
Report To:	Education & Communities Committee	Date:	23 January 2024
Report By:	Ruth Binks Corporate Director Education, Communities and Organisational Development	Report No:	EDUCOM/02/24/MR
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Subject:	Education Update Report – Overview of Local and National Initiatives		

1.0 PURPOSE AND SUMMARY

1.1 For Decision For Information/Noting

1.2 The purpose of this report is to ask members of the Education and Communities Committee to note updates relating to the Education Service both in terms of local development as well as national policy development

1.3 The report includes update on:

- Care Inspectorate inspection outcomes
- Education reform update
- Education Bill – consultation response
- ACEL data – publication of national outcomes
- Stretch Aims / Scottish Attainment Challenge
- National Improvement Framework
- Education Act (2016)
- Getting it right for every child
- Scottish Languages Bill
- Teacher numbers update

2.0 RECOMMENDATIONS

2.1 The Education and Communities Committee is asked to:

- note the content of the update report

Ruth Binks
Corporate Director, Education, Communities & Organisational Development

3.0 BACKGROUND AND CONTEXT

3.1 **Care Inspectorate inspection outcomes**

Inverkip Primary School Nursery Class was inspected in November 2023. The full report can be found here: [Find care \(careinspectorate.com\)](https://careinspectorate.com)

The provision was found to be very good in one aspect and good in all others as below:

How good is our care, play and learning?	Good
How good is our setting?	Good
How good is our leadership?	Good
How good is our staff team?	Very Good

3.2 **Play for All after school provision** based at Craigmarloch was inspected in November 2023.

The full report can be found here: [Find care \(careinspectorate.com\)](https://careinspectorate.com)

The provision was found to be very good in one aspect and good in all others as below:

How good is our care, play and learning?	Very Good
How good is our setting?	Very Good
How good is our leadership?	Good
How good is our staff team?	Very Good

3.3 **Independent Review of Qualifications and assessment**

The Scottish Government is considering Professor Hayward's recommendations. Professor Hayward's recommendations, if implemented, would represent very significant change, and must be considered carefully and as part of the broader suite of reform to education and skills.

The Cabinet Secretary for Education & Skills and Scottish Government officials have been engaging with a range of stakeholders to discuss the recommendations. This process included a survey seeking the views of teachers which closed on the 31st of October. Over 2,100 respondents submitted their views. A range of impact assessments have been drafted which will help ensure decisions are taken with an understanding of likely effect. Decisions on the future of qualifications and assessment will not be taken lightly and the Scottish Government will respond in due course.

The Cabinet Secretary Skills made a statement to Parliament on reform on Tuesday the 7th of November. In this statement she reiterated her commitment, subject to parliamentary approval, to return to the chamber to debate the proposals in the new year.

3.4 **Education Reform**

On the 7th of November, the Cabinet Secretary updated Parliament on Education and Skills reform, setting out the Scottish Government's holistic approach to reform. A consultation on legislation on the Education Bill, which runs until December 18th, was also announced. The consultation sets out proposals to establish a new qualifications body, addressing the need for greater involvement of pupils, teachers, and wider stakeholders in decision-making, as well as ways to maximise the positive impact of education inspection.

The Cabinet Secretary has also announced the establishment of a Centre for Teaching Excellence, a priority for improving support to the profession. It will be co-designed with teachers and professional associations, drawing on the wider expertise of local government and national bodies. Scottish Government are engaging with the Council of Deans and the General Teaching Council for Scotland.

Funding for Regional Improvement Collaboratives will also be tapered to instead reprioritise spending on supporting our teachers in classrooms.

A new governance structure for the reform programme has also been announced, and teachers and educators will be directly involved. The ministerial group will provide a forum to hear a range of perspectives and advice and will include local government, experts on inspection, education support, qualifications and teaching. The group will also draw on other experts as required.

A new Education and Skills Reform Chief Executive Forum is also being established, ensuring the leadership of all bodies impacted by reform can engage collectively, and directly with Government, recognising their skills and expertise in their respective areas. These mechanisms will help ensure we deliver systematic cultural change which secures improved outcomes for young people and adult learners, and better support professionals delivering excellent learning and teaching.

Reform will be further supported by regular engagement with people from across education and skills to ensure that a wide range of views on reform are routinely gathered to embed challenge and objectivity.

