

Analysis of responses to Empowering Schools

A consultation on the Provisions of the Education (Scotland) Bill

Why Research

April 2018



Scottish Government
Riaghaltas na h-Alba
gov.scot

Analysis of responses to Empowering Schools: A consultation on the Provisions of the Education (Scotland) Bill

Why Research, February 2018

Acknowledgments

Thanks to the individuals and organisations who responded to the consultation and to all at the Scottish Government who provided input and offered advice as required.

Contents

.....	
Executive Summary	1
Respondent Profile	1
Overall Views	1
Main Findings	2
Headteachers' Charter.....	2
Parental and community engagement.....	3
Pupil participation	4
Regional Improvement Collaboratives.....	4
An Education Workforce Council for Scotland (EWCS)	5
Introduction	6
Respondent Profile	6
Methodology	7
Headteachers' Charter	9
Introduction	9
Overall Themes relating to the Headteachers' Charter	10
Curriculum for Excellence.....	10
Improvement.....	12
Advantages.....	13
Disadvantages.....	14
Other issues.....	14
Staffing.....	15
a. Headteacher input into recruitment exercises and processes.....	15
b. Headteachers' ability to choose their teams and decide on the promoted post structure within their schools.....	17
Funding.....	19
Supporting Empowered Headteachers.....	22
Parental and community engagement.....	24
Pupil participation	30
Regional Improvement Collaboratives	34
An Education Workforce Council for Scotland	43
Proposed functions	46
Registration.....	48
Governance	50
Name	51

APPENDIX 1: Respondent Organisations 53
APPENDIX 2: Question 24: Possible names for EWCS 62
APPENDIX 3: Glossary of Terms 65

Executive Summary

In December 2015 the Organisation for Economic Co-operation and Development (OECD) published its report *'Improving Schools in Scotland: An OECD Perspective'*. In September 2017, building on advice from the OECD and the International Council of Education Advisers, responses to [Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education – A Governance Review](#) and the commitments set out in the [Education Governance: Next Steps](#) paper, the First Minister committed to a new Education Bill to deliver a number of reforms. The primary focus of this Bill is to create a school- and teacher-led education system that will empower schools, school leaders, parents, pupils and communities.

The consultation paper 'Empowering Schools: A consultation on the Provisions of the Education (Scotland) Bill' was launched in order to obtain views on these proposals. The Consultation opened on 7 November 2017 and closed on 30 January 2018.

Respondent Profile

There were 674 replies to the consultation: 307 organisations, from across a range of sub-groups, along with 367 individuals, submitted a response. There were also responses to one campaign, which attracted 196 submissions of their standard text.

Overall Views

A wide range of views were presented in response to the consultation paper, although it should be borne in mind that these views do not represent those of the general population but reflect the views of those who submitted a response. Any figures quoted cannot be extrapolated to a wider population outwith the respondent sample.

Throughout the responses, a wide range of differing opinions were cited, with no clear consensus on many of the proposals presented in the consultation paper. In general, small or very small proportions of respondents made specific comments to open questions, usually at a level of 10% or less. It is possible to ascertain where the weight of balance lies in responses to closed questions, although significant proportions of respondents (usually around half) did not offer an opinion.

In general, there was support for the principles behind the Education (Scotland) Bill although there was less support for legislation to enshrine these principles. Small proportions of respondents either acknowledged support for, or the importance of, various elements of the Bill, although similar proportions also noted their opposition to different elements of the Bill. Some respondents noted that various elements of the Bill already take place and queried the need for legislation; for example, around pupil participation, parental and community engagement or headteachers making decisions on how funding allocated to their schools for the delivery of school education is spent.

A number of key themes emerged across consultation responses.

Collaboration was recognised by respondents as being important at all levels of the education system. Responses identified a clear desire to protect and enhance the teaching profession and to preserve a significant and meaningful role for local authorities in the provision of education. Respondents noted a desire for clarity over the roles and responsibilities of the Regional Improvement Collaboratives and local authorities. Throughout responses, respondents also requested further detail and clarity on many aspects of what was being proposed. The need for adequate levels of funding, resources, support, guidance, training and sharing of good practice was also highlighted. Respondents also commented on the need for transparency, accountability and oversight in decision-making.

Some respondents raised general issues in relation to the current education landscape in Scotland, focusing primarily on the current shortage of teachers and headteachers, attainment levels and reduced levels of funding.

Main Findings

The following paragraphs outline the main findings from each of the five consultation sections.

Headteachers' Charter

While there was support for various elements of the Headteachers' Charter, a number of respondents noted that these elements are already underway in schools, with some suggestions that there is no need to enshrine this in legislation. For example, respondents noted that headteachers are already empowered as the leaders of learning and teaching and as the lead decision-maker in their school.

A significant minority of respondents identified the need for, and importance of, collaboration across a wide range of different audiences including school staff, the school community, parents and the wider community. However, there were some comments that it could be challenging to ensure that a wide range of parents and individuals from the wider community are effectively involved in school planning. There were also references to the need for collegiate working between headteachers and their staff.

A significant minority of respondents also noted a need for consistency so that all schools are teaching to the same level and offering consistency in curricular design as well as being fully inclusive. There were some concerns that the Headteachers' Charter could introduce inconsistencies across Scotland, with some headteachers focusing on specific subjects at the expense of others.

Small proportions of respondents had a desire for local authorities to maintain their current role as providers of support and advice to headteachers. Additionally, a small proportion of respondents queried whether local authorities will continue to deliver their statutory duties, for example, in terms of Getting it Right for Every Child (GIRFEC) or Additional Support Needs (ASN); as well as in relation to central services such as estate management, IT infrastructure and other areas of procurement where economies of scale can be achieved. Allied to this, there was also reference to the potential for tension between the Regional Improvement

Collaboratives (RICs) and local authorities in discharging responsibilities. Some respondents also felt that regional priorities could not cater for local needs.

While there was general support for the concept of headteacher empowerment, and some advantages of headteachers having increased freedom in relation to staffing decisions and school funding, there was some concern expressed that the introduction of the Headteachers' Charter could increase headteachers' workloads and lessen their focus on their core role of leading learning and teaching. Furthermore, there were concerns that headteachers lack the necessary skills or expertise to undertake some of the envisaged roles of the Headteachers' Charter, particularly in relation to business management and staff recruitment.

A small proportion of responses sought clarity as to the impact of the proposals on the Scottish Negotiating Committee for Teachers (SNCT) and Local Negotiating Committee for Teachers (LNCT) arrangements. Related to this, some responses also questioned the impact of the Headteachers' Charter on current processes for the redeployment of teachers.

In relation to staffing specifically, concerns were raised that headteacher bias could affect recruitment processes. Consultation responses also discussed the current challenges of attracting and retaining high calibre staff, particularly in rural areas and / or small schools.

Of those who responded to the question on funding, there was much greater support for headteachers to be able to decide how the funding allocated to their schools for the delivery of school education is spent, than not.

Parental and community engagement

A higher proportion of respondents considered the broad areas for reform to the Scottish Schools (Parental Involvement) Act 2006 were correct, than did not. While there was support across all respondent groups, the highest level of support came from parent councils / fora. However, as with views on the Headteachers' Charter, while there was support for the principles behind parental involvement, there was less support for legislation to enshrine this, possibly in part because some respondents noted that schools already involve parents in decisions. Some respondents felt that no change is necessary. While there was support for parental involvement and acknowledgement of the need to involve a wider range of parents, there were concerns of the difficulties in ensuring that a wide range of parents are involved.

There was some support for meaningful consultation by headteachers with parents on substantive matters of school policy, improvement planning and curricula design, although some respondents again noted that this already takes place. Respondents noted the need for a range of different communication channels, strategies and support for engaging parents and to ensure that parental engagement is fully inclusive.

Greater proportions of respondents agreed that the duties and powers in relation to parental involvement should apply to publicly funded early learning and childcare

settings than disagreed. The key reason for this was that there should be consistency and parity across all levels of the curriculum.

The proposals in relation to parental and community engagement received support across all respondent sub-groups, although highest levels of support were from parent councils / fora, schools and, to a lesser extent, individuals.

Pupil participation

There was majority support, across all respondent types, for the Bill to include a requirement that all schools in Scotland pursue the principles of pupil participation. There was also support for pupil participation to be included in the Headteachers' Charter, although to a slightly lesser degree.

A significant minority of respondents noted the importance of pupil participation, and some noted this already happens. As with parental and community engagement, there were comments on the importance of ensuring that pupil participation is fully inclusive and meaningful.

A significant minority of respondents were supportive of a general duty as this allows for flexibility to suit circumstances or to try innovative approaches. There was less support for specific duties as these were perceived by some to be too prescriptive.

Regional Improvement Collaboratives

More respondents agreed than disagreed that the Bill should include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative (RIC). There were some comments that the Bill should not include provisions requiring each local authority to collaborate with partner councils (as this is already done) and for no change to local authorities' statutory responsibilities in this respect.

Small proportions of respondents queried the geographical coverage of the RICs and their broad range of different settings; as well as their ability to deliver the required services across their area. There was a perception from a very small number of respondents that the establishment of the RICs is a move toward centralisation and is at odds with the concept of local collaboration and accountability. There were also some concerns over the potential for RICs to create an additional layer of bureaucracy and increased administration.

A higher proportion of respondents agreed than disagreed that the Bill should require each RIC to maintain and publish annually its Regional Improvement Plan. A key positive was that this allows for transparency and clarity. There were also a small proportion of requests for improvements to be driven by local plans and for priorities within the Regional Improvement Plan to be relevant to local areas.

Views were polarised as to whether RICs should be required to report annually, or whether less frequent reporting would be a more practical and effective approach. The key reason from respondents arguing for a longer reporting period was that

time is needed to implement changes and assess results. There were some suggestions for reporting to be every 2-3 years to allow time to implement improvements; and some comments that a longer planning cycle allows for greater engagement and longer term strategic planning. There were also some requests for plans and reports to align with other children's services cycles.

There was support for the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework to be reduced.

An Education Workforce Council for Scotland (EWCS)

Views were slightly more in favour of the proposed purpose and aims of the Education Workforce Council for Scotland (EWCS), although a considerable proportion were not in favour. There was a degree of concern over the loss of the General Teaching Council for Scotland's (GTCS) role, with some respondents supporting a continuation of existing bodies such as GTCS, the Scottish Social Services Council (SSSC) and Community Learning and Development Standards Council (CLDSC).

Reference was made to the need for collaboration and collegiate working across all relevant sectors and the need to recognise different types of learning and achievement and offer professional development opportunities based on existing frameworks for standards.

A wide range of different roles and functions were cited as being subject to mandatory registration with the proposed EWCS and there was widespread support for the EWCS to be required to consult on the fees it charges for registration.

In terms of the principles that could be used in the design of the governance arrangements for the proposed EWCS, respondents cited the need for representation of all workers and parity of esteem across all registered professionals. The key principles cited were openness, transparency, and accountability.

Respondents cited a wide range of possible names for EWCS, although some respondents noted that the name is less important than the way in which the organisation operates.

