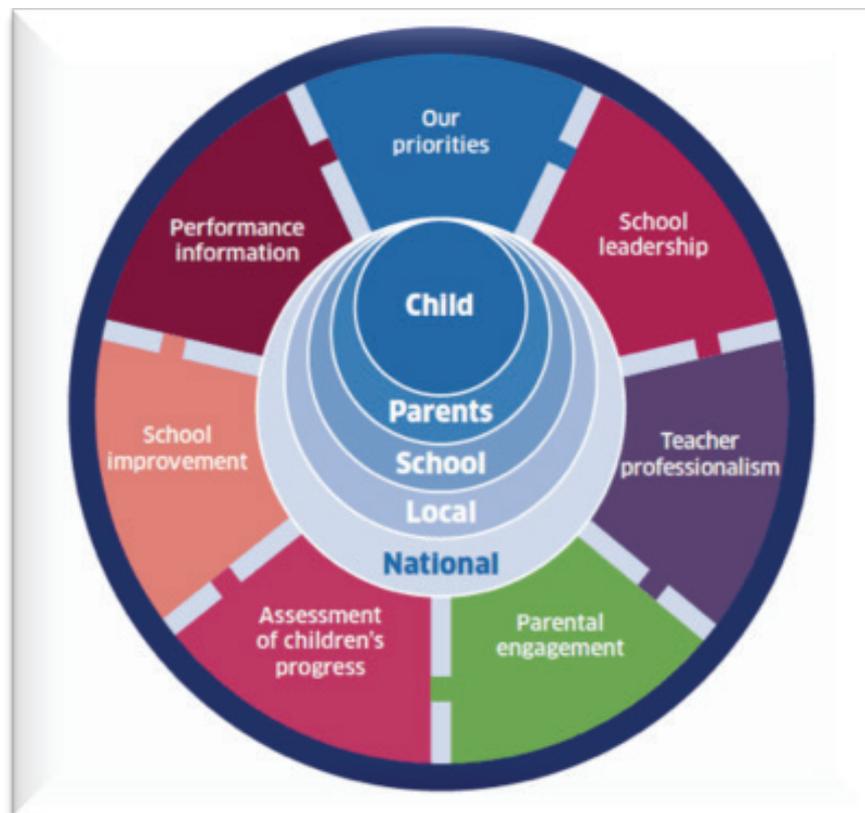
The key priorities for all local authorities, schools and educational settings are to focus on:

- **Improvement in attainment, particularly in literacy and numeracy**
- **Closing the attainment gap between the most and least disadvantaged children**
- **Improvement in children and young people's health and wellbeing**
- **Improvement in employability skills and sustained, positive school-leaver destinations for all young people**

The SBC Education Service Improvement Plan and individual school improvement plans reflect these priorities. There may be further improvement priorities at school level based on local needs and self-evaluation.

The introduction of Pupil Equity Funding (PEF) in 2017 has allowed schools to provide targeted interventions for those most affected by poverty. Scottish Borders Council has seconded two promoted members of staff to support schools in this initiative, working with a range of partners to narrow the attainment gap, raise attainment for all and ensure Attainment Challenge Schools achieve planned outcomes.

DRIVERS FOR IMPROVEMENT



From 2017 local authorities and schools are asked to gather evidence on key drivers for improvement, and to analyse and identify where they can make further improvement.

These drivers are:

- School Leadership
- Teacher Professionalism
- Parental engagement
- Assessment of children's progress
- School improvement
- Performance information

The paragraphs below indicate the reason for focussing on these aspects as well as the range of evidence to be gathered.

SCHOOL LEADERSHIP

Leadership is recognised as one of the most important aspects of the success of any school. Leaders at all levels who are empowered, and who empower others to take ownership of their own learning, have a strong track record of ensuring the highest quality of learning and teaching. This in turn helps to ensure that all children achieve the best possible outcomes. Gathering evidence on the quality of school leadership will help us to identify and share what works and provide support and intervention where leadership needs to improve.

TEACHER PROFESSIONALISM

The quality of teaching is a key factor in improving children's learning and the outcomes they achieve. In Scotland we have a highly professional, graduate teaching workforce with high professional standards, which are set by the General Teaching Council for Scotland (GTCS). We want to continue to improve the professionalism of our teachers in Scottish Borders and the quality and impact of their professional learning.

PARENTAL ENGAGEMENT

The available international evidence confirms that parental involvement and engagement in children's learning supports improved attainment and achievement. Research shows that when parents and carers support their children's learning, and when children live in a stimulating home learning environment, it improves children's attainment and achievement. Family learning encourages family members to learn together, fostering positive attitudes to lifelong learning. We want to improve and increase the ways in which parents, carers and families can engage with teachers and partners to support their children and increase the voice of parents and carers in leading improvements within schools.

ASSESSMENT OF CHILDREN'S PROGRESS

Robust and consistent evidence is necessary for improving health and wellbeing, raising attainment and closing the poverty-related attainment gap. We need to know the size of the attainment gap at different stages across Scottish Borders, in order to ensure the correct action is being taken to close it. We need to know whether the attainment gap is narrowing over time and to modify action where necessary. The annual collection of achievement of a level data is designed to provide a more consistent assessment approach within the broad general education (BGE). Based on moderated teacher professional judgement and informed by Scottish National Standardised Assessments, schools will submit assessment judgements for all pupils at P1, P4, P7 and S3 on the achievement of appropriate Curriculum for Excellence (CFE) levels. Other important measures within this driver include positive destinations and the quality of career information and guidance available to young people.

SCHOOL IMPROVEMENT

School improvement focuses on the quality of education, including learning, teaching and assessment, as well as the quality of the partnerships that are in place to support children and young people with their broader needs. These are essential elements to raise attainment for all children and close the poverty-related attainment gap. We have a good education system in Scottish Borders, with schools achieving good outcomes for children. We want to continue to improve this so that more children experience very good and excellent education services, delivered by self-improving, empowered schools and key partners such as community learning and development professionals.

PERFORMANCE INFORMATION

Evidence suggests that we must build a sound understanding of the range of factors that contribute to a successful education system. This is supported by international evidence which confirms there is no single measure that provides a full picture of performance. We will use a balanced range of measures to evaluate education in Scottish Borders Schools and centres and take informed actions to ensure continuous improvement.

EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

3. SELF-EVALUATION 2016/17

PLANNING FOR IMPROVEMENT, REPORTING AND ANALYSIS

Scottish Borders Council has the statutory role and function of providing education for SBC children and a duty to secure improvement. We recognise that school improvement activity is at the heart of securing better outcomes for our children and young people. We pride ourselves on our self-evaluation processes and data-analysis that informs our improvement planning.

SENIOR PHASE

Each year young people in secondary schools in Scottish Borders achieve a range of awards and qualifications from the Scottish Credit and Qualifications Framework (SCQF) at different stages of the Senior phase (S4 to S6). The Senior phase is a three year journey where learners build up a portfolio of qualifications which best suits the needs of the individual. The Scottish Government Benchmarking portal; Insight, allows Scottish Borders Council and individual schools to explore how they have performed over a five year period in relation to the national average and each school's Virtual Comparator (a way of comparing the performance of all pupils with a group of pupils, taken from around Scotland, who have the same backgrounds.)

Overall, the three Local Benchmarking Measures (LBM) reported by the Scottish Government Insight tool in the September 2017 update indicate that overall attainment in Scottish Borders has improved over the five-year period to 2016/17. Key points are:

- Scottish Border's Literacy performance shows an improving trend over the five years across SCQF Levels 3 to 6 at both S5 and S6. Scottish Border's performance has typically been slightly ahead of the Virtual Comparator.
- Scottish Border's Numeracy performance shows an improving trend over the five years across SCQF Levels 3 to 6.
- Over the last five years Scottish Borders shows an improving trend in the average complementary tariff scores across the three attaining groups of the lowest 20%, middle 60% and top 20% by the end of S5 and S6.
- Performance by the end of S5 and S6 has typically been in line with the Virtual Comparator across the five years for the middle 60%, with positive trends for the top 20%. We are in line with the national average for the lowest 20% of attainers and are moving towards closing the gap against the Virtual Comparator in this measure.

- Scottish Borders data across the ten SIMD deciles at each stage over the five-year period show that they are roughly in line with the national average, though there is room for improvement in deciles 1-3. These lower deciles tend to be where our S4 leavers exit school, and evidence shows that the longer these young people stay in school the better their attainment. This year schools are making progress with strategies on how to close the poverty related attainment gap.
- In 2015/6 SBC showed a positive trend in leaver destination, remaining in line with our Virtual Comparator. We have improved on our number of 'unknown' destinations this year which should impact on the 2016/17 information which is published in the February Insight release.

NATIONAL IMPROVEMENT FRAMEWORK

ATTAINMENT

The National Improvement Framework Report, due to be published December 2017, will publish the teacher professional judgement on Curriculum for Excellence achievement of a level in reading, writing, listening and talking and in numeracy at Primary 1, Primary 4, Primary 7 and Secondary 3 at national, local authority and individual school level for Session 2016-17. These official statistics will continue to be classified as 'experimental' in recognition of the evolving approach to assessment across the Broad General Education. Given the experimental statistics classification, care needs to be taken in relation to any interpretation or analysis of the attainment data. Our teachers use a variety of sources to evidence pupils' progress, including observing day-to-day learning and coursework, conversations with pupils and planned periodic assessments. Teachers also use standardized assessment to complement their evidence that a pupil is making good progress. To achieve a level, it is not necessary for a pupil to demonstrate mastery of every individual aspect of learning at a particular level but it is important that there are no major gaps. The dependability of teacher judgements is enhanced through effective moderation of planning, learning and teaching, and assessment. All schools in Scottish Borders are expected to plan moderation practices within and across schools, ensuring adequate time is set aside within the year plan. This is an improving picture across all clusters.

In session 2016/17 most pupils in Scottish Borders at Primary 1 and Primary 4 achieved the level for the appropriate stage. At Primary 7 most pupils achieved 2nd Level for Listening/Talking and Reading. However, only the majority achieved 2nd Level in Writing and Numeracy. Almost all Secondary 3 students achieved 3rd Level for Literacy and most achieved the 3rd Level for Numeracy. Our ambition is to see all achievement in the 'Most' or 'Almost all' categories. Our Quality Improvement activity for Session 2017/18 is aligned to securing improvement in the assessment data for our learners in the BGE.

SBC is in the upper band of the highest attaining local authorities, and attaining higher than the national average across the board. However, as stated above, it is important to bear in mind the relative robustness of the data across the country; the classification as experimental statistics is in recognition of the evolving approach to assessment across the Broad General Education. Going forward, SBC will be undertaking a number of approaches to ensure our schools continue to strive to meet the local and national priorities of raising attainment for all, including:

- Improved moderation practice
- Raising attainment meetings in every school
- An assurance of raising attainment at the heart of all quality improvement activity
- Development of a 'Raising Attainment' strategy for SBC schools.

EXPANSION OF EARLY LEARNING AND CHILDCARE

In Scottish Borders the Early Years have become even more important with the preparation for the expansion of Early Learning and Childcare from a 600 hours entitlement to an 1140 hours entitlement from 2020. In response to this expansion Scottish Borders are progressing an extensive delivery plan. This includes a consideration of how the Council will measure the children's progress through the Early Years; a key measure is yet to be developed and it has been agreed that this will be a key focus of the newly established South East Regional Improvement Collaborative. However, Philiphaugh Nursery was one of the first Early Learning and Childcare settings to pilot the 1140 hours expansion in Scotland and recent Primary 1 entry assessments of children who experienced the full 1140 hours in the nursery are very positive in evidencing higher levels of attainment in literacy. The Headteacher has reported overall that the children's attainment has benefitted from the extended hours; the Council will as part of the expansion have a set of measures to track children's progress and attainment in literacy and numeracy. These measures will be ready for implementation in August 2018.