It is also planned that Mr Dey will return to parliament before the end of the year to provide an update on the Government's response to the Withers review. The Cabinet Secretary will return to Parliament early next year to debate the Hayward proposals.

3.5 **Education Bill – consultation response**

In relation to the above consultation the Education Service drafted a response in consultation with Heads of Establishment – see Appendix 1.

Given the deadline for the consultation being the 18th of December 2023, i.e. in between the November and January Education committee meetings, Emergency Powers in terms of the Council's Scheme of Delegation (Officers) were sought to approve the submission of the Education Service's response to the Scottish Government's Consultation.

Authorisation was received from Councillors McCabe (in the absence of Councillor Clocherty), Brennan and Robertson, the Chief Financial Officer, Head of Legal, Democratic, Digital & Customer Services and the Chief Executive, agreeing to the action proposed in the report (attached) regarding the use of delegated powers to submit the Education Services response to the Education Bill.

3.6 **Achievement of Curriculum for Excellence (CfE) levels: 2022/23**

The annual publication of the national Achievement of Curriculum for Excellence (CfE) levels: 2022/23 took place on the 12th of December 2023. This data provides information on national performance in literacy and numeracy, based on all pupils in publicly funded Primary 1, Primary 4, Primary 7 and Secondary 3 classes, and for all pupils based in special schools/units.

The full results can be found here:

[Achievement of Curriculum for Excellence \(CfE\) levels: 2022/23 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/cfe-2022-23/)

3.7 **Scottish Attainment Challenge - Local stretch Aims: 2023/24 to 2025/26**

A summary of local authority stretch aims for raising attainment and closing the poverty related attainment gap 2023/24 - 2025/26 have been published here:

[Scottish Attainment Challenge - Local stretch Aims: 2023/24 to 2025/26 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/scottish-attainment-challenge-local-stretch-aims-2023-24-to-2025-26/)

3.8 **Statutory review of the National Improvement Framework**

The Scottish Government has a statutory duty under the Education (Scotland) Act 2016 to review the NIF and publish a plan on an annual basis. An important part of the review is providing education authorities, teachers, pupils, and parents/carers with the opportunity to express their views.

Some of the issues that stakeholders might like to consider are:

- What more can be done to provide challenge where improvement activity is not having the desired impact, and to support meaningful improvement at all levels?
- How can we make better use of the Insight tool to support the learner journey and ensure that we are using the best data to drive improvement?
- Is there more we can do to secure greater visibility of the NIF drivers in local and regional improvement planning, to help to ensure a national line of sight on local ambitions and practices?
- What additional improvement activity should be included in the 2024 NIF and Improvement Plan?

This is not an exhaustive list of questions, and if there is anything that stakeholders think the NIF team need to consider as part of the review please let them know. Please send comments to nationalimprovementframework@gov.scot

3.9 **Education (Scotland) Act 2016 - Statutory Guidance Working Group**

A working group has been established to consider proposals to revise the Education (Scotland) Act 2016 statutory guidance in light of changes to the NIF vision, priorities and drivers of improvement, as well as the refreshed Scottish Attainment Challenge framework. The group includes membership from ADES, COSLA, Professional Associations, SOLACE, National Parent Forum Scotland, and Education Scotland. It met again on 20 November and will continue to meet to discuss revisions around statutory guidance throughout the duration of this year, with the aim of updating the guidance for 2024.

3.10 **Getting it right for every child**

The GIRFEC child's plan practice statement was published 25 October to clarify the roles and responsibilities of practitioners supporting children and young people, and their families, through the child's plan. Following the GIRFEC Learning Network introductory meeting in September, the network met on 16 November to discuss the recent publication of the GIRFEC child's plan practice statement and to explore examples of locally developed GIRFEC resources.

The network provides an opportunity for local authority and Health Board GIRFEC leads to share examples of good practice and discuss common challenges with GIRFEC implementation, and will next meet in early 2024. Details of a consultation on a proposed Care Leaver Payment were sent to elected officials and local authority officers on 3 November. The consultation will close on 26 January 2024. A draft response from the Education Service led by the Virtual School will be drafted and shared with conveners.

3.11 **Scottish Languages Bill**

The **Scottish Languages Bill** has been introduced in the Scottish Parliament and published at the start of December.