Introduction

1. In December 2015 the Organisation for Economic Co-operation and Development (OECD) published its report *'Improving Schools in Scotland: An OECD Perspective'*. In September 2017, building on advice from the OECD and the International Council of Education Advisers, responses to the Education Governance Review and the commitments set out in the Next Steps paper, the First Minister committed to a new Education Bill to deliver a number of reforms. The primary focus of this Bill is to create a school- and teacher-led education system that will empower schools and school leaders.
2. The consultation sought views on a Headteachers' Charter that will set out the rights and responsibilities of headteachers that will empower them to be the leaders of learning and teaching in their schools. This Charter will support rather than replace some elements of the existing legislative framework such as the duties placed on local authorities and headteachers through Getting it Right for Every Child (GIRFEC) legislation. It is also intended that the Bill will improve parental and community engagement in school life and in learning outside of school and strengthen the voice of children and young people by actively promoting and supporting pupil participation. The Bill will provide the legislative framework underpinning the establishment of Regional Improvement Collaboratives (RICs) to allow them to meet their agreed functions. Finally, the Bill will enable registration of other education professionals with the Education Workforce Council, which will be established to take on the responsibilities of the General Teaching Council for Scotland (GTCS) and the Community Learning and Development Standards Council (CLDSC).
3. From 7 November 2017 to 30 January 2018, a consultation paper – 'Empowering Schools: A consultation on the Provisions of the Education (Scotland) Bill' – invited views on a range of issues, including: a Headteachers' Charter, parental and community engagement, pupil participation, Regional Improvement Collaboratives and an Education Workforce Council for Scotland.
4. In addition to offering respondents an opportunity to respond to this consultation, individuals from the Learning Directorate at the Scottish Government also conducted a small number of engagement events with the teaching profession, professional organisations, parental organisations and those representing children and children's services. These were intended to encourage responses to the consultation and to identify key themes likely to emerge in consultation responses.

Respondent Profile

5. Overall, there were 674 responses to the consultation: 307 from organisations and 367 from individuals. There were also responses to one campaign, which attracted 196 submissions of their standard text.

6. Respondents were assigned to respondent groupings to enable analysis of any differences or commonalities across or within the various different types of organisations and individuals that responded. Table 1 below shows the numbers of responses in each assigned category.

Table 1: Respondent Groups

	Number
Parent Council / Forum	103
Local Authority	42
Professional association / group	35
Independent / 3rd sector	35
School	25
Representative organisation	13
Further Education / Higher Education	11
Professional learning	7
Other education	17
Other organisation	19
Total organisations	307
Individuals	367
Total respondents	674

7. A list of all those organisations that submitted a response to the consultation and agreed to have their name published is included in Appendix 1.

Methodology

8. The majority of responses to the consultation were submitted using the Scottish Government consultation platform Citizen Space.
9. It should be borne in mind that the number responding at each question is not always the same as the number presented in the respondent group table. This is because not all respondents addressed all questions; some commented only on those questions or sections of relevance to their organisation, sector or field of interest. The report indicates the number of respondents who commented at each question.
10. A small number of respondents did not use the consultation questionnaire and, instead, presented their views in a report or letter format. Wherever possible, researchers assigned relevant sections of these documents to the relevant questions.

11. Some of the consultation questions contained closed, tick-boxes with specific options to choose from. The findings from these are presented at each relevant question in tabular form and detail the number of respondents providing a definitive 'yes / no' response, the number saying 'don't know' and the number opting not to provide a response. Although numbers have been included in the tables relating to the tick box questions, this should not be taken to indicate that this was a survey, nor that the sample responding is representative of a wider population. Across responses to these questions, significant numbers of respondents – often around half the respondents – did not offer an opinion. Where comments were made by respondents, they often focused on concerns and queries.
12. The researchers examined all comments made by respondents and noted the range of issues mentioned in responses, including reasons for opinions, specific examples or explanations, alternative suggestions or other comments. Grouping these issues together into similar themes allowed the researchers to identify whether any particular theme was specific to any particular respondent group or groups.
13. A wide range of differing opinions were cited throughout responses, with no clear consensus on many of the proposals. In general, small or very small proportions of respondents (10% or less) made specific comments to the open questions.
14. When looking at group differences however, it must be borne in mind that where a specific opinion has been identified in relation to a particular group or groups, this does not indicate that other groups did not share this opinion, but rather that they simply did not comment on that particular point.
15. While the consultation gave all who wished to comment an opportunity to do so, given the self-selecting nature of this type of exercise, any figures quoted here cannot be extrapolated to a wider population outwith the respondent sample.

Headteachers' Charter

Introduction

16. The consultation document explained that the Education Bill will include provisions to establish a Headteachers' Charter. The purpose of the Charter is to set out the rights and responsibilities of headteachers that will empower them to be the leaders of learning and teaching in their schools. The consultation document explained that the Charter will set out the support headteachers can expect to receive to meet the needs of their school communities by clarifying the responsibilities that local authorities will fulfil in order to enable headteachers to lead.

Summary

In general, there was support for the principles behind the Headteachers' Charter, although there was less support for legislation to enshrine these. This is at least in part because respondents felt that across a number of areas, headteachers' are already empowered as the leaders of learning and teaching and as the lead decision-maker in their school. Respondents perceived a need for consistency and inclusivity across Scotland, for example, in curriculum delivery or improvement planning.

Across all elements of the Headteachers' Charter, respondents acknowledged the importance of collaboration across all relevant audiences. That said, while respondents perceived a need to ensure that a wide range of individuals are involved in school planning, there were some concerns of the difficulties in persuading local communities and parents to become involved.

There were some concerns over the loss of local identities, priorities and accountability in improvement planning because of the introduction of Regional Improvement Collaboratives (RICs), although there were also comments that RICs can offer access to a wider range of collaboration and sharing of good practice.

While respondents noted some advantages to headteachers having increased freedom in relation to staffing decisions and school funding, there were some concerns that headteachers do not have the necessary skills or expertise to undertake these roles, with some requests for additional staff and funding to support headteachers in these roles. Allied to this, some respondents noted a preference for headteachers to focus on their core role of leading learning and teaching in schools.

There were also requests for transparency in decision-making and the need for proper checks and oversight within the system.

17. The consultation paper posed 7 questions in relation to the Headteachers' Charter and respondents raised some issues and themes

that were common across these questions. These are outlined below, and then followed by commentary relevant to each specific question.

Overall Themes relating to the Headteachers' Charter

18. In general, there was support for the principles behind the Headteachers' Charter, although there was less support for legislation to enshrine these principles.
19. Throughout this section of the consultation paper, a small proportion of respondents commented on the need to retain responsibility within local authorities. These comments were in relation to the statutory duties currently held by local authorities; and the need to retain input from local authorities in the curriculum and the provision of advice and support to headteachers.
20. A small proportion of respondents also felt the introduction of the Headteachers' Charter could lead to higher levels of bureaucracy within schools, higher workloads and additional administrative burden for headteachers.
21. There was a perception from a small proportion of respondents that the consultation paper focuses on primary and secondary schools and does not explain how the proposals would operate in Early Learning and Childcare provision.
22. There were requests from a small proportion of respondents to the need for any changes introduced by the Headteachers' Charter to be based on best practice and evidence of what has worked effectively to date.
23. Very small proportions referred to current agreements with the Scottish Negotiating Committee for Teachers (SNCT) and Local Negotiating Committee for Teachers (LNCT). Some of these respondents queried whether these agreements would still be applicable under the proposals being put forward under the Headteachers' Charter, with others having a perception that these agreements would no longer apply.
24. There were references to the need for guidance, good practice, advice and support to be provided to headteachers to help them undertake any new roles introduced by the Headteachers' Charter.

Curriculum for Excellence

25. The first question in the consultation asked respondents:

Q1: 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?

26. Overall, 558 respondents replied to this question, and a number of themes emerged.
27. A key theme relating to this question, and cited by around a quarter of respondents, was the need for collaboration to share practice and ideas; and respondents cited a wide range of different types of individuals and organisations that should be involved in collaboration. These included teachers, school staff, nursery staff, local authority staff, staff from Regional Improvement Collaboratives, providers of Community Learning and Development (CLD), further education and higher education organisations, staff from other stakeholder organisations and parents. The need for collaboration was cited by respondents across all sub-groups of respondents, although a higher proportion of organisations referred to this than individuals. The organisation sub-groups mentioning this most frequently were local authorities and professional associations / groups. This issue was least frequently cited by parent councils / fora.
28. A small proportion of respondents also cited the need for a collegiate approach or a whole school approach, with responsibilities sitting with the whole school, rather than simply the headteacher.
29. The need for a collaborative approach with local authorities, particularly to ensure local authorities are able to deliver their existing statutory duties, for example in relation to Additional Support for Learning (ASL) and GIRFEC (cited most frequently by local authorities) was cited by a smaller proportion of respondents. Allied to this, a similar proportion noted that the perceived disaggregation of provision and delivery of education from local authorities and the redistribution of functions under the proposals would not take account of other statutory duties held by local authorities.
30. Around a fifth of respondents noted the need for consistency so that all schools are teaching to the same level, offering consistency in curricular design, are fully inclusive and offering the necessary support to all pupils. Once again, this issue was cited by respondents across all sub-groups, although a higher proportion of organisations referred to this than individuals. The organisation sub-groups mentioning this most frequently were local authorities, professional associations / groups and those in independent / third sector organisations. This issue was of least concern to parent councils / fora. Conversely, a small proportion of respondents noted their concern that the Headteachers' Charter could create inconsistencies across Scotland, with a small proportion of respondents being concerned that some headteachers might focus on specific elements of the curriculum at the expense of others.
31. Around a fifth of respondents noted that headteachers are already empowered as the leaders of learning and teaching and as the lead decision maker in how the curriculum is designed and provided in their schools. Some of these respondents also felt there is no need to enshrine this in legislation (most frequently cited by local authority respondents).

32. A small proportion of respondents also noted concerns that the introduction of a Headteachers' Charter could increase headteacher workloads because of higher levels of administrative duties. Allied to this, there was a degree of concern that this could detract from the headteacher's core role of leading learning and teaching. This issue was cited most frequently by respondents in parent councils, local authorities, professional associations / groups and schools.
33. The issue of quality assurance was raised by a small proportion of respondents and a number of facets were mentioned. These included the need to assess headteacher decisions, the need for transparency in decision-making, how to measure the performance of headteachers, the need for proper checks and oversight within the system and how headteachers would be held accountable for their decisions.
34. Reference was also made by small proportions of respondents to issues impacting on education in Scotland at present. These included concerns over the current teacher and headteacher shortage in Scotland, with some noting that until this is resolved, the Charter is likely to have a limited impact. This also included a small proportion of respondents who referred to current levels of attainment and the need for these to be improved.
35. Small proportions of respondents also raised issues relevant to other questions about the Headteachers' Charter and these will be covered at the relevant questions. These included reference to:
- The allocation of funding to headteachers.
 - The types of support and professional learning that would be valuable to headteachers.
 - Staffing within schools.
36. The campaign response expressed opposition to the Headteachers' Charter, particularly in respect to the potential increase in administrative and bureaucratic tasks for headteachers and the need for headteachers to focus on leading learning and teaching in their schools.

Improvement

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?

37. While there was support for headteachers to be empowered to develop their school improvement plans collaboratively with their school community, of the 505 respondents who provided commentary to this question, a significant minority noted that headteachers already develop their school improvement plans collaboratively with the school community or that headteachers already have the scope to work collaboratively. While this

issue was referenced by respondents across all sub-groups, highest levels came from parent councils / fora, local authorities and schools. A small proportion of respondents also referred to processes already in place to ensure that pupils, parents, staff and partner organisations inform the planning process through self-evaluation linked to How Good is our School (HGIOS4).