HEALTH AND WELLBEING

Children and Young People's health and well-being is key to their progress in learning and, as a key pillar within curriculum for excellence (alongside literacy and numeracy), a focus for assessment and tracking of progress. The Children and Young People's Leadership Group has developed a new staged intervention approach to improving mental and emotional health. Within the approach the Council has invested in 'Growing Confidence' a universal approach to improving emotional and mental health wellbeing. This has involved significant training of staff and includes learning programmes at primary and secondary stages of learning. In order to track the positive impact of this programme and to be able to track pupils' mental and emotional wellbeing, assessment tools have been developed for implementation in school session 2017-18. At this stage the Council is unable to report strategically on health and wellbeing although a number of schools have developed assessments in this area. By the end of school session 2017/2018 the Council will have implemented the range of health and wellbeing surveys at P3 - P7 and S2 providing a baseline to track in future years. It is important to note that the response from staff to the 'Growing Confidence' training programme has been excellent. Although there is still a good deal to be done with regards the full implementation of the Mental and Emotional Health and Wellbeing strategy, we are confident that the universal programme will impact positively upon the mental and emotional wellbeing of our children and young people. Progress on implementation will be reported through the Community Planning Partnership.

ATTENDANCE AND INCLUSION

Monthly school attendance and exclusion reports highlight an improving picture and better than the national average. Over the past five years we have seen a significant decrease in the number of temporary exclusions from schools both at primary and secondary level. School attendance is also high and continues to be above the national average. Post school destination figures are positive and improving, and above the national average. We believe more inclusive approaches; stronger curriculum models and more effective tracking and intervention have resulted in this improving trend.

STAKEHOLDER VIEWS – HEADTEACHER EVALUATIONS

In May 2017 Headteachers were asked to respond to a self-evaluation questionnaire which explored perceptions around areas such as the clarity of service provision, the effectiveness of the Quality Improvement Framework, Partnerships, Support and Confidence. Most respondents agreed that the vision for the service was clear, shared and that schools were supported to achieve the vision. Most respondents valued the learning rounds and agreed that the Engagement Meetings were focused on the correct priorities. Almost all respondents who had participated in the Review process felt it was a positive experience and was well conducted and received. Most Headteachers are confident that: staff promote a positive climate where learners feel safe, secure and included; that teachers work collaboratively within and across schools and are becoming more skilled in applying benchmarks; and that school data is becoming increasingly more dependable.

To address the needs within the feedback the following 'You said...We did' response was developed:

YOU SAID	WE DID
<ul style="list-style-type: none"> You did not always feel that your views were taken into account when services are planned and provided. 	<ul style="list-style-type: none"> Set up a Headteacher Strategic Leadership Group with representatives from across the local authority which meets once a month. This group discuss all proposals for school and HT engagement.
<ul style="list-style-type: none"> You would welcome more challenge in Quality Improvement (QI) meetings. 	<ul style="list-style-type: none"> Protocols are created and Quality Improvement Officers (QIO) are briefed prior to each quarterly QIO visit to ensure that all schools receive the intended level of support and challenge.
<ul style="list-style-type: none"> You would welcome more support with Pupil Equity Funding (PEF). 	<ul style="list-style-type: none"> Two PEF officers were seconded from schools specifically to support schools with PEF.
<ul style="list-style-type: none"> You would welcome more support in implementing the National Improvement Framework (NIF) drivers 	<ul style="list-style-type: none"> All NIF drivers are attached to QIOs as well as projects within the Service Improvement Plan. All projects are focused on supporting schools in improving outcomes for learners.
<ul style="list-style-type: none"> You did not always feel that the Educational Psychological Service made an effective contribution to schools. 	<ul style="list-style-type: none"> Following a Validated Self- evaluation process (VSE) the Educational Psychological Service has renewed and adapted its working practices.
<ul style="list-style-type: none"> You would welcome increased partnership working. 	<ul style="list-style-type: none"> All NIF drivers are attached to QIOs as well as projects within the Service Improvement Plan (SIP). All projects are focused on supporting schools in improving outcomes for learners. Developing Partnerships is a key theme within the Service Improvement Plan.

EDUCATION SERVICE IMPROVEMENT PLAN 2017/2018

4. PRIORITIES FOR 2017-18

PRIORITY 1 Improving Attainment

TARGETS

- Improvement in CFE levels for all learners in literacy and numeracy
- Improvement in the number and levels of national qualifications gained
- Increased and stronger partnerships with families and wider partners to secure positive outcomes for children and young people
- Enhanced leadership in all schools and settings
- Improved learning and teaching in all schools and settings

PRIORITY 1 PROJECTS LINKED TO NIF DRIVERS

- 1.1 Enhance the quality and impact of leadership at all levels within schools/settings through targeted Quality Improvement Officer visits, HT Engagement Days, professional learning opportunities for all staff – *School leadership/ Teacher professionalism / School improvement*
- 1.2 Promote partnership working through sharing effective practice where positive outcomes for children and young people can be evidenced, including: collaboration with other agencies; involvement of community learning and development; and parental engagement. – *Parental engagement/ Assessment of children's progress / School improvement*
- 1.3 Further develop a shared understanding of standards in the teaching and assessment of literacy and numeracy at BGE within and across schools through planned professional learning opportunities for all staff and making wider use of Quality Assurance & Moderation Support Officers (QAMSO) undertaking national training in moderation – *Assessment of children's progress / Teacher professionalism*
- 1.4 Use evidence-based research to develop Strategies in Raising Attainment; Literacy and Numeracy in Early, First and Second Level, and Learning, Teaching and Assessment to inform schools' policies and practices, incorporating a set of measures to track children's progress and attainment in literacy and numeracy in Early Learning & Childcare (ELC) – *School improvement*

BY MAY 2018 ALL SCHOOLS WILL HAVE:

- ✓ Improving leadership at all levels
- ✓ SBC strategies to inform their own policies and practices for Raising Attainment, Literacy and Numeracy, and Learning, Teaching and Assessment.
- ✓ An SBC strategy to inform their own policy and practice in utilising partners and engaging parents partnerships in joint working.
- ✓ Increasingly confident teachers and support staff in raising attainment, assessment and moderation, meeting learners' needs and leadership.
- ✓ Increased capacity for self-improvement.
- ✓ Increased confidence in their teacher judgements in the achievement of a level.
- ✓ Set of measures to track children's progress and attainment in literacy and numeracy.

EVIDENCE WE WILL GATHER

Literacy and numeracy levels for P1, P4, P7 and S3
Senior phase qualifications and other awards
HMIe and Care Inspectorate reports
Self-evaluation of schools and establishments using *How Good Is Our School?* (HGIOS?) and *How Good is our Early Learning & Childcare?* (HGIOELC?)
Local Authority Reviews using HGIOS? and HGIOELC?
On-going QIO engagement with schools/settings – support, challenge, impact of interventions
Impact and feedback of course evaluations accessed through Professional Learning records
School Standards and Quality Reports and Improvement Plans
Engagement with stakeholders including parents/carers, pupils, staff and appropriate partners.

CRITERIA FOR SUCCESS

Increase in learners attaining CFE levels at Early, 1st, 2nd Levels in literacy and numeracy
Increased participation in moderation activity across schools, clusters and divisions
Increase in learners achieving literacy and numeracy SCQF 5
Increase in leavers attaining 5 awards at SCQF 5
Increase in in leavers attaining 5 or more awards at SCQF 6
Increase in attendance and decrease in exclusions
Evidence and impact of parental involvement in learning
Evidence and impact of increased partnership working in schools
Evidence and impact of school improvement using key QI indicators.

PRIORITY 2

Closing the Attainment Gap

TARGETS

- Improvement in performance measures including attainment and school engagement for our most vulnerable or disadvantaged groups of learners.
- Compliance with '*Included, Engaged and Involved*' Part 1

PRIORITY 2 PROJECTS LINKED TO NIF DRIVERS

- 2.1 Support schools in developing, implementing and evaluating targeted interventions for our most vulnerable children and young people through regular visits from PEF secondees, professional learning opportunities for all staff, and local authority documentation – *School improvement / School leadership / Teacher professionalism*
- 2.2 Engage with parents/carers of our most vulnerable or disadvantaged groups of learners (see Project 1.2). – *Parental engagement*
- 2.3 Develop a robust system to track schools' progress in order to monitor and evaluate the effectiveness of interventions including DYW, Inclusion, PEF, SIPs – *School improvement / School leadership*
- 2.4 Support 4 identified schools in developing, implementing and evaluating targeted interventions through regular visits from QIOs and partners including Educational Psychology, PEF secondees, consultants and professional learning opportunities for all staff – *School improvement / School leadership / Teacher professionalism*

BY MAY 2018 ALL SCHOOLS WILL HAVE:

- ✓ Increasingly confident teachers and staff providing effective targeted interventions to reduce the attainment gap
- ✓ Quality assurance procedures in place to monitor and evaluate compliance with statutory requirements and codes of practice in inclusion.

EVIDENCE WE WILL GATHER

SIMD attainment data

Progress and Performance data, including attendance and exclusion, for learners receiving PEF interventions

Progress and Performance data, including attendance and exclusion, for LAC

School Standards and Quality Reports and Improvement Plans

Progress reports from PEF secondees

HMIe and Care Inspectorate reports

Impact and feedback of course evaluations accessed through Professional Learning records

Self-evaluation of schools and establishments using HGIOS?4 and HGIOELC?

Local Authority Reviews using HGIOS?4 and HGIOELC?

On-going QIO engagement with schools – support, challenge, impact of interventions

Engagement with stakeholders including parents, pupils, staff and appropriate partners.

CRITERIA FOR SUCCESS

Increased performance data for pupils in receipt of PEF interventions
Increase in LAC leavers achieving SCQF 5 literacy and Numeracy
Increase in leavers attaining 5 or more awards at SCQF 6
Increase in LAC attendance
Decrease in LAC exclusions from school
All school leavers achieve 5 or more accredited qualifications

PRIORITY 3

Improving Health & Wellbeing

TARGETS

- Improvement in inclusive practices on our schools and settings
- Development of a mental wellbeing strategy
- Increased participation in Parenting programmes
- Compliance with '*Included, Engaged and Involved*' Part 2 (2017)
- Further develop knowledge and understanding in relation to child protection including neglect

PRIORITY 3 PROJECTS LINKED TO NIF DRIVERS

- 3.1 Improve the experience and outcomes of our most vulnerable children and young people by improving the consistency and support for wellbeing in schools and settings through whole staff professional learning. – *School leadership / Teacher professionalism / School improvement / Assessment of children's progress*
- 3.2 Develop a Parenting programme to support and promote positive experiences and outcomes for our most vulnerable children and young people in schools/settings (see projects 1.2; 2.2). – *Parental engagement / School improvement*

BY MAY 2018 ALL SCHOOLS WILL HAVE:

- ✓ Increased staff awareness of wellbeing and resilience in children and young people through the *Growing Confidence* universal strategy
- ✓ Worked with partners to implement a staged intervention approach to supporting wellbeing
- ✓ Reduced the number of exclusions / increased school attendance, particularly for Looked After pupils and their most vulnerable children and young people, by adopting more inclusive approaches, applying learning through *Growing Confidence* training and increasing Parental engagement
- ✓ Raised awareness of recommendations contained in '*Included, Engaged and Involved*' Part 2

EVIDENCE WE WILL GATHER

Data from '*Growing Confidence*' Surveys
Quality and impact of Parenting programme participation
Evaluations from child protection events
Standards and Quality Reports and Improvement Plans
Progress and Performance data, including attendance and exclusion, for vulnerable children including short-term cases

HMIe and Care Inspectorate reports
Self-evaluation of schools and establishments using HGIOS?4 and HGIOELC?
Local Authority Reviews using HGIOS?4 and HGIOELC?
On-going QIO engagement with schools – support, challenge, impact of interventions
Engagement with stakeholders including parents, pupils, staff and appropriate partners.