The introduction of the Bill delivers on the Programme for Government commitment to introduce a Bill in this parliamentary term to provide legal recognition for Gaelic and Scots, strengthen

requirements for provision of Gaelic medium education, introduce measures to provide further protection for Gaelic within communities, and introduce provision to strengthen support for Scots.

You can access the full news release here - [Enshrining Gaelic and Scots in Scotland's future - gov.scot \(www.gov.scot\)](https://www.gov.scot)

You can access the Bill and supporting documents via the Scottish Parliament website - <https://www.parliament.scot/bills-and-laws/bills/scottish-languages-bill>

3.12 **Teacher numbers update**

Further to reports to Committee relating to the need to maintain teacher numbers in the 2023 census in comparison to the 2022 census, the Council received communication in December 2023 from the Scottish Government relating to the final position for Inverclyde i.e. that there is a 9 FTE teacher less difference between the 2023 census and 2022.

The service was asked to respond to the letter with any mitigations as to why this difference existed. A response was shared by the 19th of December 2023 and at this stage we await feedback. The key factors shared with the Scottish Government are the ongoing tapering down of the Scottish Attainment Challenge funding the authority receives year on year and the spending of the 1140 / Early Years budget which it was agreed we could keep within an EMR and fund projects agreed to by the Scottish Government.

If the mitigations are not accepted this could mean that 9FTE worth of funding will be withheld from the Council in the next budget settlement.

4.0 PROPOSALS

4.1 N/A.

5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

5.2 Finance

N/A.

Annual recurring costs (savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments

5.3 Legal/Risk

N/A.

5.4 Human Resources

N/A.

5.5 Strategic

N/A.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
N	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
N	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

(c) Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
N	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 Environmental/Sustainability

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
N	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.8 Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
N	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 N/A.

7.0 BACKGROUND PAPERS

7.1 N/A.

Education Bill consultation response – Inverclyde Education Service

Question 1: What changes should we consider in terms of how qualifications are developed and delivered that you think would improve outcomes for Scotland's pupils and students?

There is currently a large range of qualifications available in the existing portfolio. Staff find this complex and are not all aware of what is available and what they can deliver from the portfolio. Going forward, any framework for qualifications needs to be simplified so staff are clearer on what could be delivered. This should sit within the current SCQF in order to use an established and recognised framework and use of language, building on the emerging success of this model.

Staff should be able to easily build a course that meets the needs of learners' pathways, both in terms of content and method of assessment, which should provide a degree of flexibility. The result of which should provide access to further study or employment which is recognised and accepted by employers, training providers, Further and Higher Education Institutes. It is essential that these organisations are fully onboard with the changes required to qualifications and do not place unnecessary barriers in place to dictate the direction of travel. To this extent there should be more collaboration with industry in terms of development and make use of Local Market Intelligence (LMI) information to ensure that resources are directed appropriately, and that assessment is fit for purpose and measures both knowledge and skills in a meaningful way which all stakeholders (including employers) understand.

Consistency is required across all qualification departments within the qualification body to ensure that all courses/subject areas have the same flexibility and opportunity eg in flexibility of assessment or use of industry work placement. A subject area should not have the ability to restrict an assessment method that is possible in another area. A more consistent framework should bring into alignment SCQF levels and BGE levels as well as ensuring that all CfE levels, broader qualifications and SQA qualifications are benchmarked against the same consistent and progressive framework.

Use of technology to support delivery and assessment needs to be built into any changes from the start. These need to be consistent across Scotland, so all young people have the same access and opportunity and also the ability to move seamlessly should they relocate.

Question 2: How best can we ensure that the views of our teaching professionals are taken into account appropriately within the new qualifications body, and do these proposals enable this?

There has already been a significant amount of consultation led through numerous reviews e.g. Muir and Hayward being the most significant; the recommendations for change are already clear from these reviews and need to be acted on. There needs to be an understanding that our school staff are heavily engaged with teaching students in front of them and have limited time to engage with further consultation, especially when these are not planned well in advance.

Any future consultation should be led by an independent party to seek views. For example, SQA are currently conducting visits to establishments by senior SQA staff to seek views on the future qualification body. This should be led by a more independent body or organisation. Consultation with establishments or groups of staff within Local Authorities would be

welcomed, which are led by staff solely focused on the consultation and reform. Too often establishment and Local Authority staff are being asked to lead sessions with their staff to collect views and they do not necessarily have the knowledge or capacity to effectively lead this type of consultation.

