

# **A Consultation on the Provisions of the Education Bill: Analysis of Responses**

**Report**

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# Executive Summary

## Introduction

As part of the ongoing programme of education reforms, the Scottish Government conducted a public and stakeholder consultation to inform the development of a draft Education Bill. The Bill aims to set the legislative framework to replace the Scottish Qualifications Authority (SQA) and remove the inspection function from Education Scotland, thus creating two new organisations. Ahead of its finalisation, the consultation sought stakeholder views on provisions for the Bill and an independent analysis of feedback was commissioned.

In total, 386 substantive consultation responses were received and were included within the analysis. This consisted of 234 individuals and 152 responses submitted on behalf of organisations. However, a higher number of people contributed overall as several organisations had conducted wider consultation to develop their response. In addition, nine online consultation events were held, which were attended by just under 1,000 people.

## Establishment of a New Qualifications Body

In relation to the creation of a new qualifications body (NQB), the consultation sought feedback on:

- changes to how qualifications are developed and delivered to improve outcomes for learners;
- proposals to better represent the teaching profession, pupils and students within the NQB through individuals on the Board with current practical experience, respective committees bringing together a diverse range of perspectives to influence the NQB's decision-making process, and specific user "Charters";
- proposals regarding the accreditation function and how this would be separated from the awarding function; and
- proposals to establish a National Forum, to work closely and collaboratively with the NQB, and to provide clear and timely communication.

## The Development and Delivery of Qualifications

A wide range of factors were discussed by respondents in relation to the development and delivery of qualifications. This included:

- the need to increase emphasis, recognition and value placed on different types of qualifications, awards and range of skills, and to deliver parity of esteem (and access) between different pathways and qualifications;
- providing access to a wide and varied curriculum and a range of learner paths and qualification types for all learners;
- moving away from “teaching to the test”, “rote learning” and “memory testing”;

- adopting collaborative approaches to developing and updating qualifications, to involve a wide range of stakeholders;
- ensuring widespread communication and awareness raising of different types of qualifications;
- adopting a holistic approach to qualifications (and education reform more generally) by considering this alongside curriculum design and pedagogy, as well as further/higher education, and workplace needs;
- support for the recommendations set out in the [Hayward Report](#), and the use of the Scottish Diploma of Achievement (SDA); and
- support for the use of Scottish Credit and Qualifications Framework (SCQF) levels to develop a linked and cohesive qualification framework.

The delivery of qualifications across the UK and internationally was discussed less often - several felt this function should continue, while a few sought additional information on the current scope of this activity or were concerned this might undermine the public service side of the role.

A few respondents were also concerned about the implications for other existing awarding bodies given the proposed scope of the NQB's functions.

### **The Board, Committees and Charters**

There was general support for involving both teaching professionals and pupils and students within the governance structures of the NQB. There was however some minority resistance to involving children and young people directly within governance structures.

It was argued, however, that the proposal to include at least one teaching professional from the school sector and one from the college sector on the Board was insufficient and tokenistic. It was felt that far higher representation of teaching professionals would be needed, and that selected individuals should have current or recent classroom experience. Similarly, it was noted that the proposals were unclear regarding whether pupils and students would be involved directly or if professional representative bodies would be used - although it was felt important that pupils and students be given the responsibility.

Within the Board and teacher and pupil and student Committees, it was also stressed that wide representation would be needed, to take account of all ages, stages, sectors, demographic and socio-economic backgrounds, geography, subject areas, and specialist/minority areas, such as Gaelic Medium Education (GME) providers, and those with or representing neurodivergent pupils and students, those with disabilities, etc. In addition, it was felt that both teaching professionals and pupils and students allocated to these functions would need to be rotated, and that they would need to be supported to contribute. For teaching professionals this included a range of suggestions around secondments to the NQB, allocated and protected time, and additional resources being made available to ensure engagement. Capacity building, training, mentoring, support and

guidance were perceived to be required to facilitate the participation of pupils and students (and children and young people in particular).

It was also stressed that any engagement with teaching professionals and pupils and students needed to be meaningful and impactful, and that their views must be taken into account in any decision making process. It was felt that the proposals lacked detail on how much influence these stakeholders would have, both within the Board and within the NQB more generally, and how much influence the Committees would have. Concerns were expressed that these proposals could end up simply 'paying lip-service' to their views.

The creation of a Charter for teaching professionals was also broadly welcomed, although views about a Charter for pupils and students were more mixed.

### **The Accreditation Function**

There were largely mixed views around whether the NQB should be responsible for both awarding and accrediting qualifications. Some felt that making the new body responsible for setting standards and accreditation was sensible, provided there are clear responsibilities and opportunities to ensure connections between the two duties. Others, however, disagreed that the new body should be responsible for both aspects, and felt that these functions needed to be separated across two separate bodies (as had been recommended in the [Muir Report](#)) to avoid conflicts of interest and maintain independence from one another.

### **National Forum, Collaborative Working and Communications**

Most respondents appeared to be in favour of a strong and effective collaborative, partnership and co-working approach. It was also felt that this approach needed to extend to a wide range of stakeholders encompassing the full education spectrum as well as destination sectors (e.g. employers, trade bodies, further and higher education), and representative and specialist bodies.

While most respondents did not comment specifically on the use of a National Forum, they did support the use of a variety of methods to ensure a wide range of views were incorporated and joint working achieved. Some did, however, indicate that the creation of a National Forum was a good idea, and felt this would provide an additional opportunity for inputting views, facilitate the provision of independent advice, and provide an additional layer of accountability. Again, it was felt that membership needed to be rotated to ensure wide representation and that views remained fresh and relevant.

In terms of communication, most comments focused on the need for the NQB to listen to stakeholders, and to take on board and act upon their views, rather than discussing how the NQB should communicate. Those who did discuss outgoing communications suggested transparent communication was vital, and recommended the use of 'You Said, We Did' type reports to provide accountability. Reporting also needed to be widely disseminated and publicly available.

Again, however, it was stressed that any collaboration needed to be meaningful and impactful, and concerns were raised about the potential for the NQB to become slow to react, overly complicated and bureaucratic.

## **Reform of Education Inspection**

### **Purposes of Inspection**

The consultation paper set out three core purposes of inspection:

- to provide public accountability and assurance on the quality of education to learners, their parents/carers and the Scottish Parliament;
- to support education providers, including schools, teachers and other practitioners to improve, through capacity building and sharing effective practice; and
- to share evidence about education and training to support services to improve and inform the development of education policy.

There was clear agreement with the purposes set out, with respondents stressing that 'support' should be the main purpose of inspection. The emphasis on supporting improvement through the sharing of evidence and good practice was also very much welcomed and was seen as something which could support consistency across the system as well as facilitating continued professional development for education staff.

While most respondents agreed with the purpose of accountability and assurance, there were feelings that this was of lesser priority.

Several respondents indicated a desire to see a specific purpose linked to safeguarding and protection, and this was perhaps the main 'additional' purpose that was highlighted. Other comments on the purposes included that they could be more inclusive of a wider range of partners and that, as currently specified, they were perhaps vague in relation to specific sectors (including community learning, the tertiary sector and modern apprenticeships).

### **Range of Establishments and Services**

The consultation paper set out a list of establishments and services to be included in the scope of inspections and, again, there was widespread support for the inclusion of those specified. While there was broad agreement that all places where children and young people learn should be inspected by the same body to ensure consistency, comments were also made that a 'one size fits all' approach to inspection would not be appropriate. It was felt that inspection processes must always be context specific.

Concerns raised by respondents included that the current inspection arrangements for the early learning and childcare (ELC) sector needed to be revised, with several respondents highlighting issues with the current involvement of both the Care Inspectorate and HMIe in ELC inspection. Arguments were provided that a single body should be established for the inspection of ELC to avoid duplication, although

respondents did not always offer a preference for how this should be achieved. Similarly, several respondents stressed the need to avoid duplication of inspection/quality assurance arrangements in the tertiary sector, and for Initial Teacher Education. The main argument given by those who did not support the inspection of publicly funded colleges by HMIE was that alternative models were already in place that were or would be more suitable.

Few respondents commented specifically on the role of the Inspectorate of Education in the inspection of modern apprenticeships. Among those who did, discussions were largely focused on what the purpose of such inspections should be and how they should be carried out, rather than outlining their views on the general principle of whether the new inspectorate should have a role in the sector or not.

### **Maximising the Impact of Education Inspection**

The consultation document set out three priorities to improve the operation and impact of inspection in the education system, these being to:

- ensure that children, young people, adult learners, parents/carers, teachers and other practitioners, as well as the public, have confidence in the work of the inspectorate of education;
- ensure the involvement of teachers and other practitioners, children, pupils and students, parents/carers, local authorities and providers in inspections; and
- ensure inspection evidence is being fully utilised to: (a) provide assurance and public accountability; (b) drive improvement and build capacity; and (c) inform practice and policy.

Again, there was support for the priorities set out among the majority of respondents with considerable support for ensuring the involvement of teachers and other practitioners, learners, parents/carers, local authorities and providers in inspections. This commitment was seen as particularly important in securing confidence in the work of the inspectorate.

### **Addressing the Priority Issues**

In taking forward the set priorities, there was clear (although not unanimous) support for removing the inspection function from Education Scotland to create a distinct and separate executive agency without requiring new legislation (with the inspectorate remaining directly accountable to Scottish Ministers). Having such an independent body, guided by stakeholder voice and current emerging research, was seen as a way of maintaining the autonomy of the inspection process while also addressing historical concerns around impartiality. While this option was seen as radical, it was also seen as necessary to help avoid potential conflicts of interest between development, improvement and evaluation functions, as was perceived to be characteristic of the current system. The main arguments against this proposal were that it would not achieve the 'independence' from government that stakeholders wanted to see and that having another organisation involved in education and scrutiny may add to existing bureaucracy. Some concern was also



expressed that separating out inspection and support agencies may result in disjointed or divergent thinking.