CRITERIA FOR SUCCESS

Increased reporting of partnership working supporting learners' needs to be met
Increased parent/carer involvement/participation in their children's learning
Active engagement and compliance with statutory requirements and codes of practice on inclusion
Reduced dependency on central team in implementing behaviour management

PRIORITY 4

Improving Employability

TARGETS

- All schools/settings embrace the aims of DYW and broader awareness of the world of work within their curriculum
- Students in the senior phase have improved positive and sustained destination levels
- Schools/settings demonstrate increased partnership working
- Learners receive their entitlement to L1+2 within 'Improving Employability'

PRIORITY 4 PROJECTS LINKED TO NIF DRIVERS

4.1 Improve the experience and outcomes of all learners by supporting schools, to review their curriculum rationale and pathways, and where necessary amend to ensure they reflect the potential partnerships, entitlements and varying needs of their learners and will lead to sustained positive destinations for those in the senior phase - *School improvement / Assessment of children's progress*

BY MAY 2018 ALL SCHOOLS WILL HAVE:

- ✓ A Curriculum rationale which meets the needs of individual and groups of learners and which acknowledges potential partnerships
- ✓ Increased variety of pathways for individuals being delivered in secondary school utilising appropriate partnerships
- ✓ Access to the 3-18 skills progression framework which uses the Career management Skills (CMS) and Careers Education Standards (CES) tools
- ✓ Continued implementation of 1+2 delivery plan

EVIDENCE WE WILL GATHER

Senior phase qualifications and awards data
School leaver destinations
Wider achievement awards
DYW impact report
Evaluation of impact CMS and CES
Standards and Quality Reports and Improvement Plans
HMIe and Care Inspectorate reports
Self-evaluation of schools and establishments using HGIOS?4 and HGIOELC?
Local Authority Reviews using HGIOS?4 and HGIOELC?
On-going QIO engagement with schools – support, challenge, impact of interventions
Engagement with stakeholders including parents, pupils, staff and appropriate partners.

SUCCESS CRITERIA

All schools/settings are delivering a curriculum that promotes skill development and contextualised learning
Increase in vocational qualifications attained
Learner pathways are developing with the support of partners and employers
All schools have reviewed their L1+2 curriculum

APPENDIX 1

PROJECTS LINKED TO THE NATIONAL IMPROVEMENT FRAMEWORK DRIVERS

	SCHOOL LEADERSHIP	TEACHER PROFESSIONALISM	PARENTAL ENGAGEMENT	ASSESSMENT OF CHILDREN'S PROGRESS	SCHOOL IMPROVEMENT
Project 1.1	X	X			X
Projects 1.2, 2.2, 3.2 (1 inter-linked project)			XXX	X	X
Project 1.3		X		X	
Project 1.4				X	X
Project 2.1	X	X			X
Project 2.3	X				X
Project 2.4 (4 schools)	X	X			X
Project 3.1	X	X		X	X
Project 4.1				X	X

APPENDIX 2

SUMMARY OF THE QUALITATIVE IMPACT OF SUCCESSFUL DELIVERY OF PROJECTS

PROJECTS RELATED TO PRIORITY 1 - IMPROVING ATTAINMENT

- ✓ Improving leadership at all levels
- ✓ SBC strategies to inform schools own policies and practices for Raising Attainment, Literacy and Numeracy, and Learning, Teaching and Assessment.
- ✓ An SBC strategy to inform schools own policy and practice in utilising partners and engaging parents partnerships in joint working.
- ✓ Increasingly confident teachers and support staff in raising attainment, assessment and moderation, meeting learners' needs and leadership.
- ✓ Increased capacity for self-improving schools
- ✓ Increased confidence in teacher judgements in the achievement of a level at BGE.
- ✓ Set of measures to track children's progress and attainment in literacy and numeracy in relation to ELC increased hours.

PROJECTS RELATED TO PRIORITY 2 - CLOSING THE ATTAINMENT GAP

- ✓ Increasingly confident teachers and staff providing effective targeted interventions to reduce the attainment gap
- ✓ Quality assurance in schools monitoring and evaluating compliance with statutory requirements and codes of practice in inclusion.

PROJECTS RELATED TO PRIORITY 3 - IMPROVING HEALTH & WELLBEING

- ✓ Increased staff awareness of wellbeing and resilience in children and young people through the *Growing Confidence* universal strategy
- ✓ A staged intervention approach to supporting wellbeing
- ✓ Reduced number of exclusions / increased school attendance, particularly for Looked After pupils and the most vulnerable children and young people, by schools adopting more inclusive approaches, applying learning through *Growing Confidence* training and increasing Parental engagement
- ✓ Raised awareness of recommendations contained in '*Included, Engaged and Involved*' Part 2

PROJECTS RELATED TO PRIORITY 4 - IMPROVING EMPLOYABILITY

- ✓ All schools whose Curriculum rationale meets the needs of individual and groups of learners and which acknowledges potential partnerships
- ✓ Increased variety of pathways for individuals being delivered in secondary schools, utilising appropriate partnerships
- ✓ Access to the 3-18 skills progression framework which uses the Career management Skills (CMS) and Careers Education Standards (CES) tools
- ✓ Continued implementation of 1+2 delivery plan

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CHILDREN AND YOUNG PEOPLE

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Question 1

The Headteacher’s 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?

The key to successful quality of learning provision in schools is high quality collaboration at all levels of the system .To state that Headteachers should be the lead decision maker does not chime with the OECD Report on Scottish Education, the extensive research by McKinsey in relation to the world’s most improved school systems nor the view and ethos of Scottish Borders Council. The Council believes that school improvement and system improvement is a complex matter and in particular the ambition to close the poverty related attainment gap requires a multitude of stakeholders - including partners in health, police, social work, the third sector and community learning and development - to collaborate together. Indeed the learning provision for our most vulnerable young people requires the support of the whole community; to have a Charter signalling one key lead does not give all these important partners the rightful place they currently have in contributing to the improvement of children’s life chances. A good example of such a partnership approach is the role of local businesses in supporting the skills for learning, life and work strategy which impacts locally on positive destinations for young people, as is set out in existing Developing the Young Workforce Strategy.

Currently schools in Scotland follow the guidance set out in ‘How Good Is Our School IV’ in relation to curriculum as detailed in section 2.2 “Curriculum” and in relation to learning and teaching as detailed in section 2.3 “Learning , teaching and assessment”. In both elements all aspects are founded on agreeing core school and community values and these are set against a backdrop of learners’ entitlements which are set out nationally. There are also clear links set out within the context of the wider community in which “we work together as a school community to develop, promote and sustain an aspirational vision for our curriculum”. The national guidance does not designate the Headteacher as a single significant figure in decision making.

Representatives of Scottish Borders Council have visited schools in England where Headteachers are empowered in areas such as curriculum, learning and teaching and the Council’s observations gave rise to serious concern .The Director has met with colleagues in a raft of Local Authorities in England where the result of such Headteacher empowerment has been the narrowing of the curriculum and Local Authorities having serious inclusion issues. (A Director recently quoted such empowered Head teachers within the Local Authority and advised that in October, in her Local Authority alone, there are over 450 young people permanently excluded with no schools to attend as the young people could not ‘fit in with the curriculum, learning and teaching on offer’). In one school visited (promoted nationally for very high attainment levels) the children received no experience of RME, PSE, PE, Drama in the initial years of secondary education; teaching methodologies were not differentiated to learners’ needs and children with any form of additional support need were not

catered for within the school's learning provision; vulnerable young people who lived within metres from the school were 'on the streets' rather than in school. In another Local Authority visited the numbers of children that have been excluded from schools had increased dramatically, seriously impacting upon Social Work Services in the area; Academy Schools were 'selecting pupils' and the most vulnerable young people were now without schools to attend. These issues are very real for Scottish Borders Council as many young people from border authorities with additional needs seek placements in Berwickshire schools.

'How Good is Our School IV' is our national policy and it currently recognises the importance of the concept of 'curriculum entitlement' and that 'every learner counts and has rights'. It does not make sense to make statements about Headteachers being empowered as the sole leaders in a complex yet holistic Education system in Scotland which upholds the values of equality, fairness and respect for all; Scottish Borders Council's view is that all layers within the system, ie the Scottish Government, the Local Authorities, the Headteachers, the pupils, parents and communities and all stakeholders should be part of a 'collaborative' approach to decision making about curriculum, learning and teaching, not simply Headteachers as lead decision makers.

Recently Scottish Borders Council has been working with a school where all stakeholders are collectively responding to changes within the local community; it is clear that curriculum, learning and teaching has to be more responsive to the needs of the young people and the solutions lie in everyone working together. In this case the young people are problem solving themselves around how the S3 curriculum needs to change to be more fit for purpose; in this school the vocational aspect of the curriculum requires to be developed within the school offer and the young people have many super ideas on the matter. It can be challenging for the school to make provision for a range of learners within the curriculum and lead to timetabling, resourcing and staffing pressures. Many stakeholders will pressurise Headteachers to push for this 'vocational curriculum offer to be provided off campus' so that the academic curriculum can take priority for resourcing and staffing. Decision making on such matters can be complex and requires leaders at all levels of the system involved to resolve the complexity; empowering a single leader to be the key decision maker would put at significant risk the Council's ability to meet its legal responsibilities in areas such as equalities legislation. By way of example in the last 18 months Scottish Borders Council (in response to concerns raised by many young people) has revised the 'social dance curriculum and learning and teaching practice'. This has required specialist input and guidance from LGBT in Scotland. Some PE staff have been critical of the changes made by the Council, even though these are both in line with the Equalities Act and made in response to issues raised by young people; Headteachers have faced considerable pressure from staff to maintain the status quo. The Council is clear that existing practice is no longer legal and has to change: In this situation if individual Headteachers were in a position whereby they "are the lead decision maker in how the curriculum is provided within their schools" it could lead to a situation where the serious inclusion issues that were observed across the border occur, and where the Equalities Act responsibility cannot be secured. Alternatively the responsibility outlined in the Charter would put unnecessary pressure upon Headteachers, that is, they would then require to become personally legally responsible for meeting these obligations. Where should legal recourse for parents and young people lie – against the Authority as at present? In that case the Council surely needs to retain the ability to ultimately determine such matters. If not against the Authority should such recourse lie against the empowered Headteacher? This would

place an enormous burden on such individuals and would impact upon the Headteacher recruitment and succession planning processes.

All stakeholders should be working together to ensure young people in Scotland experience a high quality learning experience. Some of the frustrations around the curriculum have arisen from national pressure in recent years, exacerbated by the national assessment system in particular whereby expectations were 'set' rather than evolved as part of an improvement collaborative. For example; a 6 subject S4 curriculum was promoted as the 'national' option that would raise attainment but did not recognise individual school contexts. Another centralised pressure was created by continuous assessment and pressures from the public to evidence the success of curriculum for excellence. However, more recently the National Improvement Framework and focus on 'closing the poverty related attainment gap' have evidenced much more collaboration at local and national level. Scottish Borders Council welcomes national policy and guidance which it believes should then be interpreted at local level by the Local Authority in partnership with schools; this enables the Council as the Local Authority to be able to take action as part of their legal duty to be accountable for outcomes and education provision. How could the Council be accountable if Headteachers were entitled to be the sole decision maker?

For a Local Authority, decision making is part of a cultural improvement journey involving all stakeholders with a focus on positive engagement, respectful relationships, robust quality improvement activity, high quality leadership and professional learning. Different stakeholders at every level of the system take a lead or joint role at different times and the ethos and culture of learning both at school and Local Authority level combine to ensure a drive on continuous improvement .

This question one in itself represents a culture which assumes the need for a Headteacher's charter; Scottish Borders Council asks that there should be further consultation and debate on the concept of a Charter and how it sits alongside the Headteacher responsibilities that are well- set out within the GTC Leadership competencies .The Council argues that all staff should feel empowered within the system at all levels to contribute collectively to decisions about children's learning and the curriculum ; this is what good classroom teachers do; this is what good learning assistants do and also what Head teachers, Local Authority Officers and Education Scotland staff do; that we should all be working to feel empowered and involved collectively in decision making as long as improved outcomes for all learners can be evidenced and national guidance, entitlements and legislation adhered to. The concept of the purpose of a Headteachers' Charter requires further debate at many levels.

