

AHDS Consultation Response: “Empowering Schools: A consultation on the provisions of the Education (Scotland) Bill”

Consultation document: <https://consult.gov.scot/learning-directorate/education-scotland-bill/>

Section 1: Headteachers’ Charter

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?

This empowerment of school leaders is welcome but it is important to note that all HTs are at a different point in their own development and capacity to effectively discharge this enhanced role. This must be taken into account.

Member comment: “As a new headteacher this is simply terrifying- feels like a threat...”

This would be well supported by absolute clarity about the respective roles of local authorities as employers, regional collaboratives as support partners and Education Scotland as a support and scrutiny body. It will also be important to provide clarity and consistency about expectations applied by partners (including Scottish Government) and how the role of ‘lead decision maker’ for school leaders will be maintained.

We would like to see equity across Scotland and across sectors in terms of school leadership teams. This means quality Business Management Support and increased management capacity in schools.

Member comment: “Consideration is required how these duties are interpreted? If extra responsibilities then what can be let go of instead? There are only 24 hours in a day. Ultimately increased workload filters down onto the rest of the management team so who is designating clarity of their roles and remits?”

It will also be crucial to ensure that schools are not compromised by staffing shortages and that available staff are highly trained in key curricular areas such as languages and STEM as well as literacy and numeracy.

Member comments: “I would be concerned about the reality of this in action. At the present moment, it is most challenging to lead the learning and teaching. I can't see how things will change so dramatically that it will have a positive impact. Management Time would need to be enhanced or at the very least, further protected. As an individual who prioritise the teaching and learning in the classroom or department as a leader, I have had less impact and this is to do with covering classes, managing bureaucracy and carry out the tasks that no one else will do because it is not their job.”

“Staffing is key. Not enough teachers. Workforce need to be highly trained, worried that if we go down the model of training on job we will lose this aspect. Already concerned by the quality of teachers coming through ITE- not well trained in key numeracy and literacy skills, not being able to understand the job, not able to plan appropriately, understand curriculum and need a lot of support in schools.”

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?

We very much welcome this. School improvement planning must be recognised as the driving force for Head Teachers to deliver and enable improvement in schools.

For HTs to deliver significant and continued improvement in schools they must be allowed to identify the development needs of their school and take action to address these.

This step would ensure that external or top-down initiatives do not dominate the school's development agenda and allow context specific plans with ownership by the school community to shape school improvement.

A school development plan can only be relevant and meaningful if staff, pupils and parents have a shared vision which resists incorporating external initiatives not relevant to the development needs of the school. Rather, schools should strategically plan to positively impact on children's learning, build on achievements of the past, and increase their capacity for improvement and vision for the future. To be valuable and effective, plans must give a strategic view of how things are, of the shared values and beliefs arising from teachers' thinking and must be based on reflective and evaluative assessment of pupil needs.

For schools to prepare and act on development plans which identify key areas for improvement the following conditions must exist:

- A sense of ownership for pupils, parents and staff
- System support for setting of (and adhering to) school based plans for improvement.
- Development planning and budget planning cycles should correlate to enable strategic planning e.g. over a 3-year budget/planning period
- In addition, the financial year for schools should run from August to July rather than April to March
- There should be greater freedom for Headteachers to apply resources as necessary to deliver agreed plans
- The Local Authority should do all within its power to prevent school budgets being clawed back to pay for over spends in areas such as energy and water costs as this ultimately has a detrimental impact on the pupils' learning
- Recognition from Education Scotland and Scottish Government that national initiatives and priorities do not necessarily take precedence over agreed priorities for development in individual establishments.

To provide clarity about planning cycles – and links between school, local, regional and national plans – a clear programme of planning should be established.

Question 3. The Charter will set out the primacy of the school improvement plan. What are the advantages and disadvantages of this approach?

See answer to question 2.

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?

There are only advantages to be had to more consistent involvement of HTs in the design of recruitment processes. This will contribute to ensuring that the processes are appropriate, timely, responsive and supportive. Clearly not all HTs in an area will be able to be involved in these discussions so it will be important to engage HT representatives. This must not default only to engagement via LNCTs, it should be with representatives of the HT group specifically.