There was support for taking forward legislation to establish the role of 'HM Chief Inspector of Education for Scotland' in law as an independent office-holder with the Inspector having primary responsibility for setting the schedule, frequency and focus for inspections. The main reason given in support was that this would make accountability and independence more obvious and more stringent which, in turn, could maximise public and professional confidence in the inspection process. Among those who disagreed with this proposal, concerns were mainly linked to how a single office holder might be regulated or held to account. There were also concerns that any legislative changes may add another level of complexity to the existing system and act as a barrier to progress.

It should be noted that several respondents commented on what they perceived to be the strengths and weaknesses of options presented (as well as positing alternatives) rather than expressing a clear preference for either approach.

Regardless of the model adopted, there was strong support for involving teachers and other practitioners, learners, parents/carers, local authorities and providers in inspections and governance arrangements, and for ensuring that stakeholder voices were taken on board. Involvement of stakeholders was also seen as the best way to guarantee impartiality and responsiveness of inspections and to instil stakeholder trust in the inspection process.

Views as to whether an Advisory Council should be legislated for to facilitate stakeholder involvement were less conclusive, with some seeing this as making the system more robust and others viewing it as overly bureaucratic.

Similarly, while many indicated support for formal reporting structures to be in place in order to support the third priority area, including support for the use of both annual and regular reports to monitor the inspectorate's work and to provide an overall view on performance across the Scottish education system, far fewer indicated any preference around the use of legislation in this regard.

Respondents were in agreement, however, with the need for inspection evidence to be shared widely. In particular, it was felt that the sharing of good practice could help to inform practice across all educational establishments and not just those being inspected.

## **Cross-Cutting Themes**

A range of other issues, common to both new bodies were also discussed. It was suggested that both new bodies should:

- adopt a collegiate, collaborative and supportive approach, both in their governance arrangements and general working practices;
- develop and facilitate close and ongoing collaborative links with and between a wide range of stakeholders;

- ensure that stakeholder engagement/involvement was representative, meaningful and not tokenistic, with children and young people being supported to participate fully;
- ensure that stakeholder views are listened to and taken on board on an ongoing basis to affect real change - several organisational respondents offered to remain proactively involved in the onward shaping of legislation, policy or practices;
- ensure future developments are inclusive and reflective of the diverse range of learner needs (for qualifications) and local context (for inspections); and
- provide clear and transparent feedback to all stakeholders.

A large volume of comments provided related to more operational and practical elements of the new bodies and of assessment and inspection, as well as training requirements and sector specific issues. Respondents also highlighted the need for/concern around the availability of financial support and appropriate resourcing, both for the creation of any new bodies and the wider education system to engage with and implement changes.

A few other common issues were also raised across the consultation. It was felt that there was a lack of detail included in the consultation document regarding how the new bodies would function, what the relationships between the new bodies and other existing organisations would be, how new functions would overlap with/be different from existing functions, and how many of the proposals would operate in practice. More detail was also sought on the advantages and disadvantages of the different proposals/approaches set out in the consultation document.

There was also a general sense among a few respondents that the proposals did not offer meaningful change in the application of qualifications and inspections - rather there was a sense of rebranding.

Finally, it was felt that the proposed changes to the legislative status and governance arrangements alone would not be sufficient to address the key issues related to qualifications and inspections (or the more general reforms needed across education). It was noted that this would require a significant culture change across the sector.

## **Conclusion**

Overall, there was general support for most of the proposals set out in the consultation document, albeit with several caveats and areas of concern which could be addressed going forward.

The only areas where levels of support were more mixed included the proposals to retain both awarding and accreditation functions within the remit of the NQB (rather than having separate bodies responsible for these), the inclusion of specific settings within the remit of the new inspectorate due to the risk of duplication, and whether legislation was required/preferred or not when creating the new inspection body.

# 1. Introduction

## Background

The Organisation for Economic Cooperation and Development (OECD) published its report on [Scotland's Curriculum for Excellence: Into the Future](#) June 2021. This recommended the creation of a new specialist agency responsible for curriculum and assessment and to consider refreshing the remit of an inspectorate of education. Professor Ken Muir CBE was then appointed by the Scottish Government as an Independent Advisor on Education Reform to provide independent and impartial advice around the proposed changes. His report, [Putting Learners at the Centre: Towards a Future Vision for Scottish Education](#), was published in March 2022.

The [Scottish Government's response](#) to the Muir report accepted all recommendations in relation to the qualifications body in full, and accepted the recommendation to establish a new inspectorate to be underpinned by legislation in principle.

Significant work has been done to explore options for progressing these recommendations, including:

- work regarding Inspection of Early Learning and Childcare and School Age Childcare Services in Scotland;
- a National Discussion on Education, led by Professor Carol Campbell and Professor Alma Harris, with the final report, [All Learners in Scotland Matter - National Discussion on Education](#), published in May 2023;
- an Independent Review of the Skills Delivery Landscape, led by James Withers, culminating in the report [Fit for the Future: Developing a Post-School Learning System to Fuel Economic Transformation](#), published in June 2023;
- the Scottish Government published a report, [Purpose and Principles for Post-School Education, Research and Skills Initial Priorities](#), in June 2023, which was designed to direct reform across the lifelong education and skills system; and
- an Independent Review of Qualifications and Assessment, carried out by Professor Emeritus Louise Hayward, resulting in [It's Our Future - Independent Review of Qualifications and Assessment](#) being published in June 2023.

Building upon the above work, and being mindful of the recommendations in the Hayward and Withers reports, the Scottish Government conducted further public and stakeholder consultation to inform the development of an Education Bill. This aims to set the legislative framework to replace the SQA and remove the inspection function from Education Scotland, thus creating two new organisations.

## The Public Consultation

The consultation was open for six weeks, running from 7 November to 18 December 2023. Nine online events were also conducted to gather feedback.

The consultation asked 12 questions, three of which included a closed (agree/disagree) element and space for qualitative feedback, while the other nine questions sought qualitative comments only.

The consultation paper was split into two sections. The first sought to explore the creation of a new qualifications body (NQB), proposed to be established as a non-departmental public body (NDPB). The second section focused on separating the inspection function from Education Scotland to create a new inspectorate.

## Response Rate and Profile

In total, **386 substantive responses were received** and were included within the analysis. This included 327 responses submitted via Citizen Space (the Scottish Government’s online public consultation portal), 54 responses submitted via email, and five responses which represented collated returns (i.e. where more than one response was received from the same respondent and combined into one composite response). One blank response was also received and screened out of the analysis process.

Of the 386 responses, 234 were provided by individuals and 152 represented organisations. Organisational responses were broken down by sector as shown in the table below.

	Number	Percent
School/Early Years	28	18%
Third Sector	28	18%
Local Authority	27	18%
Trade Union/Professional Representative Body	22	15%
National Agency/Public Body	15	10%
Post-School Sector/College/University	14	9%
Representing parents/carers and/or children and young people	9	6%
Awarding Body	4	3%
Industry and Private Sector	2	1%
Other	2	1%
Not Disclosed	1	1%
<b>Total</b>	<b>152</b>	<b>100%</b>

The above represents the number of responses received; however, the number of people who contributed feedback was higher. A few organisations noted that they had engaged with staff, their membership, young people, parents/carers, or other

groups that they represented to develop their response. This included one organisation that had conducted a survey of 169 parents/carers, as well as other organisations which had utilised focus groups, meetings and other engagement methods to gather views.

As noted above, nine online consultation events were also held (facilitated by the Scottish Government) to discuss the proposals and obtain feedback. These included events with Education Scotland, the Scottish Qualifications Authority (SQA), Community Learning and Development (CLD), two sessions with teacher professional associations, and four public sessions. **Just under 1,000 people attended these online sessions**, with summary write-ups and copies of the 'chat' facility transcripts (where available) included in the analysis.

## Methodology

All responses (including written responses and event summaries) were downloaded and collated into an Excel database for analysis. Responses were read and iterative thematic analysis used to identify and extract the key issues and recurring themes from the data. Comparative analysis was also conducted to identify the level of consistency and any differences in feedback by respondent typology (i.e. between individuals and organisations, and between organisational sector).

## Caveats and Reporting Conventions

It should be noted that some respondents indicated either a lack of information in the consultation document to allow them to provide informed responses, or expressed difficulty in interpreting information/terminology. Some of the questions asked were also perceived to be very broad, and to not specifically link back to the proposals being made or the options outlined at each section of the consultation. As a result, many of the responses discussed a wide range of issues, some of which were not always directly relevant to the proposals. It also meant that there was often no clear indication regarding preferences between proposed options that had been set out. There was also some repetition between responses given at different questions, and instances of respondents including information at one question which was more relevant to later questions. In this latter case, the report tries, as far as possible, to include consideration of feedback at the relevant question/section.

Another key issue was that, at a number of questions, the consultation paper sought feedback on legislative issues and options which either required or did not require legislation. However, many of the responses focused on the subject matter more generally, discussed more practical implementation or operation of functions, or outlined the pros and cons of each option, without indicating a preference for adopting legislation or not. The report highlights both the issues related to legislation preferences where available, and outlines the range of other issues discussed, but it should be noted that it was often very difficult to identify any overall preferred approach.