38. A small proportion of respondents, primarily headteachers, parent councils / fora and local authorities, commented that it can be difficult to engage with local communities and parents; and focused on the need to find pathways and incentives to persuade local communities and parents to engage with schools. That said, there were also some comments that parents and others within a school community might not wish to become involved, that they may focus on issues relevant to their child rather than the whole school or that they might not have the necessary skills and experience for decision-making.
39. There were some requests for the provision of guidelines or a framework on how to engage school communities; as well as for guidance to be provided to school communities in relation to improvement planning specifically.
40. A small proportion of respondents noted concerns over the potential for loss of local identities and priorities in improvement planning because of the introduction of Regional Improvement Collaboratives (RICs); this was most frequently cited by local authorities and schools. There were some comments on the loss of local accountability and the need for local initiatives to be given priority. A few respondents noted the need for RICs to enhance local authority input rather than replace it.
41. The campaign response argued that collaboration already takes place with the school community in the development of school improvement plans.

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

42. Overall, 466 respondents opted to provide commentary in response to this question. While there was general support for the primacy of the school improvement plan, some respondents noted that this approach is already adopted (most frequently cited by respondents within schools, local authorities and parent councils).

Advantages

43. The key advantages cited by around one in five respondents across all groups were that this will allow schools to meet the needs and priorities of children, and reflect the needs of the school and community as well as develop stronger links with the community. Smaller proportions of respondents commented that it would allow for:

- Increased input and involvement from teachers, parents, pupils and the wider school community.
- A shared vision that is supported at all levels because of the inclusion of stakeholders.
- The consistency across Scotland, and collegiate planning on a national basis which would lead to a strong national focus.
- Flexibility to respond to local needs.
- RICs to offer access to a wider range of collaboration or sharing of good practice.

Disadvantages

44. The key disadvantage cited by around one in ten respondents was that the proposed Headteachers' Charter could bring about a lack of consistency and disparity in relation to improvement planning across Scotland, and a potential disconnect between local and regional improvement priorities (cited most frequently by local authorities).
45. A potential lack of expertise and capability of headteachers was also raised as a possible disadvantage, with concerns that this could lead to limited thinking or poor plans on the part of an inexperienced headteacher, as well as the potential for loss of strategic focus. There was also a suggestion from a small proportion of respondents that some other individuals involved in development of the school improvement plan might not have the necessary level of understanding or necessary experience.
46. As at the previous question, respondents argued that regional priorities would not cater for local needs as well as current plans do, and that Regional Improvement Plans would be unable to reflect all school improvement plans within their area (cited most frequently by schools and local authorities).

Other issues

47. Other issues raised by respondents included the need for plans to be flexible, able to respond to change and for implementation of a school improvement plan to be ongoing. While there were comments that plans need to reflect national and local priorities, and to be focused on evidence-based improvements and research, there were also some comments of the need to ensure that the school improvement plan should drive the improvement agenda rather than have a 'top-down' approach.
48. There were a small proportion of requests for clarification on how the school improvement plan will link to National Improvement Framework (NIF), the role of local authorities and other stakeholders.
49. The issue of conflict or confusion within the proposals was raised by a small proportion of respondents; for example, the issue of local autonomy and the primacy of the Regional Improvement Collaboratives; or comments

that the legal responsibility for schools continues to rest with the local authority but the proposals give the authority little or no scope in influencing priorities, which could give rise to tensions.

50. There were a small number of comments that the school improvement plan needs to be written in user-friendly language that is accessible to all.
51. There were also a small proportion of references to the need for a multi-agency approach that is aligned to other locality planning.
52. Once again, some issues raised echoed those seen at earlier questions and included the need for guidance, support and good practice models, the need for involvement of local authorities in planning and carrying out statutory duties and ensuring support across all areas so as to maintain a consistent and inclusive approach.
53. The campaign response noted that the school improvement plan is available to all parents.

Staffing

Question 4: The Headteachers' Charter will set out the freedoms which headteachers should have in relation to staffing decisions.

a. What are the advantages and disadvantages of headteachers being able to have greater input into recruitment exercises and processes adopted by their local authority?

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

a. Headteacher input into recruitment exercises and processes

54. In terms of the advantages and disadvantages of headteachers being able to have greater input into recruitment exercises and processes adopted by their local authority, 523 respondents opted to provide commentary.
55. While a small proportion of respondents noted their support for headteachers to be able to recruit the staff they need when they need them, a higher proportion (around one in five) noted that this will make no difference as headteachers currently have a good level of input into recruitment exercises and processes. This comment was noted by respondents in all sub-groups although higher proportions of parent councils / fora, local authorities, schools and headteachers referred to this. A small proportion, predominantly individuals, also felt that recruitment should continue as it currently does and that any change would not improve upon the current situation.

Advantages

56. A key advantage cited by a significant minority of respondents was that the proposal would offer headteachers the capacity to refine their needs and recruit staff who will fit with the school ethos. Other advantages cited by very small proportions of respondents included that this would:

- Offer flexibility to respond to changing requirements.
- Allow headteachers to reflect local needs.
- Overcome local authority bureaucracy within recruitment processes, help to speed up recruitment processes or be more streamlined.
- Mean that the current procedures for the redeployment of surplus staff would no longer be applicable.

Disadvantages

57. The key disadvantage cited by around one in six respondents was that this could lead to increased workloads for headteachers (most frequently cited by parent councils and schools). Another key disadvantage, cited by around one in seven respondents, was that the recruitment process could be susceptible to bias as headteachers may recruit individuals they know rather than those most suited to a post (most frequently cited by individuals).

58. Other disadvantages were cited by very small proportions of respondents and included:

- Headteachers do not have the necessary recruitment skills, understand employment law or understand SNCT agreements or staffing formulas. Allied to this, there could be a conflict between headteachers making recruitment decisions and local authorities retaining the employment risk. There could also be a lack of consistency in the treatment of staff. A small proportion of respondents noted the need to adhere to a local authority staffing model.
- This could introduce the potential for difficulties in attracting and retaining high calibre staff or that the best staff could go to the best schools and lead to a wider attainment gap. A very small proportion of respondents also noted this could be a particular challenge in rural areas or areas of high deprivation where there are already shortages of teachers.
- This additional responsibility could detract from a headteacher's focus on leading and managing learning and teaching.
- Concerns that this could lead to a loss of local authority budgetary control and subsequent loss of economies of scale.
- There could be a loss of transparency in the recruitment process.

Other issues

59. Some respondents, rather than citing advantages or disadvantages to this approach provided a number of qualifying statements or conditions that

would have to be met to ensure the recruitment process works effectively. The key theme, albeit from a small number of respondents, was that there would be a need for continued local authority involvement, support and oversight so as to ensure that HR processes are followed correctly, albeit headteachers would have the final say on the recruitment of staff (cited most frequently by local authorities and professional associations / groups). There were also a small number of suggestions of the need for a recruitment panel led by a headteacher but involving a range of other individuals so as to avoid any bias and ensure that employment legislation is followed correctly.

60. Allied to this issue, there were also a small number of calls for headteachers to be supported by staff who could offer an HR perspective, or Business Managers who would be able to offer financial and administrative support to headteachers.
61. A small number of respondents noted concerns over the current procedures for the redeployment of surplus staff and how this might change – in particular, whether schools would be able to refuse to take on staff who are in need of redeployment (a situation which can arise due to a variety of circumstances) and have been matched to a vacancy at the school by their employer.
62. Once again, there were calls for adequate funding and resources, training for headteachers, oversight of recruitment processes and accountability; with some reference to the current shortage of teachers and headteachers in Scotland.

b. Headteachers' ability to choose their teams and decide on the promoted post structure within their schools

63. Overall, 490 respondents responded to this question. Only very small proportions noted their support or lack of support for headteachers to be able to choose their teams and decide on the promoted post structure within their schools. A small proportion of respondents commented that headteachers already have involvement in staff recruitment.

Advantages

64. The key advantages cited by respondents were that headteachers know what is needed for their school and this allows them to adopt the approach best suited to the needs of their school, or that they can build on the strengths of their current staff, recognising staff skills and building effective teams.
65. Smaller proportions of respondents noted that schools can use leadership structures to work more efficiently and support progression routes for staff, which in turn can help with staff retention.

66. It was also felt that this would offer flexibility in staffing to meet changing needs, for example, to be able to offer short term contracts for specific one-off projects.

Disadvantages

67. To an extent, the disadvantages cited in response to this question echoed the points made in the previous question, with the key disadvantage being the risk of headteacher bias in the selection of staff. A small proportion of respondents also noted that this could result in inconsistencies in the breadth of curriculum choices available, and argued for the need to ensure a broad range of subject provision as well as ensuring that schools meet the needs of pupils with additional support needs.
68. There were also some concerns that this could result in inconsistencies in school staffing levels; for example, disparity in access to promoted posts or the potential for too much emphasis being placed on the senior management team and too little emphasis on teaching and learning. A very small proportion of respondents suggested that any promotion should be closely linked to recruitment and the mentoring of new staff to counteract the removal of teachers from the teaching pool. There were also some concerns that this would not be feasible in smaller schools or rural schools because of a lack of budgets for promoted posts. Once again, a lack of promoted posts could lead to disadvantages for these types of schools, as well as competition between schools which could see the best teachers going to certain schools and not to others.
69. There were also some comments that it can be difficult to change the promoted post structure which would place limitations on a headteacher new to a school to set up their preferred promoted post structure.

Other issues

70. A number of issues were raised by small proportions of respondents, including:
- A need for local authority involvement and support.
 - A need for oversight / accountability and transparency in decision-making in the recruitment process.
 - A need for training for headteachers (for example, employment legislation / HR processes) as headteachers may lack the required skills to be able to manage recruitment within their schools.
71. Once again, a small proportion of respondents also noted concerns over the impact of surplus staff and redeployment, which is currently managed by the local authority; and whether headteachers will be able to refuse deployed staff if they wish.
72. Other issues raised by very small proportions of staff included:

- A suggestion to redesign the current job sizing toolkit.
- A need to ensure a diversity of staff working with a school.
- A need for effective deployment of business managers.
- Ensuring there are clear and robust procedures in place for addressing performance issues.

73. The campaign response noted that headteachers already have involvement in staff recruitment, as well as referring to the current shortage of teachers in the Highland region.

Funding

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?

74. There was a majority of support for headteachers being able to decide how the funding allocated to their schools for the delivery of school education is spent, with 285 respondents supporting this, compared to 68 who did not (see Table 2). That said, there was a significant number who did not respond to this question (234) or who provided a 'don't know' response (87). This pattern was reflected across all respondent sub-groups.