The consultation specifically sets out that schools will continue to have a duty to accept students and probationers and that HTs will not be invited to select these staff. AHDS entirely agrees that schools have a duty to help prepare the next cohort of teachers but members are clear that they would like to receive more information about the developing teachers who are coming into their schools. This will allow schools to place these individuals appropriately and to better support the next steps for each student/probationer received.

b. What are the advantages and disadvantages of headteachers' ability to choose their teams and decide on the promoted post structure within their schools?

School leaders are unanimous in their desire to ensure that the staff recruited to their schools are the best fit for the school and pupils. This may be to complement existing skillsets or fill gaps created by the departure of other staff. There is a potential additional workload created by managing recruitment to posts and, for example, considering large numbers of application forms. Members are clear that they would rather have that workload to ensure that the school has the most appropriate mix of staff and abilities.

It will be important to ensure that additional resources are available to augment primary school management teams, so that they are more in line with provision in the secondary sector, to allow school leaders to make the most of this agenda.

Member comment: "The potential administrative burdens should not be underestimated. The workload of HT should not be increased."

"Schools with business managers - this is hugely supportive to facilitate smooth management of schools and allow delegation of elements of finance, health and safety and recruitment process."

Disadvantages seem to be restricted to the potential administrative burdens which could be created which is why it is imperative that school leaders are involved in the overall design of recruitment processes. Again, this highlights the need for effective deployment of school business managers. Headteachers do not want this added to their workload.

Another issue which has been the subject of considerable comment during the consultation period has been the handling of surplus staff. AHDS recognises that individual schools are part of a wider system and that they need to accept the movement of staff due to changing rolls, etc. We would like to see a position where staff who would formerly have been subject to compulsory transfer would form a pool from which school leaders could select to ensure the best fit for the school and teacher.

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?

Yes.

There should be clarity about the overall funding available to schools and what additional supports will be available from local authorities or other agencies in addition to that. Schools should then be able to allocate their resources as appropriate to best pursue the delivery of their collaboratively agreed school improvement plan.

Question 6. How could local authorities increase transparency and best involve headteachers and school communities in education spending decisions?

This is difficult while local authorities are given a block grant rather than ring-fenced funding for education. We would like to see a clear line of sight between national funding decisions and eventual resources available to schools with a rationale for any retention of funds at any system level above school level.

While not directly related to this question it is in this section of the consultation (page 15) that it is recognised that there will be a need to revisit school leader rewards. We very much support that intention as there is already a serious problem recruiting school leaders in most parts of Scotland. Recognising that this is an issue which would need to be taken forward though the SNCT, we suggest that that discussion should be undertaken by a special formulation of the SNCT based on HT membership to construct the Teachers' Side.

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?

Members are clear in their endorsement of Mr Swinney's promise **not** to make them 'leaders of bureaucracy'. While they do not want to become expert in the 'business' side of schools (finance, admin, legal, etc) they would like enough training so that they understand and can effectively engage in discussion with and oversight of school business managers. For school leaders to be truly freed up to lead learning it is imperative that they have access to high quality business manager type support.

This question relates specifically to professional learning for HTs but the changes proposed in the consultation would also have a considerable impact on the roles and responsibilities of other members of the school management team. Professional learning opportunities for DHTs and PTs (irrespective of whether they aspire to headship) will also need to be enhanced.

Section 2: Parental and Community Engagement

Question 8. Are the broad areas for reform to the Scottish Schools (Parental Involvement) Act 2006 correct?

AHDS entirely supports efforts to enhance parental engagement and involvement in learning however almost all HTs work tirelessly to involve parents and making it a duty will not in itself increase engagement.

A right and duty to engage with the Parent Forum being replaced with a duty to collaborate with parents does not give us any cause for concern – though the definition of that collaboration and the issues on which it will be required is crucially important.

We are concerned that the requirements set out around the development of parental involvement strategies could lead to unnecessary and bureaucratic paperwork when what is being sought is engagement and discussion.