While no campaign responses were received as part of this consultation, there was some evidence of limited co-ordination of responses, particularly between a few

local authorities, and between trade union/professional representative bodies and other organisations/individuals. It was not clear which responses were the 'originals' but there was evidence of responses at individual questions having been adopted by others. The impact of this on the analysis and findings, however, was negligible given the small scale of co-ordination and the range of views expressed - typically the issues highlighted in these co-ordinated responses were also discussed by others and so merited inclusion in the report, regardless of the co-ordination between a few respondents.

It was possible for respondents to participate in the consultation in multiple ways, i.e. submitting a consultation response, either via the online portal or directly via email, and attending an event. In such cases, all input has been considered and included here for completeness, but this should be borne in mind when considering the results as there might be some duplication in views offered by people who contributed using more than one method.

While the events adopted a broader approach and facilitated more open discussion which did not follow the set consultation questions, they tended to identify many of the same issues as the written responses. Therefore, the findings from both strands have been collated and presented together in the relevant sections below.

Where individual respondents offered views that differed from those submitted by organisations, or where views differed between the different organisational sectors, this is identified and outlined in the narrative of the report. However, it should be noted that there was much overlap in the views between respondent types.

Finally, the findings here reflect only the views of those who chose to respond to this consultation. It should be noted that respondents to a consultation are a self-selecting group. The findings should not, therefore, be considered as representative of the views of the wider population.

### **Remainder of this Report**

Chapters 2 and 3 below set out the findings in relation to the proposals for the new qualifications body and the new inspectorate respectively. These chapters present the results as they relate to each consultation question. A significant volume of additional comments, often related to more operational elements of the new organisations or of the delivery of qualifications, assessments and the inspection process, were also provided across responses. This information is included at Chapter 4 and is presented by theme rather than by consultation question in order to avoid repetition. The final chapter sets out recurring comments that were repeated across the consultation questions, and outlines next steps for progressing the Education Bill.

## 2. Establishment of a New Qualifications Body

The consultation paper sought views and feedback in relation to four of the recommendations from the Muir Report related to the creation of a new qualifications body, as follows:

1. A new qualifications body should be established. This new body should be an executive Non-Departmental Public Body (NDPB).
2. It should take on board SQA's current awarding functions, chiefly the responsibility for the design and delivering of qualifications, the operation and certification of examinations, and the awarding of certificates.
3. Income-generating contract services currently provided by SQA for organisations, governments and businesses, should be included in the remit of the new NDPB. SQA's current international work should also be part of the NDPB's remit.
4. The governance structure of the proposed qualifications body should be revised to include more representation from, and accountability to all learners, teachers, practitioners and the stakeholders with whom it engages.

### A Diversity of High Quality Qualifications

Respondents were asked to comment on the second and third recommendation set out above, i.e. that the new qualifications body (NQB) should take on the SQAs current awarding functions, and income-generating and international work. The consultation paper set out the Scottish Government's vision around the development and delivery of qualifications and proposed that the NQB would be responsible for ensuring all these activities were delivered effectively as part of its qualifications provision.

**Q1: What changes should the Scottish Government consider in terms of how qualifications are developed and delivered that you think would improve outcomes for Scotland's pupils and students?**

A wide range of factors were discussed by respondents, often in combination, rather than one single change being suggested.

While the question focused on the development and delivery of qualifications, individuals often tended to discuss which specific elements and skills should be better accommodated/recognised within the assessment or qualification structure, the outcomes that future qualifications needed to deliver, or their preferred approaches to operational issues related to the curriculum, assessment process or class profile. A few stressed the interconnected nature of the curriculum and assessment/qualifications and felt that making changes to just one element would not bring the desired effects of raising standards/outcomes, but rather a holistic approach would be required.

## **Key Areas for Greater Recognition/Development**

Respondents discussed the need for a range of pupil and student centred qualification pathways, and to increase emphasis, recognition and value placed on a range of aspects. Issues commonly discussed across both written responses and events included:

- greater recognition of wider, more practical, less academic based learning/ experience/achievements, such as vocational qualifications, community based learning, volunteering and work experience, and schemes like Duke of Edinburgh Awards, John Muir Award, and Youth Achievement Awards;
- greater focus on the four capacities (i.e. successful learners, confident individuals, effective contributors, and responsible citizens), as well as a wider range of skills, including resilience, self-motivation, communication, negotiation, collaborative/team working, interpersonal skills, enhanced people skills, budgeting/financial management, ethics, logic and critical thinking, problem solving, practical and work related skills, enterprise and leadership;
- need to deliver parity of esteem and access between different qualifications (including but not limited to academic and vocational qualifications), as well as ensuring a wider range of vocational qualifications are available in schools;
- requiring and evidencing real thinking and learning in assessments, as well as skills and knowledge, and move away from “rote learning” and exams being simply a “memory test” or recall exercise; and
- move away from “teaching to the test” and having the exam lead the learning/ course structure and content:

“It is important that qualifications, therefore, reflect the curriculum, and approaches to learning, teaching, and assessment in the senior phase rather than driving them.” (Trade union/professional representative body)

It was argued that all schools needed to offer a wide, varied and rich curriculum (or establish partnerships, consortia and digital arrangements to do so), whilst also ensuring equity of access and delivery. It was felt that more needed to be done to deliver parity of esteem between different types of qualifications, and that systems needed to be developed to ensure those attending smaller and/or more rural establishments could access the same wide range of subjects/qualifications as their peers in other areas. It was felt important that qualifications were accessible for neurodivergent pupils and students, and those with additional support needs. Others suggested it would be important to ensure that course material and assessment methods were culturally sensitive and would not disadvantage certain pupils/students, e.g. those from disadvantaged areas/backgrounds, minority groups, etc. A few also stressed that the full range of qualifications should be available to home educated young people.

## **Collaborative Approach**

Another key issue discussed by respondents was the need to ensure that course content and assessment were relevant and adaptable to real life, the future



workplace, and/or further/higher education. It was largely felt that the best way to achieve this would be through collaborative working between the NQB and partners and stakeholders, with event attendees suggesting stakeholders needed to be involved at a more practical level in the design of qualifications.

Many respondents stressed the need for the NQB to develop and maintain consultation with/input from a wide range of stakeholders, including: teachers; subject specialists/advisors; colleges and universities; national bodies; learners and parents/carers; and employers. More specifically, it was suggested that there should be collaboration with and between awarding bodies, teachers/educators, colleges and universities, and employers to develop suitable processes and individual qualifications. Several organisations felt this should be done alongside the consideration of Local Market Intelligence (LMI) information:

“You need to take more input from the expert teachers on the ground, as well as employers and further and higher education providers on skills gaps.” (Individual)

“Involve key stakeholders, including young people, teachers and lecturers, employers, and industries, in the development and evaluation of qualifications. This ensures that qualifications meet the practical needs of all involved parties.” (Local Authority)

Widespread communication and awareness raising regarding any changes and new qualifications were also said to be needed (discussed in both written responses and the events), targeting all stakeholders and wider society to provide clarity and ensure that everyone would understand and value the range of qualifications on offer. This was considered particularly important for schools and the users of qualifications, including further and higher education and employers:

“Work must be done with post-school destinations such as industry and universities in particular to make sure there is a common and shared understanding of any new qualifications and their value.” (School/Early Years)

“Universities and colleges must be made part of the conversation - particularly in their response to the provision of more technical-based qualifications which are highly in demand - and encouraged to embrace a diverse range of qualifications that feed into a multitude of destinations. These changes must be embraced by not only by tertiary education and, importantly, by employers, but also by the general public.” (Trade Union/Professional Representative Body)

### **Holistic Approach Needed**

It was stressed that any changes to qualifications (and assessment) needed to be seen alongside curriculum design and review and pedagogy. A holistic approach was said to be required if reforms were to be successful. Regular audits were also suggested of both the curriculum and assessments, with them being modernised where necessary, and updated to reflect societal, technological and workplace/ industry developments. Again, it was stressed that teachers needed to be involved

in such updates. Further, the range of qualifications should be reviewed to remove outdated and less suitable courses and replace these with alternatives which are more suited to developing relevant skills and economic/industry needs.

## **Qualification Structure**

Some (including a sizable proportion of organisations) expressed support for the recommendations set out in the [Hayward Report](#), and the use of the Scottish Diploma of Achievement (SDA) in particular. It was argued that this should be used to develop reforms around qualifications, and that work needed to begin to implement the recommendations:

“The vision and recommendations of Louise Hayward's report should be robustly recognised and be used as the guiding principle of the development of qualification in the future. The views of the nation have already been gathered and presented in the report and its recommendations are strongly supported in terms of the qualifications reform we wish to see.” (Local Authority)

Others also noted support or recommended further consideration of the findings from the [Stobart Report](#) and [Withers Report](#). There was also general support for the use of Scottish Credit and Qualifications Framework (SCQF) levels for mapping learner pathways and developing a linked and cohesive framework:

“Recognition of a wider range of qualifications, particularly those which do not rely on 'high stakes' assessments, should become more prevalent to accommodate the wide range of ways in which young people demonstrate their understanding of subjects and knowledge. I support the view of having the SCQF framework as the primary measure of attainment for all qualifications.” (Individual)

Other suggestions, related to specific qualifications, were also outlined. This included that certain qualifications (particularly National 5s and Highers) should be conducted over two years (rather than one), or that course content should be adjusted to ensure that depth of learning is possible within the one year timeframe. A few also felt that National 4s and National 5s should be graded within the qualification (much like previous Standard Grades) to be motivational for pupils and more informative to employers regarding ability. It was also suggested (across both written responses and events) that pupils should be able to cover two levels to aid progression, provide challenge and allow pupils to strive for higher levels without risking achieving no qualification, and thereby reducing the risk/need to drop between qualifications (e.g. from National 5 to National 4), which was considered demoralising. Similarly, it was felt that National Qualifications (NQs) and National Progression Awards (NPAs) should be better aligned to allow movement between the two. Others suggested changing to alternative qualifications, such as returning to Standard Grades, adopting GCSEs or a baccalaureate-type qualification.