Table 2: Question 5

	Yes	No	Don't Know	Not Answered
Parent Council / Forum (103)	42	6	15	40
Local Authority (42)	8	-	3	31
Professional association / group (35)	14	1	1	19
Independent / 3rd sector (35)	5	2	4	24
School (25)	11	2	9	3
Representative organisation (13)	2	-	-	11
Further Education / Higher Education (11)	3	-	2	6
Professional learning (7)	3	1	-	3
Other education (17)	3	-	4	10
Other organisation (19)	5	1	-	13
Individuals (367)	189	55	49	74
Total (674)	285	68	87	234

75. A proportion of respondents thought that most budgets are already devolved or that headteachers have autonomy in deciding how funding is spent. Many of these respondents referred to Devolved School Management (DSM) schemes, although a small number also referred to receiving budgets via Pupil Equity Funding (PEF).
76. A key theme emerging at this question, from around one in five respondents, was the need for consultation and collaboration in making decisions about the use of resources within a school. Respondents cited a wide range of different individuals who should be involved in collaboration; these included staff, representatives within the school community, other organisations, parent councils, community groups and so on.
77. Again, there were references from small proportions of respondents of a lack of relevant experience on the part of headteachers and the need for support, with some comments that headteachers are not accountants or that they do not have the necessary skills or experience to undertake additional roles in relation to funding for schools. Suggestions on how to overcome this lack of experience included working with individuals who have experience of finance such as dedicated Business Managers who will be able to manage school administration and finances. There was also reference to the need for support, advice, training and guidance to be provided by local authorities.
78. While there was support for headteachers to decide how funding is spent, small proportions of respondents noted the need for local authority management of some budgetary areas including estate management, IT infrastructure or ASN resourcing. There were also some references to the need for local authorities to retain areas where economies of scale can be achieved through centralised management. That said, a small proportion of respondents felt that headteachers should have the freedom to choose their own suppliers or felt the procurement frameworks that schools are required to use do not always offer best value for money.
79. There were also references from a small number of respondents of the need for further detail and clarity, with some respondents specifically requesting clarity on the role of headteachers, for example, what their budgetary responsibilities would be. A small proportion of respondents also requested further detail on the role of other organisations including the Scottish Government and local authorities; also with some references to Regional Improvement Collaboratives and their role.
80. Small proportions of respondents made qualifying statements. These included the need for checks and balances to be put in place so that headteachers could be held accountable, with transparent and evidence-based decision-making and proper oversight of decision-making and the processes used. Allied to this, there were also suggestions for strict guidelines and a clear legislative framework that would need to be enforced.

81. Some respondents felt there is a need for more funding and resources to be provided to enable headteachers to deliver school education, with some suggestions for a national funding formula for all schools to allow for a more equitable approach.
82. Small proportions of respondents noted a number of concerns. These included:
- This could distance headteachers from their leadership role.
 - There may be inconsistencies across different schools and local authorities in terms of priorities for expenditure.
 - Even under DSM, the majority of money is spent on staffing which leaves little flexibility in any remaining monies.
 - A lack of clarity over how this would work in relation to current national ring fencing arrangements, including the pupil teacher ratio. There were also some queries as to whether headteachers will be job sized to reflect their additional responsibilities.
83. Very small proportions of respondents noted they would like to see the analysis from the earlier consultation on Fairer Funding to be able to comment on this question or requested evidence on the effectiveness of Pupil Equity Funding.
84. The campaign response expressed opposition to headteachers being able to decide how the funding allocated to their schools for the delivery of school education is spent, arguing that headteachers should focus on delivering quality teaching and improving outcomes, rather than managing education budgets.

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

85. Overall, 459 respondents commented in response to this question. The largest comment across almost all sub groups was that the system is already transparent with council-wide budgeting processes, parental involvement at school level, and spending decisions that are linked to community planning and community empowerment. Higher proportions of respondents from local authorities, schools, representative organisations and individuals commented on this issue.
86. A key suggestion emerging from just under one in five respondents was for consultation and collaboration; again with some suggestions as to who should be involved in consultation; these included the individuals within the school, the wider school community, education committees and community workers. There were some suggestions for parental and headteacher involvement at a local and national level in the development

and delivery of plans. There were also calls for individuals to be involved at an early stage and to allow time for consideration of plans.

87. Small proportions of respondents referred to different information channels that could be used to provide information; these included social media, networking events, community events, roadshows and consultation exercises.
88. The transparency of decisions was important with some calls for all local authority decisions to be made public, with clear explanations of the basis for budget allocation and clarity of expenditure, for example, in relation to staffing and the school improvement plan. There was also reference to the need for good governance and a complaints system that is accessible and effective.
89. There were also calls for schools to publish details about their expenditure on a regular basis.
90. A number of previously noted themes were also cited at this question. These included:
- Concerns over a lack of consistency across schools and the potential for a consistent funding formula to counteract this.
 - The need for suitable levels of funding and staffing.
 - A need for training for headteachers.
 - Concerns over headteacher workloads.
91. Additionally, the campaign response noted that local authorities should continue their regular consultations with headteachers.

Supporting Empowered Headteachers

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?

92. A range of suggestions for support and professional learning were made by the 456 respondents who responded to this question; each suggestion came from a small proportion of respondents. These included:
- A need for training – on budgeting, forward planning, workforce planning, managing budgets, writing funding bids, enhanced interpersonal and communication skills.
 - Direct collaboration with the school community.
 - Local authority support, engagement and intervention.
 - Support in the form of specialist advisers such as lawyers or accountants and Business Managers.

- Coaching, training and guidance for headteachers, with some suggestions for a national mentoring and coaching programme.
 - Sufficient staffing levels, suitably qualified staff and staff who will be able to undertake additional work currently carried out by headteachers (most frequently cited by professional associations / groups).
 - Business support, HR support, IT support and administration support; or support for headteachers to help fill in their knowledge gaps. There were requests for guidance and support from local authorities, the Scottish Government and Education Scotland on expectations of headteachers in terms of curriculum design.
 - Business Managers who will have the necessary skills to be able to carry out a number of administrative roles to complement that of the headteachers so that headteachers can focus on their core role of learning and teaching. Professional networks and peer-to-peer support.
 - Additional teacher support or higher staffing levels to help manage headteacher workloads.
 - Support from RICs to enhance the local authority role.
 - Time for headteachers to be able to carry out any additional duties.
 - The need for realistic funding levels and access to budgets to support schools in taking forward the proposals.
93. Small proportions of respondents referred to the need for a clear programme of professional learning and professional development; there were some references to an increased number of courses being available from the Scottish College for Educational Leadership (SCEL) or continued development of SCEL programmes and the need for professional learning at Masters level. There were also references on the need for training related to General Teaching Council for Scotland's Professional Standards.
94. Relatively small proportions of respondents also noted that some headteachers do not want to be financial or recruitment managers and that they should focus on their core role of learning and teaching.
95. Some organisations – mostly local authorities – also noted that the diagram on page 14 of the consultation document provides a contradiction in the direction of the arrows and does not reflect the full role of local authorities and the partnership working between local authorities, schools and communities.

Parental and community engagement

96. The consultation document explained that there will be provisions in the Education Bill to make the existing legal duties in relation to parental involvement clearer and stronger, to reflect the transfer of responsibilities to headteachers through the Headteachers' Charter and to encourage stronger collaboration between school leaders and parents. The Scottish Government will also clarify the relevant duties which apply to early learning and childcare which is funded but not provided by the public sector.

Summary

In general, respondents were supportive of the broad areas for reform to the Scottish Schools (Parental) Act 2006. However, while there was support for the principles behind parental involvement, there was less support for legislation to enshrine this; and a number of respondents noted that schools already involve parents in decision-making.

While there was support for parental involvement and acknowledgement of the need to involve a wider range of parents, there were concerns that it is difficult to ensure that parents from a wide range of backgrounds are involved, and some respondents commented that not all parents want to be involved.

Respondents noted the need for a range of communication channels, strategies and support for engaging parents.

There was also general support for the duties and powers in relation to parental involvement to apply to publicly funded early learning and childcare settings.

97. The consultation posed three questions in relation to parental and community engagement. The first of these asked,

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

98. As demonstrated in Table 3, a higher proportion of respondents considered the broad areas for reform to the Scottish Schools (Parental Involvement) Act 2006 were correct, than did not (211 agreed, compared to 102 who did not, although over half the respondents gave an answer of 'don't know' or did not respond to this question). There was broad support across all sub-groups, with the exception of professional learning.

Table 3: Question 8

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	42	13	18	30
Local Authority (42)	13	1	2	26
Professional association / group (35)	11	4	-	20
Independent / 3rd sector (35)	10	2	3	20
School (25)	6	5	7	7
Representative organisation (13)	2	-	1	10
Further Education / Higher Education (11)	2	1	2	6
Professional learning (7)	-	3	2	2
Other education (17)	3	1	3	10
Other organisation (19)	5	1	-	13
Individuals (367)	117	71	90	89
Total (674)	211	102	128	233

99. The key theme to emerge at this question – and cited by around one in four respondents – was the need for further clarification and detail. Examples included: what is meant by collaboration, clarification around what would be viewed as substantive matters of school, or ways in which headteachers would be held accountable. This was cited by respondents in all sub-groups and particularly those in parent councils / fora, local authorities and professional associations / groups.

100. A small proportion of respondents agreed that greater involvement of parents is good and that children do better when parents are involved or that the suggested reforms will improve parental involvement (expressed across all sub-groups but highest levels among those in representative organisations, the independent / 3rd sector or professional associations / groups). That said, a similar proportion of respondents also noted that schools already involve parents in decisions; and a small proportion of respondents noted that no change is necessary.

101. While there was broad support for parental involvement, small proportions of respondents noted that parents do not want increased powers or that this could put some parents off becoming involved (cited by higher proportions of parent council / fora, local authorities and schools); or that some parents do not want to be involved (cited by higher proportions of parent council/ fora). While there was an acknowledgement of the need to involve a wider range of parents and engage with the wider parent

community (rather than simply the parent council), there were also some comments on the difficulties of ensuring that parents from all backgrounds are involved; for example, those who had a negative experience at school themselves, those whose first language is not English or those with disabilities. Allied to this point, there were some comments that it can be difficult to ensure that parents from all backgrounds are involved or that it may not be feasible for some parents to become involved; for example, single parents or full time working parents; this is particularly relevant given that parent councils currently do not always represent the wider parent body.

102. A small proportion of respondents also noted concerns that some parents will have too much say in areas where they do not have sufficient knowledge or expertise, or that parents might focus on issues relevant to their child rather than having an understanding of the wider school picture.

103. There were some concerns over the legal framework or legislative aspects in that these could be off putting to parents and / or impact on headteacher recruitment and retention. Highest proportions of these comments came from parent councils / fora and local authorities.

104. As at other questions, small proportions of respondents made reference to potential increases in headteacher workloads. A small proportion noted their concern that the requirements set out could lead to unnecessary and bureaucratic paperwork rather than greater engagement and discussion.

105. Other themes raised by small proportions of respondents included:

- Opposition to a dilution of the role of local authorities.
- The need for resources such as training or support for parents, or funding and support for headteachers.

106. The campaign response was not supportive of the introduction of legislative requirements on parent councils and felt this could reduce the number of parents or carers prepared to be involved.

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?

107. Overall, 501 respondents provided commentary to this question, with a small proportion noting their support for the proposal. Just over one in ten respondents noted that schools already carry out meaningful consultation or that meaningful consultation with parents is already part of their improvement planning; and slightly fewer respondents noted that no change is necessary.

108. Very small proportions of the 501 respondents cited a number of means by which the Act could be enhanced to ensure meaningful consultation. These included:
- Good, clear and informative communications, written in plain English.
 - Showcasing examples of best practice.
 - The use of modern technology such as email / texts / the internet.
 - Media / PR campaign to increase parental awareness.
 - Engaging parents in school activities to increase their understanding of the learning process.
 - Strategies to help engage reluctant parents or suggestions for engaging with a wide range of parents.
109. Small proportions of respondents noted provisos or concerns such as the need for support and training for both headteachers and parents, or that consultation is only possible if parents are willing to engage. There were also some requests for further clarification or detail such as clearly defined roles and expectations or a clear framework for parental engagement.
110. A small proportion of respondents referred to the need for involvement of the wider community and other professional audiences, with some reference to the inclusion of CLD practitioners.
111. The campaign response noted that no enhancement is required as consultation already occurs.

