

# 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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First published by The Scottish Government, September 2016  
ISBN: 978-1-78652-444-7

E-book in EPUB format first published by The Scottish Government, September 2016  
ISBN: 978-1-78652-445-4 (EPUB)

E-book in MOBI format first published by The Scottish Government, September 2016  
ISBN: 978-1-78652-446-1 (MOBI)

Published by The Scottish Government, September 2016

## 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'. The signature is fluid and cursive, with a long horizontal stroke at the end.

**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](mailto: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](http://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](http://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.

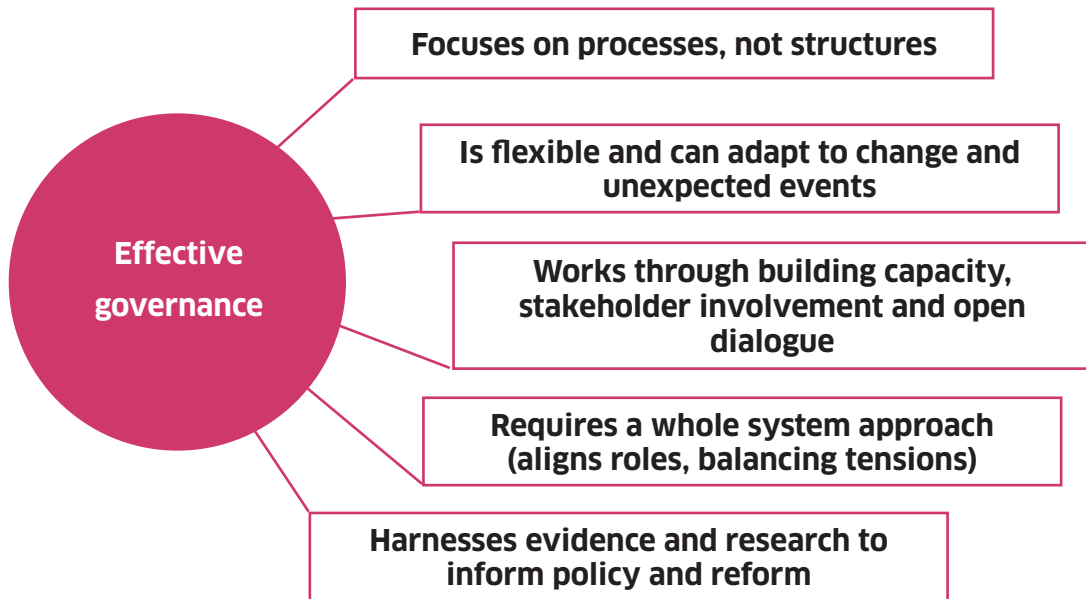
Local authorities have direct responsibility for the provision and quality of early learning and childcare and schools, the employment of educational staff, the provision and financing of most educational services and the implementation of Scottish Government policies in education.

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.

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### Question 1

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

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### 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

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### 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.'<sup>1</sup>

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.

<sup>1</sup> *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.

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### 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.

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### Question 16

How could the accountability arrangements for education be improved?

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### Question 17

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

## 9. Summary of questions

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### Question 1

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

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### Question 2

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

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### Question 3

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

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### Question 4

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### 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.

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### Question 6

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**Question 8**

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

**Question 9**

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**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?

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**Question 16**

How could the accountability arrangements for education be improved?

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**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](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](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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ISBN: 978-1-78652-444-7

ISBN: 978-1-78652-445-4 (EPUB)

ISBN: 978-1-78652-446-1 (MOBI)

This document is available from our website at [www.gov.scot](http://www.gov.scot)

Produced for The Scottish Government by APS Group Scotland  
21 Tennant Street, Edinburgh EH6 5NA  
PPDAS78746 (09/16)