## **Practicalities of Reform**

Funding for schools and education was noted as an issue (here and throughout the consultation), with respondents stressing that they needed to be funded and

resourced appropriately, both to deliver the current curriculum and meet the needs of all learners, and to develop and action any changes.

It was also stressed that sufficient lead in time would be required for schools to familiarise themselves with any new approaches. As such, content and assessment criteria needed to be provided to schools in ample time and well ahead of courses launching. It was also suggested that additional support would be needed in the way of guidance documents and subject specialists producing materials, assessments and model answers. Investment in a range of professional development opportunities for teaching professionals would also be required, as well as updates to the Initial Teacher Education (ITE) programme. Further, any guidance and information sharing needed to happen ahead of the start of any new school year and not be delivered after courses had begun.

### **Other Comments**

A minority of respondents also considered the international element of the current qualification provision. While several felt that the NQB should continue to provide qualifications to the rest of the UK and internationally, a few suggested that a breakdown of such commercial activities and income was required to inform whether this role should be retained by the NQB, with concerns expressed that this may undermine the public service side of the role.

A few respondents also raised concerns over the implications and possible conflicts of interest between the proposals for the NQB and other awarding bodies. It was suggested that it may be inappropriate for the NQB to drive and shape all qualifications in Scotland as many other awarding bodies also currently existed - it was felt that such an approach would create a monopoly, be cost prohibitive, and reduce the involvement of stakeholders.

There were also a few respondents who were concerned that the NQB proposals as presented represented little/no change from the functions of, and delivery by, the SQA. Therefore it was felt that this would not result in any real meaningful change:

“What you have described here is basically the legacy/status quo SQA.” (Individual)

### **Excellence in Learning and Teaching**

In establishing a NQB, the Scottish Government agreed with Professor Muir’s recommendation: “The governance structure of the proposed Qualifications Scotland body should be revised to include more representation from, and accountability to all learners, teachers, practitioners and the stakeholders with whom it engages”.

In order to achieve this, the consultation set out three key proposals, as follows:

- to introduce a requirement that the Board that oversees the qualifications body must have individuals on it with current practical experience of providing learning and teaching for a qualification. For example, to include at least one teacher and at least one college lecturer on the Board;

- to create a dedicated Committee as part of the organisation’s decision-making structures to provide views on behalf of the teaching professions. This Committee could be made up of practising teaching professionals, representatives such as professional associations and teaching trade unions, and specialists in teaching practice and pedagogy; and
- the qualifications body should develop a specific user “Charter” for the teaching professions in collaboration with them. This Charter would serve as a way to provide clarity on what the teaching profession should expect from the qualifications body when delivering qualifications and working with them.

**Q2: How best can the Scottish Government ensure that the views of teaching professionals are taken into account appropriately within the new qualifications body, and do these proposals enable this?**

There was strong support for teaching professionals to have an input to the make-up and delivery of the NQB. Generally, the proposals for the Board, an advisory Committee and the introduction of a Charter were welcomed, however, there were considered to be some limitations.

### **Greater Teaching Professional Representation Needed**

It was widely felt (across written responses and in events) that more than one teacher and one lecturer would be needed on the Board and that frontline teachers/lecturers should be allocated to the Committee in sufficient numbers in order to be effective. Indeed, several respondents suggested that the majority of the Board and Committee members should have recent pupil/student facing teaching experience. Respondents were particularly concerned that having just one teacher and one lecturer voice on the Board would mean it would be easy to override or ignore their views, and/or that it would be impossible for them to adequately represent all teaching professionals:

“Both the teacher advisory body and the inclusion of more teachers on the board of any future qualifications body will be a great step forward. However, to propose that the board only has one member of the teaching profession is ludicrous... The board should, ideally, have a majority of teacher members from all levels including senior management. Only then will it have legitimacy and reflect the views of the people who have the expert knowledge in assessment matters.” (Individual)

It was stressed that a larger number of teachers and lecturers were needed on the Board to ensure representation of a wide set of experiences/perspectives. Similarly, it was argued that the profile of Committee members needed to be structured to provide wide representation. In both cases, it was felt that teaching professionals admitted to the NQB’s governance structures needed to represent a variety of subject area; geographic and SIMD locations; demographic backgrounds; pupil ages, stages and needs; from within Gaelic Medium Education (GME); denominational and non-denominational settings; at different career stages; etc. It was also argued that those with current/recent classroom/teaching experience

needed to be involved, with concerns expressed that those who had not been in a classroom for some time could be “out of touch” and create unrealistic expectations. Some suggested that teachers/lecturers should only be involved on a fixed term (maximum of five years) or rotational basis in order to keep input fresh and frontline teaching experience up to date and relevant:

“The profile of any new Board and Advisory Committee must have representation from various educational establishments and various levels, disciplines and geographical regions. Membership of any such groups must be regularly reviewed to allow different voices to be heard in order that these groups remain relevant and credible. The Board must have members that are actively teaching and not solely those with practical experience as outlined in the consultation paper.” (Local Authority)

Further, it was felt that “new members” were needed as part of the NQB, and not just the same people in a “rebadged” organisation:

“Simply re-employing the same staff under a shiny new name won't fix the problem. You need new people with new ideas.” (Individual)

All engagement with teaching professionals, including them sitting on the Board or as Committee members, or via the use of additional/alternative engagement methods (as outlined in Chapter 4), were said to require dedicated and protected time and resources to be made available. This would be required to free up teachers and lecturers from teaching (without having a detrimental impact on classroom delivery) and/or to allow them to contribute to consultation and engagement activities during the working day.

### **Committee Should Have Influence**

There was a widespread sense among respondents that, in the past, the profession had often been asked to contribute their opinions, but were left with a perception that their feedback had been ignored, not acted upon, or overridden by other views. As such, concerns were expressed over the nature and level of influence of the proposed Committee, with respondents worried this could simply pay lip-service to the profession's views rather than providing real influence in the decision making process. It was felt that teaching professionals must be listened to, their feedback acted upon, and importantly, they should be informed of any actions or outcomes resulting from consultation. Indeed, several responses focused on communication between the NQB and the profession, stressing the need for practitioners to be kept up to date with developments, and informed well in advance of any changes:

“The workforce need to be able to see that views expressed have been taken into account.” (Trade Union/Professional Representative Body)

Further, several respondents (including those attending events) suggested that the current proposals outlined the mechanisms by which teaching professionals could provide feedback to the NQB, but did not provide detail or reassurance about how effective their voice would be, or what structures, if any, would exist to ensure

advice was taken on board/implemented. The proposals were also said to lack detail about how the teaching profession could meaningfully input to the development of new syllabuses, and what could be done should the NQB fail to deliver on the requirements of the Charter:

“The proposals include reference to the creation of a Charter which would set out what teaching professionals could expect from any new agency; the proposals, however, say little or nothing about what a teacher, department, school or local authority could do if the provisions of the proposed Charter were not met. In effect, the proposals do not seem to offer a convincing way in which the views of teaching professionals can be taken into account by any new agency... A commitment to operate in such a way, recognising the expertise and experience of teachers, is more likely to provide them with opportunities to influence the conduct of any new agency rather than tokenistic representation on its Board.” (Third Sector)

### **Wider Representation**

While involving teaching professionals (i.e. teachers and lecturers) was considered important, several individuals and organisations cited other professionals who they believed should be included within the NQB’s Board and Committee, including:

- a wider range of those delivering qualifications, including independent and third sector training providers, adult and community learning provision, the youth sector/Youth Workers/Youth Awards representatives, the SCQF Partnership, as well as prisons, secure settings and workplaces;
- primary school/Broad General Education (BGE) teachers and early learning and childcare (ELC) practitioners;
- professional representative bodies and teaching unions - although both were contested, several respondents indicated that staff on representative bodies tended not to be actively teaching in classrooms and so could be “out of touch”, while unions represented teachers interests, not the needs of young people or education more generally;
- local authorities;
- educational psychology;
- specialists in support for learning and special educational needs and disabilities (SEND);
- representation from the GME sector and those with experience in immersion education;
- teacher educators; and
- a range of end users, including universities, employers, industry/trade bodies.

### **Limitations and Non-Supportive Views**

It was suggested across both written responses and in the events that more detail was required around the purpose of the Board, the roles, responsibilities and

functions of the Board and Committee, how the Committee would operate and how it would differ to the SQA's existing Advisory Council/Committee, and how the Board and Committee would interface. Specifically, the proposals were said to lack terms of reference, as well as details about reporting structures, who would appoint Committee members, the relationship between the Committee and the Charter outcomes, and how greater accountability and transparency would be achieved. It was felt that such information was necessary to determine how effective the governance structures would be. It was also felt that more detail was required about the nature and content of the Charter before respondents could comment on this, with a few suggesting this element may not be necessary.

Those who disagreed, or questioned the likely impact of the proposals generally noted that the new body sounded very similar to the status quo and way that the SQA operated, therefore they struggled to identify how this would make any real impactful difference. It was felt that additional committees and oversight was not necessary, but rather a meaningful change in staffing, operation and collaboration/communication with the profession was required.

It was also argued, by a few, that the needs of employers and the economy was paramount in developing education and therefore, teachers voices should not necessarily be treated as the most important within the system.