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

As shown in Table 4, greater proportions of respondents agreed that the duties and powers in relation to parental involvement should apply to publicly funded early learning and childcare settings than did not (273 agreed with this compared to 79 who did not, although around half of respondents said 'don't know (93) or did not give a reply (229). Support for this proposal came from respondents within all sub-groups.

Table 4: Question 10

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	42	17	14	30
Local Authority (42)	12	-	3	27
Professional association / group (35)	13	1	1	20
Independent / 3rd sector (35)	12	-	1	22
School (25)	12	2	5	6
Representative organisation (13)	2	1	-	10
Further Education / Higher Education (11)	4	-	1	6
Professional learning (7)	2	-	1	4
Other education (17)	5	-	2	10
Other organisation (19)	4	-	1	14
Individuals (367)	165	58	64	80
Total (674)	273	79	93	229

112. Of the 390 respondents who provided any commentary, the key theme emerging and cited by around one in ten respondents, was that there should be consistency and parity across all levels of education from ages 3 to 18. Small proportions of respondents also noted that:

- Parental involvement is important at all stages of education.
- Early years is an important stage of lifelong learning.
- Parents should be involved as soon as possible from the outset.
- Parental involvement during the early years is beneficial.
- Establishing a culture of parental involvement at an early stage is vital and parents will subsequently be more likely to engage throughout the remainder of their child's education.

113. Any other comments were made by only very small proportions of respondents. These tended to echo comments made at the earlier questions on parental engagement. These comments included reference to:

- Increased workloads for nursery staff.
- A need for funding and resources to implement this.

114. There were also some requests for clarification or further detail, for example, what is defined as 'publicly funded'.

115. The campaign response noted that parent councils should not have any legal duties imposed upon them; and that the imposition of legal duties could serve to deter parental involvement.

Pupil participation

116. The consultation paper noted that the Education Bill will include provisions to ensure that the principles of pupil participation are pursued in every school. Ensuring the views of children and young people are included gives them an opportunity to participate in decisions and activities which influence policies or services that can impact on their lives. Participation contributes to their sense of belonging, helps communities to become stronger, and increases the likelihood that services will make a positive impact.
117. This will include a general duty on headteachers to promote and support pupil participation in specific aspects of education and school life. This general duty will be accompanied by key principles to support effective participation:

Summary

There was support, across all respondent types, for the Bill to include a requirement that all schools in Scotland pursue the principles of pupil participation. There was also support for pupil participation to be included in the Headteachers' Charter, although to a slightly lesser degree.

Respondents noted the importance of pupil participation, albeit some respondents noted this already happens in schools. Alongside this, there were comments on the importance of ensuring that pupil participation is fully inclusive and meaningful, as well as involving the wider community.

There was a degree of support for a general duty (rather than specific duties) as this would allow for innovative and new approaches to be trialled; specific duties were perceived by some respondents to be too prescriptive.

118. Respondents were asked:

Question 11a: Should the Bill include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3?

119. As demonstrated by Table 5, a much higher proportion of respondents agreed than disagreed that the Bill should include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3. This was consistent across all sub-groups.

Table 5: Question 11a

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	43	12	5	43
Local Authority (42)	11	7	3	21
Professional association / group (35)	12	2	1	20
Independent / 3rd sector (35)	12	2	2	19
School (25)	12	7	2	4
Representative organisation (13)	3	1	-	9
Further Education / Higher Education (11)	5	-	-	6
Professional learning (7)	5	1	-	1
Other education (17)	8	-	-	9
Other organisation (19)	5	-	-	14
Individuals (367)	191	74	26	76
Total (674)	307	106	39	222

120. Respondents were also asked:

Question 11b: Should this be included in the Headteachers' Charter?

121. Table 6 shows that there is support across all sub-groups for pupil participation to be included in the Headteachers' Charter, although significant proportions of respondents opted not to provide a definitive answer to this question.

Table 6: Question 11b

	Yes	No	Don't Know	Not Answered
Parent Council / Forum (103)	31	22	10	40
Local Authority (42)	8	1	4	29
Professional association / group (35)	8	6	1	20
Independent / 3rd sector (35)	10	2	2	21
School (25)	9	6	5	5
Representative organisation (13)	3	1	-	9
Further Education / Higher Education (11)	5	-	-	6
Professional learning (7)	4	1	1	1
Other education (17)	7	-	-	10
Other organisation (19)	4	-	-	15
Individuals (367)	151	92	42	82
Total (674)	240	131	65	238

122. Almost a third of respondents, across all sub-groups, noted the importance of pupil participation, although around a fifth noted that pupil participation already happens and so there is no need to legislate for it (this latter comment was made by higher proportions of respondents within local authorities, professional associations / groups, schools and headteachers). Smaller proportions of respondents also referred to pupil participation being included in HGIOS and GIRFEC or simply felt there is no need to include this in the Headteachers' Charter. There were some suggestions that rather than mandate pupil participation, it should be encouraged in schools where it does not currently happen.

123. Smaller proportions of respondents noted that pupil participation is encouraged, together with the sharing of good practice on pupil participation.

124. Small proportions of respondents commented that it is important to ensure that all young people are included and are able to be involved in pupil participation, that this must be meaningful rather than tokenistic and that this should also involve the wider community so that participation also takes place outwith the school environment. There were also some comments that pupils should be involved where relevant and appropriate or that they should not be allowed to dictate. For example, policy was not seen as an appropriate area for pupil involvement.

125. It was also felt the progress of pupil participation can be or should be checked through the school improvement and inspection processes.

126. Those who were supportive of mandating pupil participation felt this would ensure all schools work towards the same end and it would clarify what is expected of schools and pupils. However, there were also some suggestions that there is a need for guidance and exemplars to be provided.

127. The campaign response was opposed to the mandating of pupil participation.

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...?

128. 530 respondents opted to provide commentary to this question, with around a third noting their support for a general duty and that this would be beneficial. Around a quarter of respondents across all sub-groups also noted that this would allow headteachers, teachers and pupils flexibility to suit their circumstances and to try new or different approaches to pupil participation. Support for a general duty came from all sub-groups, although higher proportions of parent councils / fora supported this than other groups. A small proportion of respondents commented that specific duties would be too prescriptive.

129. Small proportions of respondents noted that pupil participation already happens (highest among schools) or that legislation for pupil participation is not needed (highest among local authorities).

130. As at the previous question, there were some references to:

- The need to ensure inclusion of all young people. There was also comment that pupil councils tend to be small and can exclude many pupils from participation.
- The need for good practice examples that can be shared.
- The need for meaningful pupil participation, not simply to be seen as a tick box exercise.
- The need for pupil participation to be age and stage appropriate.

131. The campaign response noted that pupil participation already happens in schools and that there is no need for a general duty.

Regional Improvement Collaboratives

132. The consultation paper noted that Regional Improvement Collaboratives will bring together a range of professionals with a focus on supporting teachers and other school staff working with children and young people to improve their wellbeing, attainment and outcomes.
133. The Education Bill will include provisions to provide appropriate legislative underpinning for participation in these new Regional Improvement Collaboratives.

Summary

More respondents agreed than disagreed that the Bill should include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative (RIC).

A higher proportion of respondents agreed than disagreed that the Bill should require each RIC to maintain and publish annually its Regional Improvement Plan.

Views were polarised as to whether RICs should be required to report annually; or whether less frequent reporting would be a more practical and effective approach.

There was support for the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework to be reduced.

Overall, there were some queries over the RICs in terms of their geographical coverage and their broad range of different settings; as well as their ability to deliver the required services; along with a perception from some respondents that the establishment of the RICs is a move towards centralisation and is at odds with the concept of local collaboration and accountability. There were some requests for improvements to be driven by local plans and for priorities within the Regional Improvement Plan (RIP) to be relevant to local areas.

134. Respondents were asked a series of questions relating to the Regional Improvement Collaboratives (RICs):

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?

135. As Table 7 shows, of those responding to this question, more respondents agreed (195) than disagreed (133) that the Bill should include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative (RIC). However, a significant number of respondents (97) gave an answer of 'don't know' and 249 did not provide a response. Among the different sub-groups,

almost equal numbers of parent councils / fora agreed and disagreed; more local authorities and schools disagreed than agreed.

Table 7: Question 13

	Yes	No	Don't Know	Not Answered
Parent Council / Forum (103)	23	20	15	45
Local Authority (42)	3	7	2	30
Professional association / group (35)	12	4	1	18
Independent / 3rd sector (35)	8	1	3	23
School (25)	3	8	8	6
Representative organisation (13)	1	-	1	11
Further Education / Higher Education (11)	5	-	1	5
Professional learning (7)	2	2	1	2
Other education (17)	3	2	1	11
Other organisation (19)	3	2	1	13
Individuals (367)	132	87	63	85
Total (674)	195	133	97	249

136. Overall, 491 respondents opted to provide further commentary in support of their response; and a number of key themes emerged.

137. The theme cited by the highest proportion of respondents (albeit a small proportion) was of a need for further guidance, support, explanation or development before going forward or implementing the RICs; for example, there were some queries over where accountability lies with different organisations, or what the role of Education Scotland will be. There were a very small number of comments that roles and responsibilities need to be clearly defined, with some reference to the need for this to be in statute.

138. The role of collaboration is clearly important and a small proportion of respondents noted the importance of sharing best practice or the need for effective ways of sharing best practice.

139. A similar small proportion of respondents commented that the Bill should not include provisions requiring each local authority to collaborate with partner councils and that this should not be a mandatory or statutory requirement of local authorities, or that choice is best left to individual authorities. Highest proportions of these comments came from local authorities and representative organisations. There were also a small

number of comments that the statutory responsibilities of local authorities should not be removed (cited primarily by local authorities). A small proportion of respondents also commented that there could be a risk of dilution of knowledge and services at local authority or school level, and that local authority involvement should be maintained (cited by highest proportions of parent council / fora, local authorities and professional associations / groups). Allied to this, a similar proportion (cited most by parent councils / fora and those in professional learning organisations) noted that the RICs are unnecessary because effective collaboration is already in place with good support from local authorities, other schools in their area and other organisations involved in the delivery of education.

140. Some queries were raised in relation to the Regional Improvement Collaboratives. These included concerns over their geographical size and the range of different settings covered by each, including rural and urban settings, a broad range of different demographics and differing needs in schools in these areas (cited by highest proportions of representative organisations, schools and headteachers).
141. Allied to this were a small number of comments that the large RICs will dominate, that there could be conflicts of interest or that it will be difficult for each RIC to deliver the required services across their broad geographic area. A similar proportion of respondents also felt that the broad geographical areas covered by each of the RICs is at odds with the concept of 'local is best' and local collaboration, with some respondents suggesting that this puts local accountability at risk and centralises power that is supposed to be at a local level. The Northern Alliance was given as example of being too large and unmanageable or impractical because of its size, although there were also a very small number of comments that the Northern Alliance was set up through choice and has not been established on the basis of 'contrived collegiality'.
142. A small proportion of respondents made recommendations for specific types of people who should be involved in RICs, the key thrust of which was the need to ensure a broad range of different groups and interests are represented.
143. An issue that the establishment of RICs would lead to an additional and unnecessary layer of administration and bureaucracy was mentioned by a small proportion of respondents. Furthermore, some respondents noted that there is no evidence that establishing the RICS will be beneficial in terms of child outcomes and attainment levels, with some holding a perception that this might reduce the quality of teaching.
144. A small proportion of respondents also noted that the RICs are already established.
145. The campaign response suggested that RICs will lead to cuts in spending on education and increase bureaucracy for headteachers.