Another area that must be considered in relation to learning, teaching and curriculum design is the opportunity to innovate in the broadest sense. In the Borders there is a strong focus on intergenerational learning and parental/community engagement; a key concept within the new intergenerational learning campus in Jedburgh. The Council's commitment to the Christie principles of shared and efficient public sector services and a focus on the most vulnerable in society have resulted in a focus on Area Partnerships and partnership delivery; the Council has a vision in which learning for all within a family and community may look quite different if the benefits of community capacity building are to be realised. The scope of such innovation demands a much greater collective leadership role if this vision is to be realised.

Question 2

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

This is already an expectation as set out in 'How Good is Our School IV' "Leadership and management" at Sections 1.1-1.5. For example, Section 1.1 reinforces the need for collaborative working and strong leadership to ensure self-evaluation for continuous self-improvement; Section 1.3 "Leadership of change" advises schools in developing a shared vision, values and aims relevant to the school and its community. The guidance is already clear as to what Headteachers are expected to do. The challenge is getting all stakeholders, including staff and parents to engage in the process.

Headteachers in Scottish Borders are already empowered with developing their school improvement plans. However, without the role of Quality Improvement Officers in advising on periodic evaluation and next steps and ensuring momentum is maintained, intended outcomes would not be met in a significant number of schools.

A statement on the role of planning at every level within and across the system with key governance, processes and connections made and linked into the role of inspection would be very helpful in a guidance document. There are many aspects within the planning and delivery of Children's Services; it would be helpful to see the breadth of service provision for children and young people recognised in such a key process such as planning.

Question 3

The Charter will set out the primacy of the School Improvement Plan. What are the advantages and disadvantages of such an approach?

As detailed in the Council's response to question 1; the School Improvement Plan must be nestled within Local Authority and National Improvement Frameworks. For example 2018 is the Year of the Young Person. In the Scottish Borders the plan of events, activities, celebrations and innovations is to come out of a consultation with all young people led by young people both in schools and in community groups. Initial feedback informs the Council that the young people have raised fantastic suggestions for events, legacy, debates and activities for improvement. If the School Improvement Plan was to take primacy then 'opportunities' such as the Year of the Young Person may not be experienced by all learners and the young people may feel that their participation and contribution limited due to a lack of commitment from some schools. The Council would expect, with its current partnership approach with Headteachers, to agree a plan that was responsive to the ideas of the young people whilst recognising ongoing priority work within schools. The Council has a set of priorities set out within the Children's Services Strategic Plan which is particularly important in relation to health and wellbeing and the additionality that partners can bring to children's learning experiences: the primacy of the school improvement plan could restrict the vital work of Children's

Services and partners; this proposal also contradicts the expectation set out by Government that Council's and partners must have a Children's Services Plan.

Sometimes transformational events happen in communities and the community plan is a priority, eg in the Borders the opening of the Railway was a major local event to be celebrated. There are a number of Borders 'learning experiences' that bring the young people of the Borders and their communities together and these must have a place within the School Improvement Plan as they celebrate the culture, the heritage and history of the Borders, eg the local festivals, the Countryside Day. The primacy of the school improvement plan could seriously affect the local festivals and events that very much contribute to the wider life of the families and communities in the Scottish Borders if schools could begin to opt out of such activity and if the Local Authority had no power to intervene.

Scottish Borders Council does not agree with the statement in the consultation that the Headteacher's Charter will "remove the requirement for Local Authorities to develop separate improvement plans". The Council is supportive of the Regional Improvement Collaboratives, but as explained above there will also be a requirement for aspects of local improvement, eg, in response to Scottish Borders data regarding the health and well-being of young people, the Council has as a main priority this year focused on improving the quality of the emotional health of young people. This has involved the implementation of an extensive training and development programme and curriculum development for all schools as a major improvement priority. All planning processes must be responsive to all the outcome data available in each Local Authority from the complete range of partners.

The context of each Local Authority has to be a driver within school planning, eg Scottish Borders has seen a dramatic increase in child poverty levels in the last 5 years: the Scottish Borders is now in the top quartile for child poverty levels in the data recently released by HMRC ; the Scottish Borders has the lowest wages economy in Scotland ; high levels of fuel , digital and access poverty – there must be a place for these local priorities to be addressed that are unique to the young people and their families. Scottish Borders Council does not support the removal of the requirement for a Local Authority plan especially considering the role of the local community in the lives of families and the direction of travel set within other key Scottish Government policy areas such as the Community Empowerment Act.

Question 4

The Headteacher's 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?**

Advantages: Headteachers currently do recruit their own teaching staff through a process that has been decided in consultation with Headteachers. Staff are advertised permanently at all times. In recent years Council Officers and Headteachers jointly decided to hold recruitment days for promoted posts both at Headteacher and Depute Headteacher level. This was an event that all schools with vacancies attended to promote their school. This was

very successful and led to high levels of applications and all vacancies were recruited. It enabled candidates the opportunity to get to hear about the range of posts on offer and to ask questions of school staff. Feedback indicated that candidates and Council staff found the exercise very helpful. The exercise was repeated in Social Work and again the Council had very high levels of applicants and filled all vacancies successfully.

As stated in the Consultation documentation this matter is not an issue in Councils where a partnership approach has been adopted in relation to recruitment. As a Council the involvement and support of Headteachers in all recruitment processes is very much welcomed. Approaches to recruitment are adapted and evolved based upon feedback and ideas from Local Authority Officers, Headteachers and HR advice.

Disadvantages: If schools were totally responsible for recruitment of staff the Council does not believe that all posts would receive equal opportunity of application. Sometimes it is necessary to make sure that some posts are recruited first, eg schools in areas of multiple deprivation. The key to recruitment is a culture of openness and transparency about why processes exist in a format, eg it could be related to employment law. Headteachers do not have the extensive knowledge or time required to lead in such complex procedures such as deployment and this would lead to further complications such as tribunals, grievances and would not be in anyone's best interest. These complex processes can be quite stressful and require the extensive expertise that HR staff have to ensure that individual staff rights and HR legislation are adhered to.

In Councils with the right ethos of trust and partnership between schools and the Council then it is automatically assumed that a collaborative approach is required. This partnership very much needs the embedded involvement of Council HR Teams and be linked into Trade Union processes to ensure that all aspects of guidance and legislation are adhered to at all times. Scottish Borders Council is very concerned that this consultation is making suggestions re changes that would compromise the Council's very robust HR procedures. There is also concern that the approach suggested would lead to surplus staffing costs which are not affordable and would put schools into deficits within their DSM budgets, eg a small secondary school could end up with a member of staff who needs re-deployed owing to the Headteacher making changes to the timetable; the Headteacher in a neighbouring school does not wish to accept this member of staff as they have no timetable requirement; an additional cost of 1 FTE has created a significant overspend situation. Currently changes can only be made to the timetable if staffing has been co-ordinated across schools by the Council. If a Headteacher's Charter gave the Headteacher such powers to ignore current HR, policy and guidance significant issues like this would arise.

Not all Headteachers would want this responsibility; if they had the right to make staffing decisions then it may be viewed that they would be responsible and could be held liable should staff feel aggrieved and be subject to legal action. The Council would be concerned about the impact this would have upon Headteacher recruitment. Indeed at the Leadership Recruitment fayre held in May 2017 a number of possible candidates attended from South of the Border and noted in their reasons for wishing to leave the Education system they currently worked in that there were many responsibilities within HR that they were finding

too stressful and they wished to work in the Scottish system which they felt currently enabled Headteachers to focus on curriculum, learning and teaching.

b) What are the advantages and disadvantages of Headteacher's ability to choose their teams and decide on the promoted post structure within their schools?

Advantages: Headteachers in the Scottish Borders do recruit all their own staff; the only time this does not happen is the placement of staff who may be surplus in another school or may have to be deployed owing to exceptional circumstances; these examples are quite rare and only tend to happen at the beginning of the school year. Even then individual staff planning meetings are held between each Headteacher and the Chief Officer to limit as much as possible 'compulsory transfers'. In these cases extensive discussions take place with Headteachers and support is provided. Of course as a Council we would wish for Headteacher's to choose their own teams at all times but staff have deployment rights and guidance must be followed to ensure that staff are treated fairly too. If such guidance and legislation was not adhered to then Councils would find themselves breaking the law which would lead to tribunal claims and additional staffing costs at a time when budgets are challenging. Also it is the Council's view that there are many circumstances which can result in very positive outcomes for staff and the school when staff can have the opportunity to have placements in a different school. There has to be opportunity for staff movement but the key to all staffing decision making is the ethos and relationships between all staff involved in the process: Trade Union representatives , HR staff, Council officers, Headteachers and staff themselves. A respectful culture with clear policy and guidance linked to HR legislation, transparent communication and a focus on treating everyone involved with dignity and respect will lead to positive decision making and lead to staff teams where people feel valued. If the approach above is not taken then Headteachers , staff and council officers become aggrieved and that is not conducive to the respectful relationships and sense of value needed to create positive staff teams focused on delivering high quality learning provision for young people.

Promoted post structures – primary promoted structures tend to be based on pupil roll; in the last 15 years in Primary Education in Scotland budget savings have been made across the Country in order to protect front line services. Prior to the year 2000 there was significantly more 'protected management time' in primary schools: roles such as senior teachers, Assistant Headteachers , Depute Headteachers and non –teaching Headteachers all had 'protected time' out of class to focus on curriculum development and quality improvement. The management structures now in the main have Principal Teachers who have very little time out of class (likely to be a half day per week), Depute Headteachers who are likely to be class committed half a week and providing staff cover too owing to the lack of supply (and likely to have a day per week out of class) and Headteachers themselves who too often are providing class cover so that teachers can attend meetings around the child or staff training. There is not enough 'protected management time ' in primary schools compared to secondary schools. This is a national issue and perhaps would benefit from a national formula for all primary schools. However, resolving this would be complex in such

challenging budget contexts both locally and nationally. In Secondary Schools similarly 'protected management time' has been affected by Depute Headteachers and Headteachers providing 'subject cover' in the areas where there are national shortages. Likewise Local Authority teams and Education Scotland teams have been significantly reduced; there is not enough management time in these areas either to have enough 'protected management time on quality improvement and system development'.

Disadvantages: All Headteachers and Local Authority Officers would welcome the opportunity to have more 'protected management time' but there is not the budget available to support such structures.

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?

In the Scottish Borders the Children and Young People's Department has a budget in which the majority of it is delegated to schools devolved school management. As a Council, budget processes are transparent. Schools are allocated FTE in primaries according to their school roll and in secondaries it is also linked to school roll. As stated in the Council's response to question 4 the issue is the funding available for management structures rather than the process of allocation or the matter of transparency.

The budgets that are retained centrally are the Additional Support Needs and Early Years budgets; all other budgets are in the main delegated to schools. The 'central schools budget' is quite limited and tends to account for areas in which the monies pulled together create more capacity for spend eg Headteachers were asked if they wished the ASN budget to be delegated locally, but turned down the offer; in the main because of the extensive amount of time involved in managing these budgets.

The majority of the Education Budget in the Council is staffing costs and staffing is allocated to schools either by an assessment of the level of need, eg in ASN or roll related, eg in teaching, support staff or Early Years allocations. There are very few Education budgets that are not linked to national staffing formula or locally agreed formula.

The Council's budget processes are already transparent. There are regular meetings with Headteachers about the budget. The challenge in recent years has been managing budget reductions. Headteachers have been involved in making suggestions regarding areas for reduction. The suggestions made on page 13 of the Consultation as to what the Headteacher's Charter will improve are already in place in the Scottish Borders.

As stated in response to question 1, it is a concern to single out, in a Charter for Headteachers, responsibilities linked to decision making in budget area. The Children and Young People's budget area has over 18 000 budget lines; accountability for these lines has many layers within a Council. Therefore the singling out of Headteachers to assume responsibility would create risk; the response the Council has had is that many Headteachers do not wish additional budget responsibilities and if the outcomes experienced within the Academy model in England is reflected upon, they will be

appreciated as being concerning: less inclusive approaches especially affecting children with additional support needs and serious recruitment issues as Headteachers are not best placed to take on these additional responsibilities whilst improving the quality of learning provision.