## **Involving Scotland's Pupils and Students in Decisions that Affect Them**

In line with Professor Muir's recommendation outlined at Q2, the consultation document also proposed that the new qualifications body be set up to provide clear and meaningful roles to those studying for qualifications to shape and influence decisions relating to qualifications and assessment made by the body. Again, three key steps were set out to achieve this:

- the Board should include members that can specifically reflect the views of those studying for qualifications;
- a dedicated Committee be established as part of the organisation's formal decision-making structures. This Committee could be made up of those currently or recently studying for different types of qualifications; members of organisations that advocate for different pupils and students; and specialists in pupil and student engagement; and
- the body must develop a specific user "Charter" for pupils, students and their advocates in collaboration with them. This will set out the expectations they should have of the organisation and is intended to ensure qualifications and how they are delivered meet the needs of those seeking to achieve qualifications.

**Q3: How best can the Scottish Government ensure that the views of pupils, students and other learners are appropriately represented within the new qualifications body, and do these proposals enable this?**

Most organisations were largely supportive of involving pupils and students in the NQB generally, and of the three specific proposals. However, views from individuals were more mixed.

**Support for Learner Involvement**

Many were in favour of the proposals, with respondents indicating that these were fair, appropriate and should deliver the desired representation and input from pupils and students. While it was argued (by written respondents and those attending events) that pupils and students should be involved throughout, again, many of the same caveats were outlined as noted at Q2 - i.e. that wide enough representation was needed on both the Board and within the Committee to include a range of social, economic and demographic backgrounds, ages and educational settings, stage of involvement with qualifications, geographic areas (including international qualifications), to ensure that neurodiverse, disabled, care experienced, young carers, at risk and other vulnerable learners are included; that the learners voice be truly impactful and not tokenistic; and that feedback regarding the impact and outcomes resulting from the pupil's and student's contributions should be provided. Several respondents noted that membership on both the Board and Committee would need to rotate frequently so that learners experience remained up to date. Others felt that it would be important for people who had recently completed a qualification (within four years) to be involved in the Board/Committee as they could provide recent experience as well as an understanding of the impact/value of the qualification. Many also stressed the need to ensure that hard to reach learners, and those who would less typically seek such a role, would be encouraged and supported to participate:

“It is essential that the involvement of young people is meaningful and not tokenistic. Young people who are to be involved in the proposed governance structure must represent the voices and views of a range of learners, including those in urban and rural settings and those with lived experience of sitting qualifications. This should include those studying a for a range of qualifications, including Foundation Apprenticeships and adult learners.” (Local Authority)

Several respondents indicated a lack of clarity over whether the proposals intended to ensure pupils and students (i.e. children and young people) were present on the Board directly, or if other (adult) representatives would be used. Most suggested that pupils and students themselves should be given this responsibility. However, it was also suggested that pupils and students may require capacity building, training, support and guidance in order to fully and meaningfully participate, to gather views and represent all pupils and students on the Board and Committee.



## **Additional/Alternative Engagement Methods**

While seeking the views and input from pupils and students was considered by most to be highly important, the preferred mechanisms for doing so varied. Some wanted to see the current proposals supplemented by additional engagement activities to allow a wider range of views to be fed into the NQB/Committee/Board. Others felt the current proposals were tokenistic and should be replaced by alternative measures to allow more/all pupils and students to contribute.

## **Concerns Regarding the Proposals**

Other respondents, however, were unsupportive or expressed concerns with the proposals. Largely, it was felt that it would be difficult to ensure that such a small number of pupils and students on the Board or Committee could adequately represent the views and experiences of the full range of pupils and students, both across Scotland and internationally. It was felt that the proposals would simply “pay lip-service” to pupils and students rather than allow any meaningful and representative input. Several were concerned that the voices of a few individuals (who may bring their own biases and agenda) would influence changes for the many without truly representing or considering their views or experiences:

“I have major concerns around this. With teachers there are bodies which seek to represent the views of all, this is not so with young people. The voices of the few will be heard and influence the outcomes of many.” (Individual)

“Spokesperson won't work as it's just the loud/confident kids every single time across the country. You need to hear from the quiet/forgotten kids who are struggling” (Individual)

Some felt that children and young people lacked the wider knowledge and experience to understand and comment on qualifications, particularly the needs of work or higher education. It was felt that they would struggle to make informed, realistic and workable suggestions. Even where respondents supported pupils and students being involved in an advisory capacity, several felt that the decision making powers should be retained by trained and qualified adults. A few also felt that children and young people's views were often heavily influenced by their parents, while others argued that the needs of society, the economy and employers should be paramount, not the views of pupils and students.

As per comments about teacher involvement, similar concerns were again expressed in relation to the effectiveness of a Charter and the Committee. Respondents (both those providing written responses and event participants) noted that no detail was provided in relation to accountability, measures of success, how the interplay between teacher and pupil and student advisory committees would operate, or what would happen if views were not taken on board or were ignored. Indeed, it was noted that the creation of a “Advisory” Committee allowed scope for the advice not to be listened to.

There was also less support among individuals for a pupil and student Charter (compared to the Charter proposed for teaching professionals), with many of those

who specifically mentioned it feeling this was unnecessary and likely to have only a minimal or no impact:

“The charter is a gimmick, it is more important that these actions are embedded in the organisation aims and strategic plans.” (Individual)

Others, however, including organisations and several individuals were supportive of a pupil and student Charter, provided it was straightforward and did not contain jargon:

“The introduction of a charter for learners is welcomed as this helps to set clear expectations and help young people to understand what they can expect from the new body.” (Local Authority)

A handful of respondents also suggested that, rather than creating separate Committees and Charters for teaching professionals and pupils and students, these could perhaps be more usefully combined into a single Committee to include both perspectives and facilitate discussion between the two cohorts, and a single Charter to address both groups.

Finally, a few felt that the Charter, or some other element of the new body should set out the expectations on pupils and students - to acknowledge the partnership approach needed for successful education and the pupil's/student's roles and responsibilities within education and achieving a qualification.

## **High Standards for Qualifications in Scotland**

The consultation paper set out proposals for the accreditation function (i.e. ensuring that qualifications meet nationally recognised standards). It was stated that the accreditation function should remain at arms-length from government and so would be held by the NQB. As such, the NQB would be responsible for setting the standards for those awarding bodies offering qualifications in Scotland (apart from university degrees) which seek accreditation for their qualifications, as well as deciding what qualifications have met these standards in order to be accredited. In the NQB, governance structures would be established to ensure the responsibilities for setting the standards and accrediting qualifications would be carried out separately and independently from the delivery of the body's qualifications.

### **Q4: How can the Scottish Government ensure qualifications being offered in Scotland are reliable, of a high standard and fit for purpose?**

Given the broad nature of the question asked, a wide range of different views and suggestions were given by respondents, many of which were unrelated to accreditation or the proposed accreditation arrangements. This included preferences regarding the nature and timing of assessments or the type of qualifications to be offered; practical arrangements for assessments/exams; the need to evidence specific skills, knowledge or understanding within assessments; the use of technology, IT and AI within courses, assessments and qualification development; and suggestions on the system needed to improve Scotland's educational standing in international league tables. Those issues discussed which

had more direct relevance to the proposals around accreditation of qualifications included the governance structure of the NQB; the need to match international standards; the voluntary accreditation system; and the need to involve stakeholders in accreditation. Reasons for not supporting the proposals were also provided.

### **Governance Structures**

Some respondents felt that making the NQB responsible for setting standards and accreditation was sensible, provided clear responsibilities and opportunities to ensure connections between the two duties. Being independent from the government was also considered to be highly important:

“To uphold the reliability and high standards of qualifications, it is imperative that the accreditation process remains independent of direct government control. Placing the responsibility within the purview of the new qualifications body ensures impartiality and insulation from potential political influences. This independence should be clearly emphasized, underlining the commitment to fair and unbiased accreditation decisions.” (Post School Sector/College/University)

However, it was noted by a few respondents that, as the organisation would be under the authority of the Scottish Government/answerable to Ministers, the level of independence being achieved was questionable.

Several respondents also indicated that the proposed remit and governance arrangements for this aspect of the NQB were unclear and lacked detail. In particular, the role of the Convener, the role and membership profile of the Committee led by the Convener, and their relationship to the NQB’s Board, were questioned by respondents. It was felt that greater detail was needed before respondents could either provide an informed view on this aspect or be reassured about the appropriateness of such arrangements. Respondents also sought greater detail in relation to how this aspect/function of the NQB would operate in practice:

“...there is insufficient detail outlined in the consultation to assess the robustness of governance arrangements proposed and whether they can ensure transparency, equity and fairness in the discharge of these functions.” (Trade Union/Professional Representative Body)

A few other respondents discussed the need to ensure high quality, well trained and experienced staff were employed by the NQB, and stressed that accreditation should take a teacher and pupil and student centred approach.

### **Accreditation to International Standards**

One of the main issues discussed by respondents was the importance of ensuring that qualifications offered in Scotland/by the NQB were comparable or equitable to those gained across the rest of the UK and internationally in terms of high quality/standards. To achieve this, it was suggested that international benchmarking should be undertaken and monitored:

“The review process should look to include external validation and benchmarking by collaborating with international education quality assurance bodies. This can provide an external perspective on the quality and comparability of qualifications.” (Third Sector)

A few also suggested that existing and successful qualification systems used in other countries should be adopted by Scotland in order to avoid delays or “reinventing the wheel”.