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

146. Table 8 demonstrates that a higher proportion of respondents, across all sub-groups, agreed that the Bill should require each RIC to maintain and publish annually its Regional Improvement Plan (218 agreed and 129 disagreed, although 78 respondents said 'don't know' and 249 did not give a reply to this question).

Table 8: Question 14

	Yes	No	Don't know	Not Answered
Parent Council / Forum (103)	24	20	15	44
Local Authority (42)	8	3	1	30
Professional association / group (35)	13	3	1	18
Independent / 3rd sector (35)	6	1	4	24
School (25)	8	8	4	5
Representative organisation (13)	2	-	1	10
Further Education / Higher Education (11)	4	1	1	5
Professional learning (7)	3	2	-	2
Other education (17)	6	2	-	9
Other organisation (19)	4	2	-	13
Individuals (367)	140	87	51	89
Total (674)	218	129	78	249

147. The key theme emerging to this question, from the 424 respondents who provided further commentary, was that the requirement for each RIC to maintain and to publish annually its Regional Improvement Plans (RIP) would allow for transparency and clarity. A very small proportion also noted the need for any Plans produced to be subject to public scrutiny and for accountability on the part of those producing Plans. Of the small proportion directly noting support for this proposal, there were comments that the Regional Improvement Plan offers a wider picture and overarching view, that it is useful or that it facilitates best practice.

148. A small proportion of respondents noted their disagreement with the RIC model and a desire to retain the status quo. Another theme was that improvements should be driven by local plans which relate to national

priorities and that local authority reporting would be more meaningful and should be retained (highest support for this came from local authorities); also a concern that the RIP could result in priorities that are not relevant to local areas and that decisions should not be removed from local communities. A small proportion of respondents also commented that schools are best placed to lead on school improvements, that it is important that planning is focused at a school level and that there should be an expectation on a RIC to produce a plan that mirrors what is expected of schools, or that schools must have a say on what is in the RIC plan.

149. Echoing a key theme from the previous question, a small proportion of respondents were also concerned that this would create bureaucracy and more paperwork.

150. Small proportions of respondents commented specifically on the issue of reporting periods, with a very small proportion noting that annual reporting is too frequent and leaves little time to implement improvements. There was a suggestion from a small proportion of respondents for reporting every 2-3 years; and a similar proportion suggested that there should be an annual update on progress but with a three year or longer period of reporting. It was felt that a longer planning cycle allows for greater engagement and longer term strategic planning, and represents a move away from short-term thinking; also, it would coincide with current school planning cycles.

151. Other comments were made by very small proportions of respondents and some echoed those seen at the previous question. New themes emerging included:

- Requests for more detail and clarification.
- All stakeholders should contribute to regional plans / there should be an equal voice for all stakeholders and that Regional Improvement Plans need to be fully inclusive.
- The need to consider the current planning landscape and align the planning cycle to other plans affecting the delivery of children's services; this would allow for streamlined planning and reporting mechanisms.
- There is a mismatch between the bodies providing the policy direction and the funding that will be required to deliver any improvements.

152. The campaign response reiterated the point made at the previous question.

Question 15a: If we require Regional Improvement Collaboratives to report on their achievements (replacing individual local authority reports), should they be required to report annually?

153. Table 9 shows that of those responding to this question, views were polarised as to whether RICs should be required to report annually (155 agreed, 166 disagreed, 86 gave a response of 'don't know' and a further 267

did not offer an opinion). Of those responding, higher proportions of respondents within local authorities, independent / third sector organisations, schools and other education organisations were opposed to annual reporting.

Table 9: Question 15a

	Yes	No	Don't know	Not Answered
Parent Council / Forum (103)	24	18	15	46
Local Authority (42)	3	6	3	30
Professional association / group (35)	7	7	1	20
Independent / 3rd sector (35)	2	5	4	24
School (25)	4	10	5	6
Representative organisation (13)	-	2	1	10
Further Education / Higher Education (11)	3	2	-	6
Professional learning (7)	1	2	-	4
Other education (17)	1	4	1	11
Other organisation (19)	3	3	-	13
Individuals (367)	107	107	56	97
Total (674)	155	166	86	267

Question 15b: Would less frequent reporting (e.g. every two years) be a more practical and effective approach?

154. Once again, views were polarised as to whether less frequent reporting would be a more practical and effective approach, with 170 respondents agreeing and 148 disagreeing (88 said 'don't know' and 268 did not give an opinion). Higher proportions were in agreement with less frequent reporting across all sub-groups, with the exception of parent council / fora, those in further and higher education and other organisations.

Table 10: Question 15b

	Yes	No	Don't know	Not Answered
Parent Council / Forum (103)	18	23	17	45
Local Authority (42)	9	2	1	30
Professional association / group (35)	8	5	2	20
Independent / 3rd sector (35)	4	3	4	24
School (25)	9	3	7	6
Representative organisation (13)	2	-	1	10
Further Education / Higher Education (11)	2	3	-	6
Professional learning (7)	2	2	-	3
Other education (17)	3	2	1	11
Other organisation (19)	2	3	1	13
Individuals (367)	111	102	54	100
Total (674)	170	148	88	268

155. Overall, 443 respondents opted to provide additional commentary in support of their answer, although any themes and issues were cited by very small proportions of respondents. A number of respondents reiterated issues they had raised at the previous question.

156. The key theme emerging in response to this question was that changes take time to implement and produce results (i.e. less frequent reporting would be a more practical and effective approach). Other new themes emerging, each from small proportions of respondents included:

- Reporting is important in that it allows for better accountability and transparency.
- Less frequent reporting would mean less bureaucracy with less time spent working on reports.
- Local authorities should continue to have a statutory responsibility for improvement.
- Various comments in relation to reporting periods, including the need for reporting every 3 years, every 2 years or annual reporting or having a 3 year rolling programme of ongoing developments.

157. The campaign response noted that local authorities should continue to have statutory responsibility for improvement.

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?

158. As demonstrated in Table 11, greater numbers of respondents agreed that the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework should be reduced (204 agreed compared to 86 who disagreed; 114 gave a ‘don’t know’ response and 270 did not provide an opinion). All the professional associations / groups, local authorities and representative organisations giving a definitive answer agreed with this suggestion, although views were polarised among parent council / fora.

Table 11: Question 16

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	18	17	22	46
Local Authority (42)	7	-	3	32
Professional association / group (35)	13	-	3	19
Independent / 3rd sector (35)	1	2	5	27
School (25)	9	2	8	6
Representative organisation (13)	2	-	1	10
Further Education / Higher Education (11)	2	2	1	6
Professional learning (7)	-	-	2	5
Other education (17)	3	2	1	11
Other organisation (19)	3	1	2	13
Individuals (367)	146	60	66	95
Total (674)	204	86	114	270

159. Of the 385 respondents who provided additional commentary in response to this question, the key theme to emerge and cited by nearly one in five respondents, was that too much change has been happening within the education sector and time is needed to embed this, to allow for change to take effect and for implementation of the vision and actions from the National Improvement Framework (NIF). This comment was made by respondents across all sub-groups, but highest proportions of respondents were within professional associations / groups, schools and HE / FE institutions.

160. A small proportion of respondents noted the need for three year or longer term plans; although slightly fewer respondents also noted there should be annual reporting in order to address issues and assess the effectiveness of the NIF.

161. Smaller proportions of respondents cited new themes and these included:

- The need for Scottish Ministers to be accountable and keep the NIF under close scrutiny.
- A need for rationalisation of reporting across children's services.

162. The campaign response noted disagreement with changing the frequency of the national improvement planning or decreasing the requirement on Ministers to review the NIF; it felt this is another way to increase liability on headteachers and decrease Ministerial accountability.

An Education Workforce Council for Scotland

163. The consultation document explained that the Education Bill will include provisions to establish an Education Workforce Council for Scotland (EWCS) which will take on the responsibilities of the General Teaching Council for Scotland (GTCS), the Community Learning and Development Standards Council (CLDSC) and register other education professionals.
164. They will have the following purpose: Through supporting and enhancing the professionalism of those involved directly and indirectly in learning and teaching, support Scottish education to be world leading in the delivery of high quality outcomes for all learners.

Summary

A higher proportion of respondents agreed than disagreed that the proposed purpose and aims of the Education Workforce Council for Scotland (EWCS) were appropriate. There was some concern over the loss of GTCS's role, with some respondents supporting a continuation of existing bodies such as GTCS, the SSSC and CLDSC.

A wide range of different roles and functions were cited as being subject to mandatory registration with the proposed EWCS.

There was widespread support for the EWCS to be required to consult on the fees it charges for registration.

In terms of the principles that could be used in the design of the governance arrangements for the proposed EWCS, respondents cited the need for representation of all workers and parity of esteem across all registered professionals. The key principle cited was openness / transparency / accountability.

165. The consultation document asked:

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

166. As Table 12 shows, of those who responded to this question, views were slightly in favour of the proposed purpose and aims of the Education Workforce Council for Scotland (EWCS), with 188 agreeing and 149 disagreeing. Around one in six provided a 'don't know' response and around a third did not provide a response to this question.

Table 12: Question 17

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	24	11	19	49
Local Authority (42)	9	1	4	28
Professional association / group (35)	9	5	2	19
Independent / 3rd sector (35)	7	2	2	24
School (25)	7	7	4	7
Representative organisation (13)	1	3	1	8
Further Education / Higher Education (11)	5	1	1	4
Professional learning (7)	2	4	-	1
Other education (17)	4	2	4	7
Other organisation (19)	2	2	3	12
Individuals (367)	118	111	63	75
Total (674)	188	149	103	234

167. Around two-thirds of respondents opted to provide further commentary in support of their response to this question.

168. The key theme, cited by around a third of those in favour of the establishment of the EWCS, was that this reflects the current direction of travel (cited primarily by respondents in local authorities, independent / third sector organisations and schools).

169. Other themes cited by small proportions of respondents in favour of the EWCS included that this is a valid goal to ensure that high standards are maintained and achieved by all individuals working within the education sector (cited by higher proportions of respondents in independent / third sector organisations, local authorities and professional associations / groups). Other themes were that being included in a professional body would facilitate better co-operation across individuals working within education or that this would promote professionalism for all working in the education sector.

170. The key concern emerging from almost half the respondents opposed to the establishment of the EWCS focused on concerns over the loss of the General Teaching Council for Scotland's (GTCS) role and a preference for the continuation of GTCS. Highest levels of mentions for this issue came from local authorities, schools, professional associations / groups and headteachers. A smaller proportion of respondents also suggested retaining

the GTCS for the teaching profession and setting up a separate organisation for other staff working within education.

171. Other issues cited by respondents opposed to the establishment of the EWCS included concerns:

- Over the dilution of professional teaching standards (cited by highest levels of local authorities, professional associations / groups and professional learning organisations).
- That amalgamation of GTCS and CLDSC will lead to a 'dumbing down' of the concept of professionalism and a loss of identity for the teaching and CLD professions.
- As to whether EWCS would be independent and queries over its governance and accountability.

172. Other concerns about the establishment of EWCS, and cited by small proportions of respondents both in favour and opposed to the organisation, included:

- Queries over how EWCS will carry out its purpose and aims or how it will be backed up by training and development, funding and support.
- EWCS could be too large and unwieldy or general concerns over the size and remit of EWCS.