The Council in national governance assessment procedures has been praised for its robust and sound governance of Financial processes, including its management of budget reductions in the last 5 years. The Council's success in this area could be compromised if it did not have the ability to provide governance to areas of school spend and this could then impact upon delivery of other Council Services which are vital to children and their families. There are a number of spending areas that are interdependent of other Service areas within the Council and these could be affected if Headteachers were able to make decisions regarding how funds were allocated, eg the Early Years allocations are part of a wider placement process which seeks to obtain efficiency of spend in matching ratios of staff and child placements .

Question 6

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

The Council does not agree with the assumption in this statement that there is an issue with transparency with regards to education spending decisions. Each year there is a local campaign inviting the public to engage in the budget process. There is a very thorough process involving all stakeholders, including for example Headteachers and Trade Union representatives. Headteachers discuss their budgets regularly at Parent Council meetings. Council Officers work in partnership with a strategic group of Headteachers who are privy to all budget information and in partnership with Council Officers discuss what information goes forward to the Headteacher budget meetings which are held regularly throughout the year. The Council listens to Headteachers as to how much time they believe should be spent discussing the budget and how much time should be focused upon school improvement dialogue; the time spent and the level of information discussed is amended in light of this feedback.

The challenge in engaging with communities is that much of the Education budget is linked to statutory spend in staffing and the discretionary budget areas are quite limited and open to debate, eg teacher numbers, Early Years staff pupil ratios. Community engagement is very much welcome. In recent times schools and Local Authorities have continued to evolve budget engagement activity based upon feedback from stakeholders. The Council has been responsive to communities, eg the Council has developed its approach to participatory budgeting and allocated additional funds to Area Partnerships.

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 Headteacher's Charter?

Cognisance must be taken of the context within which the Headteacher is and will be working within before a consideration of support and professional learning for Headteachers. The Council believes that there should still be further consultation regarding the Headteacher's Charter as detailed in response to earlier questions in this Consultation.

Scottish Borders Council believes that the diagram on page 14 of the Consultation document is not representative of the role Local Authorities play in school improvement and support, ie the context the Headteacher operates within in the Scottish Borders. School improvement is a very complex and very much a localised matter. This diagram does not recognise the role of Local Authorities in School Improvement, neither does it recognise the role of the local community. The school exists within its community which can have a significant impact upon the life of the school and the life chances of the children and young people, eg the collapse of a major business in the locality can seriously impact upon the skills for learning , life and work agenda affecting the curriculum and learning provision. The health and wellbeing curriculum can be impacted upon by issues in a local community, eg drugs and alcohol activity. The model in the diagram does not recognise the holistic nature of educating young people or the importance of the role of partners. These contexts are critical when considering the powers and duties for Headteachers and considering what they can be held accountable for.

There needs to be a separate tier between the school and regional activity which recognises the role of the Local Authority and the local community partnerships, eg one evening last term the Council had 10 officers out in one evening attending a range of local community meetings where Education was a focus of the meeting. This is very important daily work that affects the success of the school in its improvement journey and can't be assumed by a Regional Improvement Collaborative or Education Scotland. There are local issues that the school can be affected by and which contribute to in the life of the community: this must be recognised if all layers of Governance are to work in partnership to achieve the goals, the outcomes and the aspirations set out in national and local guidance for children and young people. To genuinely achieve the Council's and Government's aspirations for Education the essential support provided by local communities and the collaboration between local communities and schools including the local authority must be recognised. The priorities in the Scottish Borders are very different to neighbouring Councils in response to the very nature of the Council's local communities. That being said, there can be and work has been identified at a tier above Local Authority which is now in process within the South East Improvement Collaborative. However, there has to be far greater recognition of the daily work taking place linked to school improvement at Local Authority level ; work that neither a Regional Improvement Collaborative nor Education Scotland have the capacity to deliver, nor are they best placed to deliver: in depth quality assurance and quality improvement, training in partnership areas such as child protection, participation, health and wellbeing, co-ordination of professional development and learning opportunities. These must continue as a vital form of support and professional learning for Headteachers, ie Headteachers operate within a communities, Children's Services and partnership context rather than just the school context. The text in the Consultation does not fully reflect the real reasons why Headteachers are having challenge in focusing on improving the quality of the curriculum and learning and teaching. Headteachers have informed the Council that the reductions in Council support services linked to budget savings, the lack of supply staff, recruitment challenges in specific communities or in specific subject areas , the bureaucracy being created in national 'over-assessment ' of pupils and too broad a set of expectations within the "How Good Is Our School IV"

are the areas affecting their capacity to improve their schools. In setting the national standards there should be much greater partnership between Local Authorities, schools and Education Scotland.

Scottish Borders Council is not sure what is being referred to by 'greater operational flexibility' Scottish Borders Council works in partnership with Headteachers to arrive at any policy statements or guidance which are linked into national guidance. Headteachers have not expressed that they are looking for a more 'empowered role' with new powers and duties. They have expressed the issues above as the key issues affecting their ability to effect school improvement. It would be helpful if this consultation led to greater debate on powers and duties at every level rather than simply focusing on the Headteacher within the system.

The work-related wellbeing of Headteachers must also be seriously considered. Through communication with Trade Unions and direct conversations with Headteachers, workload and stress are acknowledged as challenging issues within the profession. The Education Bill proposes to empower Headteachers with more autonomy, but that cannot be achieved without additional workload. Any increased stress could further reduce job satisfaction and motivation, block creativity, increase absenteeism and reduce recruitment. Headteachers and the profession as a whole would welcome and indeed benefit from a period of stability.

The Council is very proud of the high quality work and commitment of the Headteachers in the Scottish Borders. The context above has been outlined as the concept of 'new powers and duties' is one regarding which there are very mixed views at different levels within the system. The Council is supportive of any changes that will make the role of the Headteacher more attractive and will enable Headteachers to work closely with their staff, their young people and their communities: equally so the Council is putting forward that the Headteacher needs the support of partners, the local community and the local authority; that powers and duties are a shared responsibility and if there is to be a Headteacher's Charter then links must be made to the support and professional learning of other key partners rather than viewing the Headteacher in isolation.

Further discussion on what makes a difference to Headteachers at different times in their career and at key times in the improvement journey of their school is welcomed but setting this within the context of new powers and duties may not have the desired effect of making Headteachers feel more supported or encourage teachers to aspire to become Headteachers.

The very good work taking place and funded by National Government in relation to IT learning would be welcomed in the Scottish Borders. This is a key issue as rural authorities such are very much affected by all the national training taking place in central locations; more innovative IT learning solutions for Headteachers and all staff would be welcomed.

Question 8

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

The ideas and themes within the areas of reform are to be praised. However the challenge lies in that many parents have extensive work and family responsibilities and do not always have the

capacity to engage or be involved in supporting schools in the manner described. Headteachers do currently collaborate with the parents who have the time to be involved in supporting the school. There are very few who simply 'inform and consult' with their parents. Parent capacity is the issue rather than changing the nature of what is expected. The improvements stated on page 18 of the Consultation document are commendable but feedback from parents indicate that the work of the Parent Council and Parent Forum are quite different and have in fact been designed locally by parents and Headteachers as a collaborative process. There is a concern that expanding the role of the Parent Forum may in fact result in parents withdrawing from Forum Activity as they prefer the supportive rather than the policy role that the Forum provides the opportunity to be a part of.

The Council is supportive of the aim to modernise the definition of parental involvement which will recognise the role of parents in learning outside of school and the impact this has upon outcomes for children.

The Council is supportive of the aim of the Act to recognise the importance of communication with parents when their children are attending Early Learning and Childcare settings.

The Council is supportive of the aim of the Act to represent the diversity of the school community, to have parental involvement and engagement included as a theme within the Regional Improvement Collaboratives.

However, it is a concern that the section relating to parental and community engagement makes no statement linked to the role of the Local Authority. This must be addressed as it is not representative of the essential and existing relationships, activities and interdependencies between parents, Communities, Schools and the Local Authority.

Page 19 of the Consultation document notes 'the introduction of a home to school link work in every school to support parents who find it challenging to engage in their child's learning'. Greater clarification is required on this matter. It does not state 'worker' but 'work' so the question has to be asked: who will do this work especially in light of the response made to questions 4 and 7? There are currently no staff within schools with the capacity to carry out this work so additional funding would have to be made available. There would have to be significant work carried out in the training and line management of these posts. Supporting families at home is quite a complex matter. Currently in the Scottish Borders the Council have a small team of family support workers who are highly skilled and receive appropriate line management and training as social work matters can arise. The Council welcomes the extension of home school link work to every school but is very clear that resource is required particularly as a rural authority currently allocated a very small amount of PEF funding, ie most schools do not have the level of funding required to extend their activity into home school link work although they would like to; most of their funding is allocated to 'in class' literacy and numeracy interventions.

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 curriculum design ?

The consultation document makes a key link with the Equality Act 2010 and Parental Involvement. There are many matters changing in relation to the Equality Act in particular how young people view equalities within curriculum design and policy development. These matters do merit extensive engagement and consultation with parents but this can be challenging in setting aside meeting time.

Question 10

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

Again the challenge is making parental involvement representative especially at a time when parents are juggling the demands of parenthood, work, possible caring responsibilities. See response to question 9 above.

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 Headteacher's Charter?

Scottish Borders Council agrees that all schools in Scotland should pursue the principles of pupil participation as set out in chapter 3. This should not just be linked to the role of Headteachers but be key guidance/principles that all stakeholders adhere to. The young people of Scotland should have a say in specific aspects of education and school life as set out in chapter 3. Pupil participation is such an enlightening aspect of the Scottish Education system that is fundamental to our values; it is a very positive step forward to see these very appropriate principles outlined in the Consultation. However, setting out the principles within a requirement is a new concept for stakeholders and requires further consultation as to how this would be resourced, governed, monitored and reported.

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.

Scottish Borders Council is supportive of measures that will increase pupil participation with the aim of achieving as broad representation as possible of the pupil voice. The Council agrees with the approach being suggested in particular the narrative on page 22 of the Consultation document that the general duty will be accompanied by the key principles of collaboration, dialogue, authenticity and inclusion.

The Council is also supportive of the possibility of exploring additional strategic duties on Local Authorities to ensure that young people are supported to influence the development of local and national education policy. The role of Community Learning and Development should be taken into account in developing the concept of Pupil Participation as there is a great deal of good practice in

CLD methodologies in achieving participation that is representative in terms of equality and diversity.

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?

Scottish Borders Council is supportive of the establishment and work of the Regional Improvement Collaboratives but is not supportive of the diagram on page 14 of the consultation document as it fails to recognise the essential support currently provided by the Local Authority and indeed depended upon by all school staff and wider stakeholders, eg parents. The Council believes that to genuinely represent the accountability for Education provision and the holistic nature of improving the life chances of children and their families that the diagram should have a tier which recognises the locality improvement context of school provision before the regional tier.