### **Voluntary Accreditation System**

There were mixed views expressed in relation to whether voluntary accreditation remained appropriate for qualifications provided by other bodies. Some felt the voluntary nature of accreditation should be removed to ensure all qualifications were quality assured and equally valued:

“All qualifications... including those contained within apprenticeships in Scotland, should be accredited, regulated, and included on the Scottish Credit and Qualifications Framework (SCQF).” (Awarding Body)

“All qualifications should be accredited and provide quality choices that meet the needs of a wide range of learners.” (School/Early Years)

Others, however, noted that alternative awarding bodies already had their own accreditation, validation and quality assurance processes, and therefore, felt that the voluntary system of accreditation by the NQB would be more appropriate. In particular, it was felt appropriate that university level qualifications remained separate and outwith the remit of the NQB’s accreditation processes due to universities using their own rigorous quality assurance processes:

“...we conclude that this does not mean compulsory regulation and accreditation of all non HEI [Higher Education Institute]-owned qualifications credit rated onto the SCQF. We would support this approach of continuing a devolved, flexible and responsive quality assurance model.” (Awarding Body)

### **Involving and Supporting Stakeholders in Accreditation**

It was widely agreed that it would be vital that the NQB and range of qualifications offered were ‘fit for purpose’, with many respondents indicating that wider stakeholders needed to be involved in order to achieve this. There was a common desire to involve teachers and other stakeholders in the accreditation process:

“Involve key stakeholders, including educators, industry professionals, and students, in the accreditation process. This ensures that a diverse range of perspectives is considered, and the qualifications align with both educational and practical needs.” (Local Authority)

Ensuring the necessary resources and funding was available throughout the education system was also said to be necessary to ensure high standards and the development of high quality comprehensive qualifications. A few local authorities and schools in particular were concerned that the accreditation and quality assurance processes may become burdensome and time consuming for schools/school staff, and so were keen to stress that any approach must be proportionate and properly resourced.

A few organisations also indicated that they had previous experience of either designing qualifications, becoming an accredited centre, or in developing suitable quality assurance and accreditation processes and offered to discuss their experiences and share learning with the government to inform this element.

### **Unsupportive of the Proposals**

Some respondents (including those submitting written responses and event attendees) disagreed that the NQB should be responsible for both designing and awarding qualifications, and verifying/accrediting those qualifications. It was felt these two aspects needed to be dealt with by different independent bodies:

“We would support the formation of a separate board, independent of the NQB, to oversee the accreditation process. The proposed committee within the NQB, even with a separate convenor and reporting requirements, may not offer the same level of independence and robustness that an entirely separate board would provide.” (Trade Union/Professional Representative Body)

“We urge the Scottish Government should review its position to place both accreditation and awarding roles in the new qualifications’ organisation and instead take advantage of the momentum created by these reforms to remove the fundamental conflict of interest in the current arrangements.” (Industry/Private Sector)

It was also highlighted that packaging both functions within the same body did not meet the recommendations in this respect from the 2021 [OECD Report](#) and the [Muir Report](#), both of which called for a separation of such functions:

“We were of the understanding that this body would be separate and distinct from the SQA Accreditation body, and this was certainly the recommendation made in the Muir report. However, the consultation document suggests that although each body would have separate governance, they would still be connected in some way. We stress that... two distinct and separate bodies are needed to avoid any unintended overlap or bias across those functions. The organisation suggested in the consultation document does not sound dissimilar to SQA in its present form as having two arms - one for qualifications and one for accreditation. It feels counterproductive to go through a period of reform and keep this same structure in place, and we feel that the only way to avoid the Scottish system having the same

issues in the future is by having these two bodies completely separate from one another.” (Awarding Body)

As also illustrated by the quote above, a few respondents felt that the proposals simply repackaged the existing system in relation to accreditation and therefore felt that little change had been offered by the proposals.

A few also questioned the use of terminology or language used in the consultation document. In particular, it was felt that certain terms, such as ‘reliable’, ‘high standard’, and ‘fit for purpose’ needed to be better defined, and that detail was required in relation to who would be responsible for determining the scope of such terminology and whether the NQB was meeting these requirements.

## **Qualifications in the Education and Skills Landscape: A Holistic System**

In order to address Professor Muir’s recommendation: “Scottish Government and other national bodies should collaborate more effectively to ensure that policies align well with each other and with any revised vision for Scottish education”, the consultation paper set out ways in which the NQB could provide national delivery and leadership on qualifications whilst also being part of a holistic education and skills system that delivers for all. The specific proposals included:

- establishing an effective national forum for providing independent and objective views from members’ areas of expertise to the NQB - similar to the SQA’s Advisory Council;
- that the NQB should work closely and collaboratively with all national education and skills bodies, with the Scottish Government, and with local and regional networks such as colleges and skills groups; and
- the NQB should provide clear and timely communication, ensuring all parts of society are informed as to what it is doing, and why it is doing it. This will ensure that all with an interest can hold the organisation to account.

### **Q5: How do you think the qualifications body can best work with others across the education and skills system to deliver better outcomes for all?**

While some respondents again discussed issues unrelated to the specific proposals, (including practical elements of how the NQB should operate, how qualifications should be designed, preferences for different types of assessment models, or areas for improvement within education generally), most respondents appeared to be in favour of the NQB adopting a strong and effective collaborative, partnership and co-working approach.

### **National Forum for the NQB**

Some respondents indicated that the creation of a National Forum to advise and facilitate input/feedback to the NQB was a good idea. They felt this would provide an additional mechanism/opportunity for communicating views and feedback, facilitate the provision of independent and objective perspectives and advice, and

provide an additional layer of scrutiny and accountability in relation to the NQBs actions. It was argued that this forum needed to include a broad range of groups, should be open to everyone concerned, and should report publicly and regularly:

“I endorse the proposal for a national forum to provide independent and objective perspectives to the qualifications body. This has the potential to be a platform of diverse voices, enhancing transparency, accountability, and informed decision-making, reinforcing the credibility and fairness of Scotland's qualifications system.”  
(Individual)

“Establishing an effective national forum, similar to the Advisory Council, will provide diverse insights and expertise, ensuring that the qualifications system meets industry and learner needs.”  
(Industry/Private Sector)

Again, it was suggested that if this forum was to be made up of specific people then membership needed to be for a fixed period and then rotated to ensure views remained fresh and a range of people could be involved. Caution was also expressed about the potential for the forum to be ineffective if not carefully managed and containing appropriate representation:

“...it runs the risk of becoming a bland and ineffective ‘talking shop’ unless meaningful representation is assured.” (Trade Union/  
Professional Representative Body)

Most respondents, however, did not comment specifically on the creation/use of a National Forum, but again talked more generally about the need for the NQB to take advice from stakeholders. It was felt that whatever form the committees, boards, forums or groups take, they should involve a wide range of stakeholders, use ongoing widespread consultation and engagement, or employ/second stakeholders to work directly for the NQB, in order to ensure a wide range of views were incorporated and joint working achieved.

### **Working Collaboratively**

It was suggested that the NQB should utilise truly collaborative and participative processes to engage with a wide range of stakeholders at all levels, as well as those with specialist knowledge, in order to ensure qualifications align with need:

“By working closely and effectively with education and skills bodies, and with business and employers, the new qualifications agency can ensure that qualifications are aligned with the needs of young people, educationalists, and the dynamic and changing academic and workplace landscapes.” (Local Authority)

Some respondents outlined who the NQB should work with and/or who should be included on the National Forum. This included teachers and lecturers (importantly to include classroom workers, who should be fully resourced to be released from classroom duties or using secondments); learning centres; pupils and students (across the full age and stage spectrum); parents/carers; local authorities; further

and higher education; businesses/employers; employment/trade bodies; GME representatives; equalities representatives and other specialist agencies to advise on minority groups and issues; other awarding and funding bodies; the third sector; representative, professional and support organisations; and other public bodies.

It was also felt that the NQB needed to be more responsive and agile, consulting all stakeholders regularly and making changes/updates as required.

## **Communication**

Most comments in relation to communication were focused on the need for the NQB to listen to stakeholders, rather than discussing ways for the NQB to disseminate its own communications. It was felt that robust and effective feedback and communication systems were needed, and most importantly, to ensure stakeholder views were listened to, taken on board and acted upon:

“Those in the system need to feel listened to and the new organisation must be responsive and move at pace to reflect views/evidence being shared by stakeholders... SQA need to engage more, listen and hear the views of all stakeholders.” (Local Authority)

In relation to those who did discuss outward communication, it was suggested the NQB should develop transparent communications along the lines of “You Said, We Did” to ensure stakeholders were informed and could see where feedback had been listened to, and understand the rationale when advice may not have been adopted. It was also suggested that minutes of meetings should be published and made publicly available, and that communications should be disseminated widely, including in the national press rather than just educational journals:

“I think it's important that they actually listen to the views of others... I know it is not possible to do what every stakeholder wants, but where views have been ignored, it would be valuable if the decisions made were explained and the objections acknowledged.” (Individual)

It was also suggested that a clear communications strategy be developed, which should include timings to allow planning to take place.

A few respondents also suggested that a wide range of local, regional and national networks already existed which the NQB could tap into, both to disseminate information and to seek views and feedback. It was also felt that such networks could also be useful for recruiting committee/forum members.

## **Issues/Caveats**

Some respondents stressed that any collaboration needed to be meaningful and impactful, and they were concerned that simply creating committees and forums would not necessarily achieve improvements. It was also felt that the creation of numerous committees, forums and other advisory groups could make the new body slow to react, overly complicated and bureaucratic:



“This also seems to once again suggest that a further Forum - much like the other sub committees or ‘charters’ discussed - would be a place for influence. But influence of what? What does the Board itself understand and do? How many further groups, charters, forums do we need for the Board of the new agency to be effective? Having multiple semi-independent groups, charters and forums runs the risk of experiences, views and new ideas being lost or diluted.”  
(Representing parents/carers and/or children and young people)

Several respondents again felt that the proposals lacked clarity about how these core purposes and options would be implemented, how the system would operate in practice, and where specific partner organisations would sit within the various committees, advisory groups, forums, and collaborative working practices.