Question 9. How should the Scottish Schools (Parental Involvement) Act 2006 be enhanced to ensure meaningful consultation by headteachers with parents on substantive matters of school policy, improvement planning and curricula design?

Please refer to our response to Q8.

Question 10. Should the duties and powers in relation to parental involvement apply to publicly funded early learning and childcare settings?

Please refer to our response to Q8.

Section 3: Pupil Participation

Question 11. Should the Bill include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3? Should this be included in the Headteachers' Charter?

The involvement of children and young people in decision making activities in schools has been greatly developed over a number of years with pupil voice being high on the agenda. AHDS does not believe that it is necessary to enshrine pupil participation in the Education Bill except perhaps as part of expressing a general duty as set out in question 12. Also, we feel that any pressure to further pupil participation needs to have regard to the capacity of the pupils in any setting rather than make broad brush comments such as compelling HTs to promote pupil participation in relation to “decision making relating to the life and work of the school (such as school policies, school improvement activity)...”

Consultation on school policies must relate only to those policies on which it is appropriate/reasonable for pupils to engage and where their views can be properly taken into account otherwise this would be box-ticking exercise which would risk compromising genuine pupil engagement.

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...?

We support this proposal as it is in line with the determination that schools have more autonomy to arrange their offering in the interests of its client group.

Section 4: Regional Collaboratives

Question 13. Should the Bill include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative?

Yes, provided the role of Regional Improvement Collaboratives (and local authorities) is clearly set out. Please see our response to question 1.

Question 14. Should the Bill require each Regional Improvement Collaborative to maintain and to publish annually its Regional Improvement Plan?

No.

It is entirely appropriate that there is a Regional Improvement Collaborative plan which is developed in response to the school improvement plans in that region – i.e. the supports it will put in place to assist schools with the delivery of their locally identified school improvement plans. However, this must not dictate the agenda for school level plans.

It seems more appropriate that this plan is developed/reviewed every three years.

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?

Every three years seems more appropriate.

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?

Every three years seems more appropriate. In common with the other questions in relation to the frequency of planning/reporting, it is important that time is allowed to understand, explore, implement, adapt and evaluate change. Annual planning and reporting cycles do not give enough time for this to be as valuable as it should be.

Section 5: Education Workforce Council

Question 17. Are the proposed purpose and aims of the Education Workforce Council for Scotland appropriate?

While we understand the objective of ensuring appropriate standards are in place for the education workforce we are not convinced that the answer to delivering this is to create an Education Workforce Council as envisaged. Further, we expect that the costs of establishing such a Council would be considerable and suggest that such expenditure could be put to better use supporting schools directly.

There is a continued need, as part of ensuring sufficient recruitment into teaching, to enhance the perception of the profession. The GTCS is well placed to do that by providing a distinct voice and representation as the guardian of professional standards for teachers. Absorbing the teaching profession into a wider Education Workforce Council would risk compromising that.

Further, the different roles described for possible inclusion in the remit of the Education Workforce Council are very diverse and have different meaning in different parts of the country. There would need to be considerable work put in to defining each role and the associated professional standards. These standards would need to be different between the separate groups of workers and as such there would be little economy to be gained by grouping these together in a new body.

In short, we believe that the GTCS is an effective organisation for promoting and assuring the teaching profession. These proposed changes risk compromising that without presenting a compelling rationale for this change.

Instead we would support the creation of professional standards for the groups set out, alongside systems to assure these. These would sit with bodies other than the GTCS though we would envisage close collaboration where appropriate. In developing these new standards it would be important not to restrict the role flexibility which currently exists to ensure that staff working in schools are the best fit for that school's particular needs. It would also be important to ensure that the development of systems avoided the creation of cumbersome or bureaucratic requirements which added to the administrative workload of school leaders without adding to pupil learning.

Question 18. What other purpose and aims might you suggest for the proposed Education Workforce Council for Scotland?

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?

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?

Question 23. Which principles should be used in the design of the governance arrangements for the proposed Education Workforce Council for Scotland?

Question 24. By what name should the proposed Education Workforce Council for Scotland be known?

See response to Q17