The proposal for one teacher to be on the board does not appear to be the best way of representing the views of thousands of teachers across Scotland. It may be more appropriate to establish local area boards who can then feed a chair from each defined area to appear at the board to represent the views of the teaching profession to increase representation proportionately.

Question 3: How best can we ensure that the views of pupils, students and other learners are appropriately represented within the new qualifications body, and do these proposals enable this?

Pupils, students and other learners were encouraged to participate in the previous consultations which influenced the recommendations from the various review reports. Should further engagement be needed to provide, then as in Q2, this should be led by an independent group who are focused on the consultation and reform agenda who can lead these discussions.

Scotland has an elected Youth Parliament and this would seem to be a good mechanism in seeking views and involving young people in decision making around the new qualification body going forward.

However, we must ensure that the widest possible demographic of learner is being represented and listened to, including those who are currently in the education system as well as those who have recently moved on to employment, to gauge what worked and more importantly what could have been improved for them. Supported input from pupils with complex ASN and or SEBN would also be essential. Planned and coordinated 'Education Reform consultation days' could be considered with appropriate preparation and stimulus materials produced by central government for schools to enable high quality and informed discussion.

Question 4: How can we ensure qualifications being offered in Scotland are reliable, of a high standard and fit for purpose?

Listening to the voice of industry and their requirements for the workforce of the future would be essential to ensure that the courses young people are studying are relevant to the needs of the labour market. This can be achieved by allowing establishments to build courses in partnership with local employers and Further and Higher Education Institutes that build a qualification that meets the local and national needs at the time and provides appropriate progression.

Existing models, where subject/course areas meet with FE/HE/Industry representatives along with teaching staff who currently deliver these qualifications will allow discussion on practices and the future of the qualification framework for these areas. Within this work with universities is also crucial. Some schools are finding that traditional university entry requirements act as a barrier to progress in terms of their school-based curriculum and the range of learner pathways and qualifications they are able to provide.

With an increase in flexibility of assessment methods, which may not as easily lend themselves to traditional quality assurance methods currently in place, mean that local and regional models of QA will need to be developed that allow ongoing QA to take place on an

ongoing basis. This will mean additional time will need to be built into staff working time arrangements to allow this. This would mean visits away from school to see the practice in person which needs to be carefully managed and planned and will have an impact on school capacity on the current class contact time requirements.

There should be range of assessment approaches with internal assessment of skills development and opportunities to “resit” exams at a later stage instead of repeating a full year of study.

Question 5: How do you think the qualifications body can best work with others across the education and skills system to deliver better outcomes for all?

It is essential that recommendations from the Withers report are also factored into Reform – this report is not expressly mentioned in the consultation prompts. This report identifies the need for roles to be clarified and responsibilities for the skills system to be driven by local and national need, rather than be fragmented by being delivered by multiple organisations. Having a clear vision and direction locally and nationally for what is needed will help direct the new qualification body and its priorities which need to deliver for both local and national priorities.

As in question 1 there needs to be greater clarity and consistency in the framework for qualifications to resist too much emphasis on indicators measuring quantity rather than quality of qualifications, resulting in the credibility of some achievements being questioned by Higher Education, employers and parents; party of esteem is critical. There is a need to move away from use of ‘SQA A-C passes towards using ‘All SCQF’ measures.

Question 6: Do you agree or disagree with the purposes set out? Is there anything in addition you would like to see included?

We have no significant disagreement with the overarching principles as laid out.

One of the key purposes of inspection should be to build capacity to improve across the system and at the current time it isn’t clear how well the inspection process alone does this e.g. how well do we really share the good practice seen on inspection and how well are the current approaches to this having any impact? To this end it would be helpful to clarify what is meant by “support services to improve and inform the development of education policy”.

Question 7: Do you agree or disagree with the range of establishments to be inspected by HM Inspectors of Education? Is there anything you would change?

Overall, we would agree with the range of establishments as listed in the question.

There remains a difference of approach with nursery schools / ELC where there can be two forms of inspection. Where the Care Inspectorate can direct HMI to undertake an inspection it would be useful to revisit the purposes of such requests. The consultation on a joint framework between CI and ES will go some way to address this.