The Council does not agree that improvement support and curriculum support should only come from the Regional Improvement Collaborative as argued in the Council's response to questions 1, 3 and 7 of this consultation. The curriculum is significantly affected by the community in which the school operates and the Local Authority has a responsibility to ensure that the cultural heritage, the history, the beliefs and values of communities are part of the learning provision in Borders Communities. Indeed the support provided by the Local Authority and its partners in localities is essential to the wellbeing of our young people and their families in working together to tackle many of the barriers that can affect school improvement and children's life chances. As a Children's Service all Council and partner services have a key role to play and are very much a core and embedded element of the school curriculum, learning provision and school improvement. The Quality Improvement Officers, the Chief Officers, the Service Directors and many local Council and partnership staff contribute significantly to school improvement and this capacity and the complexity of the nature of this locality improvement agenda must not be separated out nor indeed could it be delivered to the same high quality at Regional or National level. Local Members, parents, young people and staff all contribute to school improvement and this must be driven at local level. To suggest that the Local Authority will remain accountable for outcomes for young people and for the quality of education provision and then create a structure which does not recognise the critical role played by the Local Authority presents a serious risk to improving the quality of learning provision. It also suggests that the daily work of Local Authorities and its partners is not understood in the impact they have upon improvement. For example the recent CLD inspection of Scottish Borders Council praised the partnership approach being taken locally in the work that is being led in regards to equalities, emotional wellbeing and LGBTi matters; all key aspects with the curriculum and very much part of school life that the young people themselves identified. A key strength of this inspection was the strategic leadership of the CPP Partnership and the strong vision to improve the outcomes of young people. Education does not exist in isolation but is being improved within localities; the work of the Local Authority and its partners must be recognised as a key strength and given its rightful place. The variability of the quality of the Local Authority and partnership work across Scotland should not be used to label every Local Authority; it is the good work taking place that Scottish Borders Council believes the OECD report was referring to when it talked of

strengthening the middle tier; nowhere in the report was there a recommendation to remove or replace the Local Authority tier. Scottish Borders Council views the Regional Collaborative as a welcome additional tier. The Headteachers in the Scottish Borders are concerned that the work of the Local Authority in school improvement and curriculum support is not recognised in the Consultation document. It is clear from recent feedback within Education Scotland itself that there are issues to be addressed and Scottish Borders Council has many reservations regarding the capacity of national bodies to provide regular and consistent support especially in rural areas. Indeed the Attainment Advisor role has been such a challenge in the Borders that the Council has put in post 2 staff to carry out this role. The Council recognises that there is Regional Improvement and curriculum work that can be carried out and is fully engaging in the South East Improvement Collaborative but this work must be in addition to what the Council must continue to do as the statutory Authority with responsibility for improving outcomes for children and young people. The Council and schools engage in a range of improvement work with Councils across Scotland; the Council is not clear as to why this needs to be set as a requirement just within the Regional Collaborative.

Question 14

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

Scottish Borders Council is supportive of this level of transparency and accountability.

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?

Scottish Borders Council does not agree that the Regional Improvement Plan should replace the Local Authority Plan. Both plans will impact upon improving the quality of learning provision and outcomes for young people.

The Council is subject to a range of quality assurance, eg Child Protection Inspections , CLD Inspections whereby the Local Authority Plan presents key evidence of vision and strategic leadership of planning and improvement; the Council will continue with the levels of plans that are representative of the context in which Children's Services and education operate locally. The Council will continue to provide reports within its own established and valuable reporting processes whether required by National Government or not.

Scottish Borders Council is clear that the Regional Improvement Collaborative Plan has a place as a tier beyond the Local Authority Improvement Plan and that every two years would be a realistic reporting timescale with regards to reporting on the achievements of the Collaboratives.

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?

Planning and reporting should support the delivery of improvement and outcomes. The Council would welcome more time for schools and Local Authorities to drive improvement. As stated in an earlier response (question 1) it is the Council's view that both Local Authorities and National Government are clear about the priorities within the National Improvement Framework and schools with partners should be given the time to focus on a very clear set of priorities. The Council would be supportive of a reduction in the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework.

Question 17

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

Scottish Borders Council is in full support of the purpose and aims of the Education Workforce Council for Scotland.

Question 18

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

Scottish Borders Council has no further suggestions regarding the aims or purpose of the proposed Education Workforce Council.

Question 19

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

Scottish Borders Council is fully supportive of the functions outlined for the Education Workforce Council.

Question 20

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

Scottish Borders Council has no further suggestions of additional functions for the proposed Education Workforce Council.

Question 21

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

The challenges with mandatory registration are the costs and the bureaucracy. However, the Consultation document tends to recognise this in the narrative on page 29 which suggests a phased approach. There are many Education staff who work only a few hours per week but provide a very 'professional' high quality support service to children. The costs of registration would be very challenging for some staff and the excessive paperwork in registration extremely challenging particularly at a time when resources are challenging in business and administrative. On this basis perhaps there could be levels of registration that are reflective of the costs and the FTE equivalent of the post being registered. This may be challenging to implement but would be more appropriate. Further consultation is required with Local Authorities, staff and trade unions regarding this matter.

Question 22

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

Yes especially in light of the number of Education staff who are experiencing 'in work poverty' and the Council's response to question 21.

Question 23

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

This is a matter that should involve further consultation with staff, Local Authorities and trade unions.

Question 24

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

Scottish Borders Council would like to see a name that is more reflective of the holistic nature of the staff who work with children and young people on a day to day basis. Scottish Borders Council would suggest "Children and Young People's Workforce Council for Scotland" as it is more inclusive.



SESPLAN: FINANCE RATIFICATION

Report by Service Director Regulatory Services

SCOTTISH BORDERS COUNCIL

25 JANUARY 2018

1 PURPOSE AND SUMMARY

1.1 This report seeks ratification of SESplan budget proposals for 2018/19.

1.2 The SESplan operating budget for 2018/19 is proposed to be set at £183,248 with each authority expected to contribute £10,000 and the remainder of the operating budget taken from existing SESplan reserves.

2 RECOMMENDATIONS

2.1 I recommend that the Council agrees to ratify the SESplan budget proposals for 2018/19.

3 BACKGROUND

- 3.1 At its meeting on 27 November 2017 the SESplan Joint Committee discussed the operating budget for 2018/19 (SESplan report attached as **Annex 1**). The Committee agreed recommendations 1 to 5 of that report as stated.

SESplan Budget Proposals 2018/19

- 3.2 The 2018/19 budget for SESplan has been set at £183,248 (see **Annex 1**). Total member contributions are set at £60,000, with £10,000 being the share for each authority. This level of funding is significantly below the £44,000 contribution required in 2016/17. This can be achieved as a result of a combination of an anticipated reduction in operating costs and the use of reserves which have built up to a level that is higher than would be prudent to maintain.
- 3.3 The SESplan budget for 2018/19 includes fixed costs (staffing, rent, administration) at £102,398 and variable costs (technical support, project work, examination costs and contingency) of £80,850.

4 IMPLICATIONS

4.1 Financial

The Council will be required to fund its member contribution towards the continued operation of SESplan. £10,000 will be required for 2018/19. This is in line with current Council budgeting.

4.2 Risk and Mitigations

SESplan is the strategic development authority for Edinburgh and the South East of Scotland set up by the Scottish Government. The Council therefore has a duty to contribute to its effective operation.

4.3 Equalities

There are no direct adverse equality implications arising from this report.

4.4 Acting Sustainably

There are no direct economic, social or environmental effects arising from this report.

4.5 Carbon Management

There are no effects on carbon emissions arising from this report.

4.6 Rural Proofing

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

4.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to the Council's Scheme of Administration or Scheme of Delegation as a result of this report.

5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and their comments incorporated into this report.

Approved by

Brian Frater

Service Director Regulatory Services

Signature

Author(s)

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Background Papers: None

Previous Minute Reference: None

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Contact us at: Jacqueline Whitelaw, Council Headquarters, Newtown St Boswells. Tel: 01835 825431

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ITEM 8 – FINANCE

Report by: Alice Miles, Acting SDP Manager

Purpose

This Report presents an update on the SESplan Operating Budget for 2017 / 2018 and sets out the SESplan Operating Budget for 2018 / 2019 for Joint Committee approval.

Recommendations

It is recommended that the SESplan Joint Committee:

1. Note the updated forecast expenditure against the approved Operating Budget for 2017 / 2018 set out within Appendix 1 to this Report;
2. Approve the updated Operating Budget for 2018 / 2019 set out within Appendix 1 to this Report;
3. Note that member contributions for financial year 2018 / 2019 have been reduced and are set at £10,000 (excluding VAT) per authority (as set out within Appendix 1 to this Report), payable to Fife Council by the 30 April 2018;
4. Note that member authorities are required to ratify the decisions above and to make their required contributions subsequently; and
5. Note that an Operating Budget for 2019 / 2020 will be brought to a meeting of the SESplan Joint Committee in late 2018.

1. Background

- 1.1 The SESplan Financial Rules set out that Operating Budgets for the next financial year should be proposed by the SDP Manager, approved by the SESplan Joint Committee and that decision ratified by the member authorities by the end of December.

1.2 In compliance with these rules, the SESplan Joint Committee at its meeting on the 24 November 2016 agreed to approve the Operating Budget for 2017 / 2018 in principle and that a review of SESplan expenditure and future budgets would be brought to the next meeting. The SESplan Operating Budget for 2017 / 2018 was approved at Joint Committee on the 13 March 2017.

2. SESplan Operating Budget 2017 / 2018

2.1 The latest position on the SESplan Operating Budget for 2017 / 2018 as at November 2017 is included as Appendix 1.

2.2 The largest spend by SESplan is on staffing. As set out in Appendix 1, the forecast for staffing at November 2017 was estimated at £102,000. The approved Operating Budget 2017 / 2018 includes a total staffing budget of £160,931. There is therefore a saving in staffing of just under £59,000. This primarily relates to the post of temporary planner being vacated in August rather than December 2017 and the part time SDP Manager position. There is also a current vacancy in the permanent planner position which has been filled by a graduate planner on a temporary contract from August 2017.

2.3 The Operating Budget for 2017 / 2018 also includes other fixed costs relating to training, rent and accommodation, travel, IT hardware, software and maintenance and audit / professional fees. The forecast sets out underspend in these areas in particular related to rent and accommodation and travel. The Core Team is currently made up of two members of staff, the rental agreement with West Lothian has therefore been updated to reflect the requirement for two rather than five desks. This has resulted in an underspend of around £3,195. Following the relocation of the Core Team to West Lothian, relocation travel expenses were payable for a three year period. Those members of staff eligible for the reimbursement of expenses have now left SESplan, therefore there is a forecast underspend in travel of £2,700.

2.4 Overall at November 2017, it was estimated that there would be a saving across all fixed costs of £63,780.

2.5 The approved 2017 / 2018 Operating Budget also includes an allowance of £105,050 for variable costs.

- 2.6 The largest spend in 2017 / 2018 is related to the Examination, where costs are met 50/50 with the DPEA. On the basis of costs related to other Examinations including CLYDEplan, the budget has been reduced to £20,000, making a saving of £10,000. This reduced figure also includes a contingency fund should it be required.
- 2.7 A Project Manager from Fife Council has now been appointed to lead on the preparation of Supplementary Guidance on a Developer Contributions Transport Framework and a Project Brief and Timeline agreed. A working group made up of officers from within the Member Authorities and Transport Scotland has also been convened. Any technical support spend on this work will therefore likely fall into the 2018 / 2019 financial year albeit that there will be a continuous review of additional work required in this area with an assessment of resources available in-house undertaken first to ensure best value and minimal spend where possible.
- 2.8 A sum of £2,500 has been allocated to technical support in financial year 2017 / 2018 and this relates to the provision of technical GIS and mapping support from the City of Edinburgh. SESplan does not have any mapping or GIS capability / expertise and mapping will be required in support of the Supplementary Guidance on Developer Contributions as well as Green Networks.
- 2.9 Across the entire Operating Budget for 2017 / 2018, the updated position as at November 2017 is a forecast underspend of £134,730.

3. SESplan Operating Budget 2018 / 2019

- 3.1 Over the first few months of the 2018 / 2019 financial year, the Core Team will be focussed on the Examination and Approval stages of SDP2s preparation including updating the Proposed Plan with any modifications arising from the Report of Examination and preparing post approval documents such as the post adoption SEA statement, Habitats Regulation Appraisal and the Action Programme. The target for the Report of the Examination is the 27 March 2018, with approval of SDP2 in July 2018.
- 3.2 The staffing assumptions for 2018 / 2019 are £75,000 and include SDP Manager (0.2FTE), Lead Officer (0.86FTE) and Graduate Planner (1FTE, temporary contract to 6 May 2018). This also includes allowance for additional resources to be brought into the Core Team should they be required.