173. Some respondents requested further detail on the registration process and likely fee levels.

174. Throughout this section of the consultation paper, the campaign noted its opposition to the establishment of the EWCS and noted that the GTCS is well established.

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

175. Around half of respondents opted to provide commentary to this question, although a number of these opted not to provide suggestions for other purposes or aims for EWCS. Any comments were made by very small proportions of respondents; many reiterated points made to the previous question.

176. Reference was made to the need for collaboration and collegiate working across all relevant sectors, with joined up thinking, a shared vision and shared standards that would encompass all individuals working within education. Small proportions of respondents also commented that anyone working in a school should have registration and accreditation and that it is important to recognise the contribution all individuals can make.

177. Some comments made by small proportions of respondents referred to standards within the sector, with comments of a need to recognise different

types of learning and achievement and offer appropriate pathways for those working in the sector, or of the need to ensure fair and balanced standards and CPD for all parts of the workforce, based on existing frameworks for standards. There was also some reference for the need to acknowledge informal learning – this comment was made primarily in relation to the CLD sector in which informal learning takes place and is perceived to be valuable.

Proposed functions

178. The consultation document set out the proposed functions of the Education Workforce Council for Scotland and asked:

Question 19: Are the proposed functions of the Education Workforce Council for Scotland appropriate?

179. Of those responding to this question, slightly more (170) agreed with the proposed functions of the Education Workforce Council for Scotland, than disagreed (147), although over half of this sample did not provide a definitive response with 107 providing a ‘don’t know’ response and 250 not providing any response.

Table 13: Question 19

	Yes	No	Don't Know	Not answered
Parent Council / Forum (103)	21	10	20	52
Local Authority (42)	10	1	4	27
Professional association / group (35)	8	6	1	20
Independent / 3rd sector (35)	6	2	2	25
School (25)	6	8	5	6
Representative organisation (13)	1	1	2	9
Further Education / Higher Education (11)	3	1	2	5
Professional learning (7)	1	2	-	4
Other education (17)	5	2	3	7
Other organisation (19)	4	3	1	11
Individuals (367)	105	111	67	84
Total (674)	170	147	107	250

180. Overall, 372 respondents opted to provide additional commentary in response to this question, although any themes emerging were cited by very small proportions of respondents.

181. A theme cited by the highest proportion of respondents, albeit a small proportion, was disagreement with the proposal to establish the EWCS. A very small proportion also queried the need for the EWCS as other organisations such as General Teaching Council for Scotland (GTCS), the Scottish Social Services Council (SSSC) or the Community Learning and Development Standards Council (CLDSC) already perform the suggested functions. A very small proportion of respondents also felt the proposed remit for the EWCS is too large for a single organisation to undertake. Allied to this, a very small proportion of respondents noted a preference for retaining the GTCS for teachers.

182. However, a similarly small proportion of respondents noted that the proposed functions of the EWCS are appropriate.

183. Other comments made by very small proportions of respondents included:

- That it will be beneficial to bring together all individuals working within the education sector, to streamline services and help spread good practice.
- A need for clarity over the types of professionals or practitioners who would be covered by the EWCS, with some requests for the CLD sector to retain its own identity.
- The need for the EWCS to be accountable to local authorities as they are the employers of education professionals.
- The function which notes 'promote family/carer/community engagement in and with the education system' does not sit well with professional regulation.

Question 20: What other functions might you suggest for the proposed Education Workforce Council for Scotland?

184. Less than half of respondents opted to provide any additional commentary in response to this question and respondents echoed a number of these identified at previous questions. A very small proportion of respondents suggested that the EWCS could be an umbrella organisation for the GTCS and the SSSC.

185. Only small proportions of respondents made any other suggestions, and these included

- A need for stronger links with initial teacher education (ITE) to ensure sufficient numbers of student teachers, consistency in ITE courses and access to teaching practice opportunities.
- Creation of closer ties across professions to increase learning opportunities and provide accredited training.
- Recognition and ratification of cross-professional development and the provision of support and development opportunities.

- Improved working conditions for teachers and the need to deal with the current issue of teacher recruitment and retention, so that positive career options can be offered and improvements can be made to teacher health and wellbeing.
- A need for registration to the EWCS to be fully inclusive across all practitioners, with some reference to the need to include volunteers working within the CLD sector.
- The need for the organisation to be independent and free from political interference.
- The need for functions to be clear and captured in legislation.
- The need for the EWCS to be accountable to local authorities as they are the employers of professionals working within the education sector.

Registration

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

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

187. Respondents were asked for their views on:

Question 21: Which education professionals should be subject to mandatory registration with the proposed Education Workforce Council for Scotland?

188. Overall, 414 respondents opted to provide commentary to this question and a wide range of different roles and functions were cited for mandatory registration with the proposed Education Workforce Council for Scotland. A small proportion of respondents reiterated the roles cited in the consultation paper (teachers, CLD practitioners, classroom assistants / ASL support workers, early years practitioners, school librarians, college lecturers and relevant support staff, and home / school link workers).

189. The roles most frequently cited by very small proportions of respondents were:

- All teachers
- All

- All adults in a school setting / all school staff
- Anyone directly involved in education / working in the education sector or in a learning environment
- All support staff
- ELC / nursery staff
- Classroom assistants / teaching assistants / pupil support
- CLD staff
- Educational psychologists / psychologists
- Higher / further education / university staff working in ITE and directly with schools
- Music teachers / instructors
- Home school link staff / family support

190. While most respondents focused on the types of staff who should be subject to mandatory registration within the proposed Education Workforce Council for Scotland, a small proportion noted their opposition to the establishment of the organisation. A small proportion also noted that all registration should remain with the existing bodies (GTCS, SSSC etc) and a very small proportion were concerned that this would lead to a dumbing down of the teaching profession. A similar proportion agreed with the suggestion for a phased implementation period; or the need to treat volunteers within the CLD sector differently, with one organisation noting concerns over the potential loss of volunteers within the CLD sector if mandatory registration is introduced.

191. A very small number of respondents noted concerns over the potential cost of setting up the EWCS, with suggestions that this would be better spent on front-line education services or that it could be seen as poor use of public money. One organisation suggested a full analysis of the financial implications should be undertaken.

192. There were also a very small number of queries as to whether individuals currently registered with the SSSC would have to also register with the EWCS, with a suggestion that SSSC registration should continue for early years workers.

Question 22: Should the Education Workforce Council for Scotland be required to consult on the fees it charges for registration?

193. Table 14 shows that, of those responding to this question, there was widespread support across all sub-groups for the Education Workforce Council for Scotland (EWCS) to consult on the fees it charges for registration, with 346 supporting this proposition and only 26 opposing it, although 59 respondents gave a 'don't know' response and 243 did not give any response.

Table 14: Question 22

	Yes	No	Don't know	Not answered
Parent Council / Forum (103)	39	4	13	47
Local Authority (42)	16	1	-	25
Professional association / group (35)	16	-	1	18
Independent / 3rd sector (35)	9	1	2	23
School (25)	12	3	1	9
Representative organisation (13)	6	-	-	7
Further Education / Higher Education (11)	4	1	-	6
Professional learning (7)	2	1	-	4
Other education (17)	7	1	1	8
Other organisation (19)	6	-	-	13
Individuals (367)	229	14	41	83
Total (674)	346	26	59	243

194. Key themes emerging at this question, albeit by very small proportions of respondents were that:

- There is a need for accountability and transparency in the setting of fees.
- There should be variable registration fees or a tiered structure for different categories of staff.
- Individuals need to know that charges are proportionate, fair and affordable.
- There is a need for lower charges for support staff / charges for support staff should not be prohibitive.
- While consulting on fees is the correct thing to do in principle, the functions of the organisation will have to be paid for either by self-financing and introducing a suitable level of fees to allow for this, or by being subsidised by government.

Governance

195. As outlined in the consultation document, in order to function effectively and to sustain confidence in its independence, the Scottish Government think that the Council governing the EWCS should be constituted to ensure that professionals do not form a majority. They anticipate a more 'board like' operation which holds the executive to account in exercising its core functions to deliver for relevant professions.

196. Respondents were asked:

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

197. Around half of the respondents provided a response to this question.

198. The key comment emerging to this question was the need for representation of all workers and parity of esteem across all registered professionals. Very small proportions of respondents noted that the composition of the Council should be proportionate, that it should not allow one registrant type to become dominant or that there should be equal representation of all groups. A small proportion of respondents also commented that they objected to the suggestion that the Council should be made up of non-professionals or felt that professionals should be in the majority.

199. The key principle cited by a very small proportion of respondents was that of openness, transparency and accountability, although there were also references to fairness, inclusive, equitable, professional, respect, clarity and honesty.

200. Very small proportions of respondents also noted that the organisation should be independent, that it should not have links to COSLA, the Scottish Government or Education Scotland or that it should follow the principles of GTCS, the SSSC and other existing registered bodies.

201. A very small proportion of respondents also felt there should be more consultation with the workforce, parents and children.

202. In terms of the Council structure specifically, there were a small number of comments on the need for the Council structure to have a Board and sector specific committees; or a small board and expert sub-groups; with a suggestion that a small board should not be dominated by one group of individuals. Additionally, respondents stated that the membership of the Council / Board should reflect its functions and intended outcomes and reflect the diversity in its registrant base.

Name

203. The final question in the consultation sought views on whether “The Education Workforce Council for Scotland” is the right name for a body which will establish professional standards and registration for a range of education professionals?

204. Respondents were asked:

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

205. Respondents cited a wide range of names that could be used for the proposed Education Workforce Council for Scotland, although most were made by only very small proportions of respondents. A small proportion noted that the name 'Education Workforce Council for Scotland' was acceptable; and a similar proportion felt it should be called GTCS. The main suggestion, from 8 respondents, was GECS - General Education Council Scotland. Other suggestions were each made by only one or two respondents and a list of all of the names suggested by respondents is included in Appendix 2.

206. Other comments made by respondents included:

- Disagreement with the establishment of the Education Workforce Council for Scotland.
- Use of the word 'workforce' does not imply professionalism and that the word 'profession' is needed in the title.
- The use of the word 'education' is wrong / the name should reflect the wide range of practitioners working within the sector.
- The name is less important than its function.