Similarly, issues with terminology were again raised by a few respondents. This included concerns over what was meant by ‘better outcomes’ and ‘fitness for purpose’, and who would be responsible for deciding what the success criteria would be. Respondents also wanted to see a clear statement of ‘purpose’.

Several respondents suggested that, while they had no real issues with any of the proposals, they did not address many of the key issues within education. It was argued that the reforms needed to be wider reaching than just the NQB (and Education Scotland and the inspectorate as dealt with in the following chapter), and should address the full spectrum of educational delivery and other existing organisations. In addition, it was said a widespread culture change was required rather than focusing on structures. It was also suggested that Initial Teacher Education (ITE) should form a critical element of the change agenda.

A few respondents, again, suggested that the proposals did not represent any marked difference to the existing purpose and structure of the SQA:

“Presently, there is ambiguity regarding how the new body will differ from the existing one... The new qualifications body must collaboratively engage with national education and skills organisations, the Scottish Government, and local and regional networks, encompassing schools, colleges, and skills groups - however is this not just what SQA strive to do?” (Local Authority)

### 3. Reform of Education Inspection

The Muir Report set out two key recommendations related to inspection which were further explored by this consultation. These included:

1. A new inspectorate body should be established with its independence enshrined in legislation. Its governance should reflect this independence, with the body funded by the Scottish Parliament, staffed by civil servants and inspectors, the latter of which are appointed with the approval of His Majesty via the Privy Council.
2. Critical roles of the independent inspectorate will be to support improvement, evaluate major changes in the education system and report annually and over longer periods, on the performance of Scottish education.

#### Purposes of Inspection

The consultation paper set out the Scottish Government’s support for the following core purposes of inspection:

1. to provide public accountability and assurance on the quality of education to learners, their parents/carers and the Scottish Parliament;
2. to support education providers, including schools, teachers and other practitioners to improve, through capacity building and sharing effective practice; and
3. to share evidence about education and training to support services to improve and inform the development of education policy.

**Q6: Do you agree or disagree with the purposes set out? Is there anything in addition you would like to see included?**

Just over two thirds (69%, n=265) of all respondents agreed with the purposes of inspection as set out in the consultation document.

	Number	Percent	Valid Percent
Agree	265	69%	87%
Disagree	41	10%	13%
<b>Sub-Total (Answered Qu)</b>	<b>306</b>		
Not Answered	80	21%	
<b>Total</b>	<b>386</b>		

Similarly, the majority of those who provided a qualitative response to this question agreed with the purposes as set out. There were, however, some differences in the

support offered for each, and several comments were made that the purposes should be prioritised and re-ordered compared to the way that they appeared in the consultation document (with priority 2 then 3 followed by 1):

“...the main focus should be the support of education providers, followed by a desire to share evidence and good practice, with a focus on public accountability and quality assurance being subservient to the other two focuses.” (School/Early Years)

### **Priorities Two and Three**

Many respondents stated that ‘support’ in the round should be the main purpose of inspection (including support for education providers - schools, teachers and other practitioners). While most respondents perceived that support for education providers was the main priority, there were suggestions that ‘support’ could also be more widely considered, i.e. to include reference to private, voluntary and independent providers. Several respondents also suggested that the crucial role of local authorities in terms of supporting and challenging to bring about improvement should be made explicit in the second purpose:

“We broadly agree with the purposes as set out, although we would like to see specific mention made of local authorities within the purposes. The second core purpose of inspection is “to support education providers, including schools, teachers and other practitioners to improve, through capacity building and sharing practice.” We feel it is important to make a specific reference in this statement to local authorities given the importance of ensuring local authority-wide capacity for improvement.” (Local Authority)

While supported, there were also calls for greater clarity around what was meant by ‘improvement’ and ‘capacity building’.

The emphasis on supporting improvement through the sharing of evidence and good practice was also very much welcomed and was seen as something which could support consistency across the system (which event respondents and others indicated was needed). There was also considerable support for this purpose, not least because it was an important way of ensuring continued professional development for education staff (which, in turn, may benefit both practitioners and the children and families they support). This was also welcomed as an improvement on the old inspection purpose:

“...we appreciate the emphasis on supporting improvement through the sharing of effective practices, acknowledging that this has not been a consistent feature of past practices by HMIE because they have not had the capacity to undertake this aspect of their work.” (Trade union/professional representative body)

A clearer definition of what was meant by ‘services’ in respect of this function was encouraged, as well as potentially adding the sharing of learning and effective practice in research from colleges, universities and partners in other geographical jurisdictions. Similarly, further clarification was sought around what forms of

evidence might be collected, with whom, and where and how often it might be shared. Overall, however, there was agreement that a core purpose would be to ensure the provision of timely and actionable feedback to education providers (ensuring that it was specific, constructive, and delivered promptly).

A small number of respondents suggested the notion of 'enhancement' be added to the cited purposes (2 and 3 above), since the focus should be to add value to the school improvement journey (i.e. to 'enhance' what already works well, rather than focusing on what needs to 'improve'). Others suggested that terminology such as 'improvement' was unhelpful and intrinsically critical, and that 'development' may be more appropriate. There was also encouragement that success should be celebrated and showcased, using positive thematic case studies:

"We would like to see added to the purposes, the celebration of success as a result of inspection processes. There is far too much negativity around education at the moment." (School/Early Years)

### **Priority One**

While most respondents agreed with the purpose of accountability and assurance, it was suggested this was of lesser priority (and could be perceived as adversarial, having a punitive function and making establishments feel unduly scrutinised). It was felt that placing accountability third in the hierarchy would ensure the key focus remains on building capacity and sharing effective practice to support and deliver the best education for young people. In general terms, respondents agreed that public accountability (including accountability to communities) and assurance on the quality of education was an important purpose of inspection, but only if implemented in a supportive, collaborative and collegiate way:

"...there must be greater emphasis on support for education providers in the reform so that inspections are viewed as ways to improve, with any negatives seen as a learning opportunity and not condemnation." (Third Sector)

It was also felt that the three purposes outlined in the consultation document should be delivered proactively and on an ongoing basis, i.e. more support/advice/guidance from inspectors post-inspection on improvements/making changes:

"The second and third purposes should be proactively pursued to ensure that the support outlined benefits all stages of school improvement and is not merely provided at the point of inspection." (Local Authority)

### **Additional Suggestions**

Several respondents indicated a desire to see a specific purpose linked to safeguarding and protection, and this was perhaps the main 'additional' purpose that was highlighted:

"The inspectorate must have the safeguarding and protection of children and young people from harm as its pre-eminent objective and it is alarming to see it missing from what the Scottish

Government regards as the core purposes of inspection.”  
(School/Early Years)

There were few other ‘additional’ purposes cited, although a wide range of other comments were provided linked to the way in which the inspections process itself should be improved. These suggestions are outlined in Chapter 4, but largely focus on developing a more collaborative and supportive inspection approach.

Overall, comments were made that while the proposed purposes were sound, there remained scope for wider improvements to the inspection framework to make it more rigorous:

“We appreciate the acknowledgment of core purposes in the consultation document but stress the need for a more collaborative, supportive, and forward-thinking inspection framework.” (Trade union/professional representative body)

### **Caveats and Limitations to Support**

A few respondents who agreed with the purposes overall expressed disagreement with the proposal that there needed to be a legislative framework around inspection. This would create additional bureaucracy, it was felt (and was discussed more in response to later questions).

Several respondents also highlighted that the purposes, as specified, were perhaps vague in relation to specific sectors (including community learning, the tertiary sector and modern apprenticeships). This too was discussed at later questions.

### **Non-Supportive Comments**

Among those who said that they **disagreed** with the purposes as set out (and some who did not answer the closed question), many of the qualitative comments were similar to those who had indicated agreement, i.e. that the future of inspection required a consultative and developmental approach to collaborative practice, rather than a punitive reporting model. Again, respondents stressed that accountability should not be the priority and should not place unnecessary or excessive workload and bureaucratic burdens on teachers and school leaders. It was stressed that the main purpose of the inspectorate should be to work collaboratively with schools and their communities to support staff and improve the quality of education for their pupils:

“Through inspection activity, and the evidence it generates, education providers should be supported to improve the quality of education and training and outcomes for all learners. The inspectorate should support education providers in making evidence-informed improvements in the quality of education, training and outcomes for all learners in Scotland through inspection, capacity building and advice.” (National Agency/Public Body)

Again, there was some resistance to the notion of ‘improvement’ and suggestions that the inspection function should instead be to ensure that education was ‘adequate’ (since focusing on continuous improvement may place unreasonable

demands on educators, pupils and students). Respondents encouraged a more holistic (and non-academic) view of 'education', i.e. that the focus should be on ensuring that pupils/students acquire and develop the range of knowledge and skills required to become independent adults). This included consideration of learning that could occur in non-conventional learning environments. As such, an additional purpose linked to improving outcomes and experiences of education more generally for all children and young people was encouraged.

Comments were also made by those who disagreed with the purposes as set out that the inspections should hold the government to account (local and central) rather than individual schools.