- 3.3 The Proposed Plan states that Supplementary Guidance will be required to be prepared on Cross Boundary Transport Developer Contributions Framework and Green Network Priority Areas for Key Areas of Change South East and Edinburgh and West. As stated above Project Managers for these three pieces of Supplementary Guidance have been appointed and working groups convened. A technical support budget has been identified to accommodate this work and any other technical assessments should they be required. As stated above there will be a continuous review of all technical analysis / assessments required with resources available in-house utilised first to ensure best value and minimal spend where possible.
- 3.4 The response on the Proposed Plan from Scottish Government advised that further work is required on heat, wind and minerals and that this work should also take the form of Supplementary Guidance. SESplan disagrees that further Supplementary Guidance is required in these areas; however the requirement to prepare this additional guidance is dependent on the outcome of the Examination. The Reporter may be so minded to require Supplementary Guidance is prepared. Any Supplementary Guidance on heat, wind or minerals will be required to be approved within one year of Plan approval i.e. no later than July 2019 and additional resources either within the Core Team or from Member Authorities or potentially under the technical spend allocation will be required to be identified.
- 3.5 For other fixed costs within 2018 / 2019, costs remain largely the same as 2017 / 2018. The largest spend is IT which includes the running and maintenance of Objective Connect and the online SESplan Consultation Portal at £12,500 and the operation and running of the SESplan email and website (£2,900). Costs for accommodation in West Lothian Civic Centre remain the same.
- 3.6 Printing / photocopying and advertising / marketing costs are £4,000 each and will include the printing and publication of the approved SDP2. Copies are required to be provided to every library in the SESplan area, neighbouring authorities and planning receptions and notification of the Plan's approval is required to be advertised in a newspaper. Costs for technical support are £65,000 and include for modelling / appraisal work to support the Supplementary Guidance on Developer Contributions as well as mapping / GIS or further technical analysis and / or assessments that may be required. A 10% contingency of £7,350 has also been included.

- 3.7 The Audited Accounts at the end of 2016 / 2017 show a reserve of £91,315. On the basis of the savings indicated in the updated forecast for 2017 / 2018, this will result in a further increase of reserves at the end of 2017 / 2018 to £191,320.
- 3.8 Going into 2018 / 2019, as shown in Appendix 1, member contributions are proposed to be set at £10,000 per member authority. This is a budget proposition made for this year only as a pragmatic way of managing the significant reserves to be built up by the end of 2017 / 2018. Member contributions in 2017 / 2018 were set at £44,000, to reduce contributions to £10,000 in 2018 / 2019 represents a 23% saving.
- 3.9 It is requested that member authorities ensure that contributions of £10,000 are in place by the start of the next financial year and note that an Operating Budget for 2019 / 2020 will be brought to a meeting in late 2018 for Joint Committee consideration.

Report Contact

Alice Miles

Acting SDP Manager

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Appendices

Appendix 1 Operating Budget 2017 / 2018 Forecast and Operating Budget 2018 / 2019

DESCRIPTION	17 / 18 Budget Approved at Joint Committee March 2017	17 / 18 Forecast at November 2017	Variance 17 / 18 Approved Budget vs. 17 / 18 Forecast	18 / 19 Operating Budget
Staff	160,931	102,000	58,931	75,000
Training	1,000	2,000	-1,000	1,000
Rent (including Service Charge)	7,487	4,292	3,195	4,292
Travel	4,200	1,500	2,700	1,500
IT (Hardware, Software and Maintenance)	15,555	15,500	55	15,500
Mobile Line Rental	102	203	-101	206
Audit / Professional Fees	3,400	3,400	0	3,400
Miscellaneous	1,500	1,500	0	1,500
Total Fixed Costs	194,175	130,395	63,780	102,398
Examination	30,000	20,000	10,000	0
Technical Support	60,000	2,500	57,500	65,000
Printing / Photocopying	1,000	4,000	-3,000	4,000
Postages / Franking	500	500	0	500
Advertising / Marketing	4,000	4,000	0	4,000
Contingency 10%	9,550	3,100	6,450	7,350
Total Variable Costs	105,050	34,100	70,950	80,850
Total Expenditure	299,225	164,495	134,730	183,248
Member Authority Contributions	264,000	264,000	0	60,000
Sales	0	0	0	0
Income / Interest on Revenue Balance	200	500	-300	0
Total Income	264,200	264,500	-300	60,000
Net	-35,025	100,005	-135,030	-123,248
Take From / Add to Reserves	-35,025	100,005		-123,248
Usable reserve balance (Reserves at 31 March 2017 £91,315)	56,290	191,320		68,072
Usable reserve as % of expenditure	18.8%	116.3%		37.1%
Target reserve (1 month's operating costs)	24,935	13,708		15,271
Shortfall on target reserve of 1 month's operating costs	31,355	177,612		52,801

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Agenda Item 13

Jan-18			
MON (SH)	1	JAN	HOLIDAY
TUES (SH)	2	JAN	HOLIDAY
WED (SH)	3	JAN	
THUR (SH)	4	JAN	
FRI (SH)	5	JAN	
SAT	6	JAN	
SUN	7	JAN	
MON	8	JAN	PLANNING AND BUILDING STANDARDS 10.00 a.m.
TUES	9	JAN	
WED	10	JAN	TWEEDDALE AREA PARTNERSHIP 7.00 p.m.
THUR	11	JAN	
FRI	12	JAN	
SAT	13	JAN	
SUN	14	JAN	
MON	15	JAN	AUDIT & SCRUTINY COMMITTEE 10.15 a.m.
TUES	16	JAN	EXECUTIVE COMMITTEE (EDUCATION) 10.00 a.m.
TUES	16	JAN	HAWICK COMMON GOOD FUND SUB-CTEE 5.30 p.m.
WED	17	JAN	
THUR	18	JAN	
FRI	19	JAN	LICENSING BOARD 10.00 a.m.
FRI	19	JAN	CIVIC GOVERNMENT LICENSING COMMITTEE 11.00 a.m.
SAT	20	JAN	
SUN	21	JAN	
MON	22	JAN	LOCAL REVIEW BODY 10.00 a.m.
TUES	23	JAN	LOCAL LICENSING FORUM 4.00 p.m.
WED	24	JAN	JCG: STAFF 10.00 a.m.
THUR	25	JAN	SCOTTISH BORDERS COUNCIL 10.00 a.m.
THUR	25	JAN	EILDON AREA PARTNERSHIP 6.30 p.m.
FRI	26	JAN	
SAT	27	JAN	
SUN	28	JAN	
MON	29	JAN	
TUES	30	JAN	EXECUTIVE COMMITTEE (EDUCATION/ECONOMIC DEVELOPMENT) 10.00 a.m.
WED	31	JAN	
Feb-18			
THUR	1	FEB	INNERLEITHEN CGF SUB-COMMITTEE 3.00 p.m.
THUR	1	FEB	BERWICKSHIRE AREA PARTNERSHIP 6.30 p.m.
FRI	2	FEB	LAUDER COMMON GOOD FUND SUB-COMMITTEE 9.30 a.m.
SAT	3	FEB	
SUN	4	FEB	
MON	5	FEB	PLANNING AND BUILDING STANDARDS 10.00 a.m.
TUES	6	FEB	
WED	7	FEB	JEDBURGH CGF SUB-COMMITTEE 4.30 p.m.
WED	7	FEB	KELSO CGF SUB-COMMITTEE 5.30 p.m.
WED	7	FEB	CHEVIOT AREA PARTNERSHIP 6.30 p.m.
THUR	8	FEB	SCOTTISH BORDERS COUNCIL (SPECIAL) 10.00 a.m.
FRI	9	FEB	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD 9.30 a.m.
SAT	10	FEB	
SUN	11	FEB	
MON	12	FEB	10.00 a.m.
TUES	13	FEB	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION) 10.00 a.m.
WED	14	FEB	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION) 10.00 a.m.
WED	14	FEB	SELKIRK CGF SUB-COMMITTEE 3.00 p.m.
THUR	15	FEB	AUDIT & SCRUTINY COMMITTEE 10.00 a.m.
FRI	16	FEB	LICENSING BOARD 10.00 a.m.
FRI	16	FEB	CIVIC GOVERNMENT LICENSING COMMITTEE 11.00 a.m.
SAT	17	FEB	
SUN	18	FEB	
MON	19	FEB	LOCAL REVIEW BODY 10.00 a.m.
TUES	20	FEB	LAUDER COMMON GOOD FUND SUB-COMMITTEE 2.00 p.m.
TUES	20	FEB	HAWICK COMMON GOOD FUND SUB-CTEE 4.00 p.m.
TUES	20	FEB	TEVIOT & LIDDESDALE AREA PARTNERSHIP 6.30 p.m.
WED	21	FEB	JCG: TEACHERS 2.00 p.m.
THUR	22	FEB	SCOTTISH BORDERS COUNCIL 10.00 a.m.
THUR	22	FEB	Selkirkshire Ward By-election
FRI	23	FEB	
SAT	24	FEB	
SUN	25	FEB	
MON	26	FEB	PENSION FUND INVESTMENT & PERFORMANCE SUB 10.00 a.m.
TUES	27	FEB	EXECUTIVE COMMITTEE (EDUCATION) 10.00 a.m.
WED	28	FEB	CHAMBERS INSTITUTION TRUST 4.00 p.m.
WED	28	FEB	PEEBLES COMMON GOOD FUND SUB-COMMITTEE 5.00 p.m.

Mar-18							
THUR	1	MAR	COMMUNITY PLANNING STRATEGIC BOARD—	2.00 p.m.			
THUR	1	MAR	SCOTTISH BORDERS COUNCIL	10.00 a.m.			
THUR	1	MAR					
FRI	2	MAR					
SAT	3	MAR					
SUN	4	MAR					
MON	5	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.			
TUES	6	MAR	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.			
WED	7	MAR	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.			
THUR	8	MAR	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.			
THUR	8	MAR	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.			
THUR	8	MAR	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.			
THUR	8	MAR	EMPLOYEE COUNCIL	3.00 p.m.			
THUR	8	MAR	GALASHIELS CGF SUB-COMMITTEE	5.30 p.m.			
THUR	8	MAR	EILDON AREA PARTNERSHIP	6.30 p.m.			
FRI	9	MAR					
SAT	10	MAR					
SUN	11	MAR					
MON	12	MAR	LOCAL REVIEW BODY	10.00 a.m.			
TUES	13	MAR	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.			
WED	14	MAR					
THUR	15	MAR					
FRI	16	MAR					
SAT	17	MAR					
SUN	18	MAR					
MON	19	MAR	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.			
TUES	20	MAR	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.			
TUES	20	MAR	LOCAL LICENSING FORUM	4.00 p.m.			
WED	21	MAR					
THUR	22	MAR					
FRI	23	MAR	LICENSING BOARD	10.00 a.m.			
FRI	23	MAR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.			
SAT	24	MAR					
SUN	25	MAR					
MON	26	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.			
TUES	27	MAR					
WED	28	MAR	CHEVIOT AREA PARTNERSHIP	6.30 p.m.			
THUR	29	MAR	SCOTTISH BORDERS COUNCIL	10.00 a.m.			
FRI (SH)	30	MAR					
SAT	31	MAR					
Apr-18							
SUN	1	APR					
MON(SH)	2	APR					
TUES(SH)	3	APR					
WED(SH)	4	APR					
THUR(SH)	5	APR					
FRI(SH)	6	APR					
SAT	7	APR					
SUN	8	APR					
MON (SH)	9	APR					
TUES (SH)	10	APR					
WED (SH)	11	APR					
THUR (SH)	12	APR					
FRI (SH)	13	APR					
SAT	14	APR					
SUN	15	APR					
MON	16	APR	LOCAL REVIEW BODY	10.00 a.m.			
TUES	17	APR	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.			
TUES	17	APR	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.			
WED	18	APR					
THUR	19	APR	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.			
FRI	20	APR	LICENSING BOARD	10.00 a.m.			
FRI	20	APR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.			
SAT	21	APR					
SUN	22	APR					
MON	23	APR					
TUES	24	APR					
WED	25	APR					
THUR	26	APR	AUDIT & SCRUTINY COMMITTEE—	10.00 a.m.			
THUR	26	APR	SCOTTISH BORDERS COUNCIL	10.00 a.m.			
FRI	27	APR					
SAT	28	APR					
SUN	29	APR					