It would also be useful at this time to examine why it is proposed that Gaelic Medium Education (GME) provision be kept separate from the first bullet point (“Primary and secondary schools (this includes public, grant-aided, and independent schools, and both mainstream and special or Additional Support Needs services, with or without residential provision)” as it is suggested that there are a number of groups of “vulnerable” learners that could be taken into consideration.

Question 8: Do you have any specific comments on the role of the inspectorate of education in the inspection of publicly funded colleges, initial teacher education, early learning and childcare and / or modern apprenticeships?

There is a view that these should be included in the list. There is a need for ITE to be significant review prior to inspections being addressed as there is a clear disconnect in the system between ITE and current practice in school. This would seem even more essential given the recent announcement about a Centre of Teaching Excellence.

Question 9: Do you agree or disagree with the priorities set out? Is there anything in addition that you would like to see inspection cover?

We would agree with the priorities as outlined.

For **Priority 1**, it would be useful to explore in more detail what “confidence” looks like for the stakeholders listed which could, in turn, provide more clarity around the purposes of inspection.

There is a need to instil further confidence in the inspection process by ensuring a greater level of consistency of approach.

Allowing education officers within central teams to be part of the inspection process in the same way as they were during the recovery visits prior to full inspection being resumed, would possibly support this. This approach gave a much greater sense of collaboration and clarity around judgements / evaluations and the process. As well as this it would be helpful to review the criteria for who can be an Associate Assessor i.e. not just serving HTs. This isn't clear and currently seems to preclude central Education Officers from being part of this process. Allowing officers at the very least to join Associate Assessor training would go some way towards this openness and transparency.

Reintroducing the role of the Area Lead Officer (ALO) would also rebuild trusting and collaborative relationships with the new body as this is sorely missed since being removed.

This role could then be developed to support some form of validation or review of LA systems to quality assuring school performance alongside inspection sampling.

Priority 2: it is agreed that we should seek to further involve teachers in the inspection processes. Children and young people should also have their voices heard, although it should be recognised that an inspection captures a snapshot in time, including the views and opinions of any learners involved in the process.

Priority 3: we suggest that the third function (“(b) drive improvement and build capacity”) is moved to the start of this list as we believe that this function has the greatest capacity to support the teaching profession and in turn, drive forward more improved outcomes for all learners.

Given the timescales between inspections it is clear that more time and thought needs to be given into not only the immediate impact the process as on the improvement journey of the school but what else happens in the intervening approx. 12 – 15 years between inspections. Given this, much more emphasis needs to be given to how the new bodies will support and evolve a truly informed collaborative improvement system over time and, within this, review how well we identify and share highly effective practice.

Question 10: Do you have a view on these options for establishing the new approach to inspection?

whatever the inspection model is, the framework for inspection needs to be looked at i.e. HGIOS 5. Whilst much remains relevant, there perhaps needs to be a revised version to better articulate and exemplify what the inspectorate has learned about what “very good” looks like and take into account the contextual changes that schools are now facing since HGIOS 4 was published. Training from HMIE reveals a great deal around expectations not articulated in HGIOS.

If there are two organisations working in the areas of inspection and education improvement, there needs to be certainty among key stakeholders that there is a shared purpose and shared set of priorities.

Question 11: Do you have a view on how governance arrangements for the inspectorate could be developed to better involve providers, including teachers and other practitioners, pupils and students and parents / carers in inspection?

Overall, there should be processes created to make it easier for stakeholder involvement and that these should be fair and transparent. In addition, it may be useful to consider how wider partners of educational establishments can also be involved or represented (such as business links, employers, community groups).

As stated above closer working with local authorities on inspection would ensure a more consistent and shared understanding of standards and remove some of the variability and unpredictability around the inspection process for schools. Currently other than attending the initial school presentation and being in attendance for the feedback the local authority is not part of the process.

Question 12: Do you have a view on how we make sure evidence from inspections is being used as fully as possible to drive improvement and inform policy and on who the inspectorate should report to?

We fully endorse the approach where evidence taken from inspections should drive improvement. How this is done needs careful consideration. Despite various mechanisms that currently exist e.g. the national improvement hub, how much this is actually being used and impacting on schools and at classroom level is not clear.