APPENDIX 1: Respondent Organisations

Table A: Respondent organisations

A1SchoolLeadershipSolutions
Aberdeen City Council, Curriculum Team
Aberdeen Grammar School Parent Council
Aberdeenshire Council
Aberdeenshire Council, Education and Children's Services Business Support
Aberdeenshire Council Liberal Democrats
Aberdeenshire Primary Head Teacher Council
Aberdeenshire Secondary Head Teachers Association ASHTA
Aberlour Child Care Trust
Abernethy Primary School Parent Council
Action for Children
ADES National Transitions Officer
AHDS
Airth Junior High School Parent Council
Airyhall School Parent Council
Angus Council
Ardnamurchan High School Parent Council
Argyll & Bute Council
Ashley Road School Parent Council
Association of Directors of Education in Scotland
Association of Principal Educational Psychologists
Auchertyre, Loch Duich and Glenelg Primary schools cluster
Auchertyre Primary School Parent Council
Audit Scotland, on behalf of the Accounts Commission and the Auditor General for Scotland
Balnacraig School
Balnain Primary School Parent Council
Banchory Academy Parent Council

Barnardo's Scotland
Beaully Primary School Parent Council
Bell Baxter High School Parent Council
Ben Wyvis Parent Council
Bord na Gaidhlig
Boroughmuir High School
Brae School Parent Council
Bridgend Primary
Broughton Primary School Parent Council
Bualnaluib Primary Parent council
Bun Sgoil Shleite Parent Council
Calderwood Primary School Parent Council
Cannich Bridge Primary School Parent Council
Carbost Primary Parent Council and Struan Primary Parent Council
CARE for Scotland
Catch the Light
Carnock Primary School Parent Council
Castlehill Primary – Parents Council
CELCIS
Chartered Institute of Library and Information Professionals in Scotland
Child Poverty Action Group in Scotland
Children and Young People's Commissioner Scotland
Children in Scotland
Children's University Scotland
Church and Society Council of the Church of Scotland
City of Edinburgh Council
City of Edinburgh, Council Children's Services
City of Edinburgh Council, Lifelong Learning, Schools and Lifelong Learning
CLD Standards Council Scotland
Coalition for Racial Equality and Rights

Colleges Scotland
Comhairle nam Pàrant, Sgoil Ghàidhlig Ghlaschu
Comman nam Pàrant (Dùn Èideann)
Comann nam Pàrant (Nàiseanta)
Comann nam Parant Ulapul
Commission on School Reform
Community Learning and Development Managers Scotland (CLDMS)
Convention of Scottish Local Authorities (COSLA)
Crathes Parent Council
Crossford Primary Parent Council
Culloden Academy Parent Council
Cumbernauld & Kilsyth Care
Development Education Centres Scotland
Dingwall Academy Parent Council
Dumfries and Galloway Council
Dundee City Council, Children and Families Service
Dunvegan Primary School Parent Council
Early Years Scotland
East Ayrshire Council Labour Group
East Dunbartonshire Council
East Dunbartonshire Council Educational Psychology Service
East Linton Primary School Parent Council
East Lothian Council
East Lothian Headteachers
East Renfrewshire Council
Edinbane Parent Council
Edinburgh Tenants Federation (Staff)
Education Scotland
Education and Children's Services Group of Prospect
Education Workforce Council

Educational Institute of Scotland (EIS)

ENABLE Scotland

Evangelical Alliance Scotland

Falkirk High School Parent Council

Falkirk Secondary Headteachers' Association

Fife Conservatives Council Group

Fife Council

FNF Scotland

Fortrose Academy Parent Council

Fossoway Parent Council

Friends of Drakies Primary School

Friends of Prestonfield (Prestonfield Primary Parent Council)

General Teaching Council for Scotland (GTCS)

Glasgow City Council

Glasgow City Council Secondary Headteachers

Glasgow Kelvin College

Glasgow Labour Group

Glasgow Life, on behalf of Glasgow Community Learning and Development Strategic Partnership

Glen Urquhart High School Parent Council

Glenurquhart Primary School Parent Council

Glencoe Primary School Parent Council

Glenelg Primary School Parent Council

Golspie High School Parent Council

GMB Scotland

Gracemount Primary Parent Council

Gracemount High School Parent Council

Haddington Infant School Parent Council

Harmeny Education Trust

Heads of Instrumental Teaching Scotland

Highland Council

Highland Parent Council Partnership
Highland Primary Headteachers' Executive
Hill of Banchory Parent Council
Hillhead Primary School
Hilton of Cadboll Primary School & Nursery Parent Council
HNC Working with Communities, FVC
Humanist Society Scotland
Includem
Inverclyde Education services
Invergordon Academy Parent Council
Inverness Royal Academy Parent Council
James Gillespie's High School Parent Council
Keep Scotland Beautiful
Kilmuir Parent Council
Kingcase Primary School Parent Council
Kinross High School
Kirkwall Grammar School Parent Council
Knox Academy Parent Council
Lanark Grammar School Parent Council
Lanark Primary School Parent Council
Langbank Parent Partnership
Lasswade High School Parent Council
Learning for Sustainability Scotland
Lenzie Meadow Primary School Parent Council
Lochaber Associated Schools Group Head Teachers
Macdiarmid primary parent council
Mackie Academy Parent Council
Meldrum Parents In Partnership (MPiP)
Midlothian Council
Midlothian Secondary Head Teachers

Millburn Academy Parent Council
Misneachd
Moray CLD PractitionersNetwork
Moray Council, Education Support Officers
Moray Council, Schools and Curriculum Development Section
Moray Secondary Headteachers' Association
Musicians' Union
Musselburgh Grammar School Parent Council
NASUWT
National Day Nurseries Association
National Deaf Children's Society
National Parent Forum of Scotland
North Ayrshire Council, Education and Youth Employment
North Lanarkshire Cluster Head Teacher Group
North Lanarkshire Council, Education, Youth & Communities
Northern Alliance
Oldmachar Academy Parent Council
One World Centre
Orkney Islands Council
Parent Council of St. Palladius Primary School, Dalry, North Ayrshire
Parent Council of the Community School of Auchterarder
Park primary school OBAN
Peepie
Pencaitland Primary School Parent Council
People First (Scotland)
Perth and Kinross Council, Education and Children's Services
Place2Be
Play Scotland
Poolewe primary parent council
Portmoak Primary Parent Council

Portree Associated School Group
Portree Primary School
Prince's Trust Scotland
Queensferry High School Parent Council
Raasay Primary Parent Council
Renfrewshire Council
Royal Blind
Royal Caledonian Education Trust
Royal Conservatoire of Scotland , Education and Initial Teacher Education Staff
Royal High School Parent Council
Royal Society of Edinburgh
Sandwick Junior High School Parent Council
Save the Children
School Leaders Scotland
Schools' Educational Trust
Scotland's National Creative Learning Network
Scottish Association of Vision Impairment Education
Scottish Book Trust
Scottish Borders Council
Scottish Catholic Education Service
Scottish College for Educational Leadership
Scottish Educational Research Association Early Years Network
Scottish Funding Council
Scottish Independent Advocacy Alliance
Scottish Library & Information Council
Scottish Out of School Care Network
Scottish Parent Teacher Council
Scottish Public Services Ombudsman
Scottish Secondary Teachers Association
Scottish Sensory Centre

Scottish Social Services Council (SSSC)

Scottish Youth Parliament

Shawlands Academy Parent Teacher Council

Shetland Islands Council

Shetland Islands Council Parent Council Chairs

Social Work Scotland

Socialist Educational Association Scotland

Society of Personnel & Development Scotland

SOLACE Scotland

South Ayrshire Council

South Lanarkshire Council

Speyside High School Parent Council

St Andrew's and St Bride's High School

St Andrew's and St Bride's High School Parent Council

St Anthony's Primary Parent Council

St Columba's High School Parent Council, Gourrock

St John Ogilvie High School

St Patrick's RC Primary Parent Forum

Stirling Council

Stonelaw Parent Council

Stonewall Scotland

Stoneyhill Parent Council

Stòrlann Nàiseanta na Gàidhlig

Stornoway Primary Parent Council

Tarbat Old Primary School

The Salvesen Mindroom Centre

Tinto Parent Council

Together (Scottish Alliance for Children's Rights)

Trinity High School

Trinity Primary School - Parent Council

UCU Scotland

Ullapool Associated Schools Group

Ullapool Primary

Ullapool Primary School Parent Council

UNISON

University of Edinburgh, Moray House School of Education

The University of Highlands & Islands

University of Strathclyde

Voice the Union

West of Scotland Development Education Centre

West Dunbartonshire Council

West Linton Parent Council

West Lothian Council

Who Cares? Scotland

Woodlands Special School Edinburgh Parent Council

Youthlink Scotland

72 organisations - name withheld

367 individuals

APPENDIX 2: Question 24: Possible names for EWCS

The following table contains suggestions put forward by respondents at Question 24: By what name should the proposed Education Workforce Council for Scotland be known?

Table B: Question 24

A Taskforce for Life
Children and Young People's Workforce Council for Scotland
Comhairle Proifeiseanta Foghlam na h-Alba (CPFA)
Communities Education Scotland
Community and Education Council for Scotland
Council for Education
Educating People Scotland
Education and Community Improvement Council Scotland
Education and Community Learning Workforce Council
Education and Community Partnership Council Scotland
Education and Community Workforce Council (3 mentions)
Education and Development Council Scotland
Education Council for Scotland
Education Practitioner Council for Scotland
Education Professional Workforce Council
Education Professionals Academy Scotland
Education Professions Council for Scotland
Education Scotland
Education Standards Council for Scotland
Education Workers Standards Agency
Educational Staff Standards Council
Educational workforce council
Educators Scotland
Employment Excellence

Excellence in Leaders of Learning
GECS - General Education Council Scotland (8 mentions)
General Educators Council of Scotland
General Teaching and Associates Council
General Teaching Council
Getting it right for Scotland
Institute of Education
Learning & Development Aspirations Scotland
Learning & Development Workforce Council for Scotland
Learning Community Scotland
Learning connected Scotland
Learning in Scotland - Workforce of the future.
Learning Leaders Executive
LEARNING workforce council
Lifelong Learning Workforce Council for Scotland
National Academic Staff Association for Scotland
Primary and Lifelong Learning Education Council Scotland
Professional Education Council for Scotland
Professional Education Council for Scotland (PECS)
Professional Educators of Scotland (2 mentions)
SCET - Scottish Council for Education and Training
SCEW - Scottish Council for Workforce Education
School Education Academy Scotland
Schooling in Scotland Council
Schooling Scotland Council
Scotland's Early Learning, Childcare and Education Workforce Council
Scottish Council for Educational Practitioners (SCEP)
Scottish Education and Community Improvement Alliance
Scottish Education and Community Improvement Council
Scottish Education and Development Council
Scottish Education Council (2 mentions)

Scottish Education Network

Scottish Education Profession

Scottish Education Professionals

Scottish Education Services Council (2 mentions)

Scottish Education Workforce Council

Scottish Educators Council (2 mentions)

Scottish Learning and Community Partnership (2 mentions)

Scottish Learning Council

Scottish Professional Education Council (2 mentions)

SEWC

SEWC - Scottish Education Workforce Council

SSSEC (Scottish Social Services & Education Council)

Supporting Staff Standards in the Learning Context

SWEC - Scotland's Workforce Education Council

The council for Scotland's educators

The Education Council

The Education Workforce (Scotland)

The Learning Collaborative

The Lifelong Learning Council

The Scottish Register of Education Providers

The Teaching and Education Workforce Council for Scotland

APPENDIX 3: Glossary of Terms

ASL	Additional Support for Learning
ASN	Additional Support Needs
CLD	Community Learning and Development
CLDSC	Community Learning and Development Standards Council
EWCS	Education Workforce Council for Scotland
GIRFEC	Getting it Right for Every Child
GTCS	General Teaching Council for Scotland
HGIOS	How Good is our School?
LNCT	Local Negotiating Committee for Teachers
NASUWT	National Association of Schoolmasters Union of Women Teachers
NIF	National Improvement Framework
OECD	Organisation for Economic Co-operation and Development
RIC	Regional Improvement Collaborative
RIP	Regional Improvement Plan
SCEL	Scottish College for Educational Leadership
SIP	School Improvement Plan
SNCT	Scottish Negotiating Committee for Teachers
SSSC	The Scottish Social Services Council

How to access background or source data

The data collected for this <statistical bulletin / social research publication>:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route <specify or delete this text>
- may be made available on request, subject to consideration of legal and ethical factors. Please contact <email address> for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2018

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78851-858-1 (web only)

Published by The Scottish Government, April 2018

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS406026 (04/18)

W W W . G O V . S C O T