MON	30	APR	PLANNING AND BUILDING STANDARDS	10.00 a.m.		
May-18						
TUES	1	MAY	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.		
WED	2	MAY				
THUR	3	MAY				
FRI (SH)	4	MAY				
SAT	5	MAY				
SUN	6	MAY				
MON (SH)	7	MAY	MAY DAY HOLIDAY			
TUES	8	MAY				
WED	9	MAY				
THUR	10	MAY	GALASHIELS CGF SUB-COMMITTEE	5.30 p.m.		
THUR	10	MAY	EILDON AREA PARTNERSHIP	6.30 p.m.		
FRI	11	MAY				
SAT	12	MAY				
SUN	13	MAY				
MON	14	MAY	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.		
TUES	15	MAY	HAWICK COMMON GOOD FUND SUB-COMTEE	4.00 p.m.		
WED	16	MAY				
THUR	17	MAY	SCOTTISH BORDERS COUNCIL	10.00 a.m.		
FRI	18	MAY	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.		
SAT	19	MAY				
SUN	20	MAY				
MON	21	MAY	LOCAL REVIEW BODY	10.00 a.m.		
TUES	22	MAY	EXECUTIVE COMMITTEE	10.00 a.m.		
WED	23	MAY				
THUR	24	MAY				
FRI	25	MAY	LICENSING BOARD	10.00 a.m.		
FRI	25	MAY	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.		
SAT	26	MAY				
SUN	27	MAY				
MON	28	MAY				
TUES	29	MAY				
WED	30	MAY	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.00 p.m.	New date to be identified	
WED	30	MAY	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.		
THUR	31	MAY	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.		
THUR	31	MAY	SCOTTISH BORDERS COUNCIL	10.00 a.m.		
THUR	31	MAY	INNERLEITHEN CGF SUB-COMMITTEE	3.00 p.m.	New date to be identified	
THUR	31	MAY	EMPLOYEE COUNCIL	3.00 p.m.		
Jun-18						
FRI	1	JUN				
SAT	2	JUN				
SUN	3	JUN				
MON	4	JUN	PLANNING AND BUILDING STANDARDS	10.00 a.m.		
TUES	5	JUN	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)			
TUES	5	JUN	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.		
WED	6	JUN	JCG: TEACHERS	2.00 p.m.		
WED	6	JUN	KELSO CGF SUB-COMMITTEE	4.30 p.m.		
WED	6	JUN	JEDBURGH CGF SUB-COMMITTEE	5.30 p.m.		
WED	6	JUN	CHEVIOT AREA PARTNERSHIP	6.30 p.m.		
THUR	7	JUN	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.		
THUR	7	JUN	EDUCATION PERFORMANCE SUB-COMTEE	10.00 a.m.		
FRI	8	JUN				
SAT	9	JUN				
SUN	10	JUN				
MON	11	JUN				
TUES	12	JUN	LOCAL LICENSING FORUM	4.00 p.m.		
WED	13	JUN	JCG: STAFF	10.00 a.m.		
WED	13	JUN	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.		
THUR	14	JUN				
THUR	14	JUN	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.		
THUR	14	JUN	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.		
FRI	15	JUN				
SAT	16	JUN				
SUN	17	JUN				
MON	18	JUN	LOCAL REVIEW BODY	10.00 a.m.		
TUES	19	JUN	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.		
TUES	19	JUN	LAUDER COMMON GOOD FUND SUB-COMMITTEE	4.00 p.m.		
TUES	19	JUN	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.		
WED	20	JUN				
THUR	21	JUN				
FRI	22	JUN	LICENSING BOARD	10.00 a.m.		
FRI	22	JUN	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.		
SAT	23	JUN				

SUN	24	JUN					
MON	25	JUN	PLANNING AND BUILDING STANDARDS	10.00 a.m.			
TUES	26	JUN	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.			
WED	27	JUN	SCOTTISH BORDERS COUNCIL	10.00 a.m.			
THUR (SH)	28	JUN					
FRI (SH)	29	JUN					
SAT	30	JUN					
Jul-18							
SUN	1	JUL					
MON (SH)	2	JUL					
TUES (SH)	3	JUL					
WED (SH)	4	JUL					
THUR (SH)	5	JUL					
FRI (SH)	6	JUL					
SAT	2	JUN					
SUN	3	JUN					
MON (SH)	9	JUL					
TUES (SH)	10	JUL					
WED (SH)	11	JUL					
THUR (SH)	12	JUL					
FRI (SH)	13	JUL					
SAT	14	JUL					
SUN	15	JUL					
MON (SH)	16	JUL	LOCAL REVIEW BODY	10.00 a.m.			
TUES (SH)	17	JUL					
WED (SH)	18	JUL					
THUR (SH)	19	JUL					
FRI (SH)	20	JUL	LICENSING BOARD	10.00 a.m.			
FRI (SH)	20	JUL	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.			
SAT	21	JUL					
SUN	22	JUL					
MON (SH)	23	JUL					
TUES (SH)	24	JUL					
WED (SH)	25	JUL					
THUR (SH)	26	JUL					
FRI (SH)	27	JUL					
(SH) School Holiday							

Committee order as per Scheme of Administration

Meeting		Day
Scottish Borders Council (Louise McGeoch)	Special Budget	Thursday
		Wednesday
Galashiels Common Good Fund Sub-Ctee (Fiona Walling)		Thursday
		Thursday
Hawick Common Good Fund Sub-Ctee (Judith Turnbull)		Tuesday
		Tuesday
		Tuesday
		Tuesday
Innerleithen Common Good Fund Sub-Ctee (Fiona Walling)		Thursday
		Thursday
Jedburgh Common Good Fund Sub-Ctee (Fiona Henderson)		Wednesday
		Wednesday
Kelso Common Good Fund Sub-Ctee (Fiona Henderson)		Wednesday
		Wednesday
Lauder Common Good Fund Sub-Ctee (Pauline Bolson)		Tuesday
		Tuesday
Peebles Common Good Fund Sub-Ctee (Louise McGeoch)		Wednesday
		Wednesday
Selkirk Common Good Fund Sub-Ctee (Fiona Walling)		Wednesday
		Wednesday
Major Contracts Governance Group (Pauline Bolson)		Tuesday
		Tuesday
Executive Committee (Fiona Walling)	Educ/Economic	Tuesday
	Finance etc	Tuesday
	Education	Tuesday
	Finance etc	Tuesday
	Economic Dev	Tuesday
	Education	Tuesday
	No theme	Tuesday
	Finance etc	Tuesday
Education	Tuesday	
Education Performance Sub-Ctee (Fiona Henderson)		Thursday
		Thursday
Audit and Scrutiny Committee (Pauline Bolson)	Audit&Scrutiny	Monday
	Scrutiny	Thursday
	Audit	Monday
	Scrutiny	Thursday
	Audit&Scrutiny	Monday
	Scrutiny	Thursday
	Audit	Tuesday
Civic Government Licensing Committee (Fiona Henderson)		Friday
		Friday
Licensing Board (Fiona Henderson)		Friday
		Friday
		Friday
		Friday

	Friday Friday Friday
Pension Fund Committee Followed by Pension Fund Board (Judith Turnbull)	Thursday Thursday
Pension Fund Investment Performance Sub-Committee	Monday
Planning & Building Standards Committee (Fiona Henderson)	Monday Monday Monday Monday Monday Monday Monday
Local Review Body (Fiona Walling)	Monday Monday Monday Monday Monday Monday
JCG: Staff (Pauline Bolson)	Wednesday Wednesday
JCG: Teachers (Judith Turnbull)	Wednesday Wednesday
Employee Council (Judith Turnbull)	Thursday Thursday
Police, Fire & Rescue, Safer Communities Board (Louise McGeoch)	Friday Friday
Community Planning Strategic Board (Jenny Wilkinson)	Thursday Thursday
Berwickshire Area Partnership (Pauline Bolson)	Thursday
Cheviot Area Partnership (Fiona Henderson)	Wednesday Wednesday
Eildon Area Partnership (Fiona Walling)	Thursday Thursday Thursday
Teviot & Liddesdale Area Partership (Judith Turnbull)	Tuesday Tuesday Tuesday
Tweeddale Area Partnership (Louise McGeoch)	Wednesday Wednesday Wednesday
Local Licensing Forum (Fiona Walling)	Tuesday Tuesday Tuesday

Date	Time	
25-Jan-18	10.00 am	
08-Feb-18	10.00 am	
01-Mar-18	10.00 am	
29-Mar-18	10.00 am	
26-Apr-18	10.00 am	
31-May-18	10.00 am	
27-Jun-18	10.00 am	
08-Mar-18	5.30 pm	
10-May-18	5.30 pm	
16-Jan-18	5.30 pm	
20-Feb-18	4.00 pm	
20-Mar-18	4:00 PM	
15-May-18	4.00 pm	
01-Feb-18	3.00 pm	
31-May-18	3.00 pm	to be amended
07-Feb-18	4.30 pm	
06-Jun-18	4.30 pm	
07-Feb-18	5.30 pm	
06-Jun-18	5.30 pm	
20-Feb-18	2.00 pm	
19-Jun-18	2.00 pm	
28-Feb-18	5.00 pm	
30-May-18	5.00 pm	to be amended
14-Feb-18	3.00 pm	
13-Jun-18	3.00 pm	
06-Mar-18	2.00 pm	
05-Jun-18	2.00 pm	
30-Jan-18	10.00 am	
14-Feb-18	10.00 am	
27-Feb-18	10.00 am	
13-Mar-18	10.00 am	
17-Apr-18	10.00 am	
01-May-18	10.00 am	
22-May-18	10.00 am	
05-Jun-18	10.00 am	
19-Jun-18	10.00 am	
08-Mar-18	10.00 am	
07-Jun-18	10.00 am	
15-Jan-18	10.15 am	
15-Feb-18	10.00 am	
19-Mar-18	10.15 am	
19-Apr-18	10.00 am	
14-May-18	10.15 am	
07-Jun-18	10.00 am	
26-Jun-18	10.15 am	
19-Jan-18	11.00 am	
16-Feb-18	11.00 am	
23-Mar-18	11.00 am	
20-Apr-18	11.00 am	
25-May-18	11.00 am	
22-Jun-18	11.00 am	
20-Jul-18	11.00 am	
19-Jan-18	10.00 am	
16-Feb-18	10.00 am	
23-Mar-18	10.00 am	
20-Apr-18	10.00 am	

25-May-18	10.00 am
22-Jun-18	10.00 am
20-Jul-18	10.00 am
08-Mar-18	10.00 am
14-Jun-18	10.00 am
26-Feb-18	10.00 am
08-Jan-18	10.00 am
05-Feb-18	10.00 am
05-Mar-18	10.00 am
26-Mar-18	10.00 am
30-Apr-18	10.00 am
04-Jun-18	10.00 am
25-Jun-18	10.00 am
22-Jan-18	10.00 am
19-Feb-18	10.00 am
12-Mar-18	10.00 am
16-Apr-18	10.00 am
21-May-18	10.00 am
18-Jun-18	10.00 am
16-Jul-18	10.00 am
24-Jan-18	10.00 am
13-Jun-18	10.00 am
21-Feb-18	2.00 pm
06-Jun-18	2.00 pm
08-Mar-18	3.30 pm
31-May-18	3.30 pm
09-Feb-18	9.30 am
18-May-18	9.30 am
01-Mar-18	2.00 pm
14-Jun-18	2.00 pm
01-Feb-18	6.30 pm
07-Feb-18	6.30 pm
06-Jun-18	6.30 pm
25-Jan-17	6.30 pm
08-Mar-18	6.30 pm
10-May-18	6.30 pm
20-Feb-18	6.30 pm
17-Apr-18	6.30 pm
19-Jun-18	6.30 pm
10-Jan-18	7.00 pm
07-Mar-18	7.00 pm
30-May-18	6.30 pm
23-Jan-18	4.00 pm
20-Mar-18	4.00 pm
12-Jun-18	4.00 pm

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