Some who indicated that they disagreed or who did not answer the closed question stressed that sharing of evidence would only be effective if the evidence being shared was independent and free from bias:

“If we are to deliver public accountability and assurance regarding the quality of education to learners, their parents, carers, and the Scottish Parliament, it is essential to produce reports free from external influence.” (Local Authority)

Several respondents were sceptical that the purposes would be delivered and achieved (based on historical bad experiences of inspections).

A final general comment was made that, while the purposes set out were agreeable, they were perhaps too aspirational and that their delivery would only be possible if sufficiently resourced:

“The list above is incredibly aspirational. The current inspectorate is significantly under resourced and lacks sufficient budget to provide in all of these areas... We need to ensure - whilst being aspirational - we are also realistic about what can be achieved in periods of budget cuts and limited resources.” (Individual)

## **Range of Establishments and Services**

The consultation paper set out a list of establishments and services where it felt that education inspection should be continued. Feedback was sought (at Q7) on the range of establishments to be inspected by HM Inspectors of Education, and (at Q8) on the role of the Inspectorate of Education related to publicly funded colleges, initial teacher education (ITE), early learning and childcare (ELC), and modern apprenticeships.

**Q7: Do you agree or disagree with the range of establishments to be inspected by HM Inspectors of Education? Is there anything you would change?**

Again, two thirds of respondents (66%, n=256) supported the notion that education inspection should be provided to the full range of establishments and services set out in the consultation paper.

	Number	Percent	Valid Percent
Agree	256	66%	84%
Disagree	49	13%	16%
<b>Sub-Total (Answered Qu)</b>	<b>305</b>		
Not Answered	81	21%	
<b>Total</b>	<b>386</b>		

In line with responses at Q6 above, the main qualitative feedback provided here was linked to how the inspection process for all establishments could be improved. Again, this is discussed in the following chapter.

While there was agreement that all places where children and young people learn should be inspected by the same body to ensure consistency, comments were also made that a 'one size fits all' approach to inspection would not be appropriate and must always be context specific.

### **Additional Establishments to be Included**

In terms of other establishments that respondents would like to see inspected, some suggested that Education Scotland should be subject to inspection and scrutiny alongside those informing and drafting education policy:

“There should be inspections at all levels of the education and skill system. This includes any national or local government committees involved in preparing policy about curriculum and assessment. To inspect the end result is to miss opportunities for accountability and quality assurance...To inspect the implementation end of education policy but ignore policy writers is to completely misunderstand appraisal. There must be inspection of policy making within the evaluation cycle.” (Individual)

Comments were also made that local authorities should be inspected, not just their schools/individual establishments, while events also included discussion of whether schools or local authorities (or both) should be inspected:

“...we would prefer that the quality of education in Local Authorities should be inspected across the board, rather than individual schools. The Local Authorities have overall responsibility for the schools under their jurisdiction and must be held to account on the value and quality of the services they provide through all the establishments under their control.” (Trade Union/Professional Representative Body)

A small number also expressed a desire to see meaningful inspection and standardisation of local authorities/local education authorities especially with regards to the quality assurance role that they provide:

“Consideration should be given to the quality assurance role of local authorities across establishments by the new inspection body. This could enable discussions around the robustness of approaches taken to ensure consistency across Scotland, but also supporting the identification of schools to be inspected based on intelligence, and those establishments not inspected within 7-9 years prioritised.”

(Local Authority)

A very small number of comments were also made throughout the consultation questioning if it might be appropriate for universities to be included in the HMIE remit:

“...there is no mention of universities in general here or elsewhere. The rank of 'Professor' gives people a voice in the media and elsewhere, so their work must be inspected and be judged reliable too.” (Individual)

Other suggestions included broadening inspections to:

- third sector and ‘for profit’ organisations that provide educational services in publicly funded establishments or who receive public funds for work in the settings specified;
- organisations that deliver residential courses to school pupils;
- ‘alternative’ school settings, such as online schools and forest schools;
- campus schools/schools with shared management arrangements;
- independent religious schools/faith schools;
- junior conservatoire/specialist organisations providing education to children and young people with particular talents;
- situations where a child is home schooled;
- outreach and inclusion services that support children who are not in school on a full-time basis;
- counselling and psychology services (within schools);
- services providing for students with Additional Support Needs;
- initial teacher education (ITE) establishments (also suggested in events);
- general teaching council for Scotland (GTCS);
- managing agents, who bridge the gap between colleges and professions;
- training providers working in different sectors (including those offering vocational qualifications); and
- police (where they have a role in education/education establishments).

### **Areas for Clarification or Concern**

There was a small number of queries raised in relation to the establishments listed, specifically that:



- it was unclear if/why HMIE would have a role in the inspection of ELC premises beyond those which are attached to school premises;
- it was unclear why Gaelic education was listed as a separate inspection entity on the list (instead of being inspected in the context of its setting);
- there was a lack of clarity around how the inspection model for different establishments would be chosen;
- it was questionable if education provision in prisons and young offender institutions should be contingent on the request of the HM Inspectorate of Prisons in Scotland rather than a more a systematic and proactive approach being adopted;
- it would be useful to have further detail provided about the role of Community Learning and Development (CLD) involvement in inspections across the range of establishments (and possible rewording within the list of establishments to 'Community Learning and Development functions of local authorities' to reflect the fact that not all areas have a dedicated CLD Service);
- it would be helpful to understand why career information, advice and guidance services had been included in the list, which are currently the responsibility of Skills Development Scotland (SDS); and
- the information outlined within the SG consultation could/should be considered in line with the direction of travel identified by the Scottish Funding Council (SFC) tertiary quality framework to avoid any duplication of review/inspection and assessment by multiple agencies going forward.

There was also some scepticism regarding capacity for HMIE to deliver across all of the establishment types listed, and it was felt that the diverse range of settings may make it challenging to recruit and allocate inspectors with the appropriate skills set or expertise. A few respondents suggested that there should be a greater focus on the quality enhancement of formal education (both state and private) at the early, primary, and secondary school stages rather than tertiary/post-school education.

The main service listed in the consultation that attracted **mixed responses** was Compliance with Nutritional Regulations for educational establishments. While some welcome its inclusion, others questioned if responsibility for compliance would be best situated outside of the HMIE framework.

### **Sector Specific Issues**

While CLD's inclusion in the list of establishments to be inspected was welcomed, this sat alongside concerns that some voluntary delivery partners may be asked to meet high standards whilst funding was concurrently being reduced or removed.

Respondents also discussed the current inspection arrangements for the early learning and childcare (ELC) sector, noting the involvement of both the Care Inspectorate and HMIE. It was argued that a single body should be established for the inspection of ELC to avoid duplication, although respondents did not always offer a preference for how this should be achieved, and it was not clear whether respondents wanted ELC to be retained or removed from the proposed list:

“There is a shared understanding across Scottish Government and local government of the importance of ELC in improving outcomes for children and young people. A single body would be the most effective way to overcome the burdens, bureaucracy, and pressures that many in the sector experience under the current system.” (Trade Union/Professional Representative Body)

Those who were supportive of reintroducing inspection at the local authority level perceived that this would provide quality assurance of delivery at the school level.

### **Reasons for Not Supporting the List**

Among those who noted that they disagreed with the list presented, a small number reported that they did not feel that publicly or privately funded colleges should be included. The main reasons given were that these were subject to alternative inspection/quality assurance arrangements, and that colleges were currently co-designing (with SFC and the Quality Assurance Agency (QAA) Scotland) a Tertiary Quality Enhancement Framework (TQEF). Keeping colleges on the list may result in some duplication, it was suggested, which was not cost or time effective (also discussed more in response to later questions).

Similarly, some questioned the value of existing systems of inspection and quality assurance for Initial Teacher Education (ITE) programmes (also discussed more later in the consultation) with concerns that this may duplicate work already being undertaken.

A handful of respondents felt that independent schools and privately run establishments should not be included on the list, and that HMIE should not have a mandate over teacher education at university level, voluntary organisations or apprenticeships. Again, some respondents felt that the list was too extensive, and that it would need to be prioritised given the limited resources that would be available to HMIE:

“Inspection activity should be limited to where there is a statutory obligation to provide education. For example: schools; education functions of local authorities; and education provision in prisons and young offender institutions. There should be separate inspection bodies for other aspects. This would allow for a more streamlined, regular and focused education inspection regime.” (Individual)

Where respondents disagreed with the proposed list of establishments overall (rather than with inclusion of specific types of establishments), this was generally driven by disapproval of the current inspection process itself or a preference for inspections to take place at local authority level rather than within individual settings. Others gave more general support for the establishments listed under the proviso that any inspection model must be proportionate and risk assessed.

**Q8: Do you have any specific comments on the role of the inspectorate of education in the inspection of publicly funded colleges, initial teacher education, early learning and childcare and/or modern apprenticeships?**

Just under two thirds of respondents provided substantive feedback for this question with several simply stating that they felt all publicly funded institutions should be subject to external independent scrutiny in order to achieve systemic coherence across the educational spectrum.

### **Publicly Funded Colleges**

There were mixed views regarding the role of the inspectorate of education of publicly funded colleges. Some felt that HMIE inspection was critical for ensuring the quality and effectiveness of further education, however, the majority felt that tertiary education was better inspected/quality assured by other means.

The main argument given by those who did not support the inspection of publicly funded colleges by HMIE was that alternative models were already in place or would be more suitable. Specifically, respondents pointed towards the recent commissioning by the SFC of the Quality Assurance Agency (QAA) Scotland (with input from Education Scotland) to develop and deliver reviews for publicly funded colleges and universities (which was an approach that was strongly supported for tertiary education as being more collaborative and joined up)<sup>1</sup>.

Indeed, existing arrangements within SFC were seen to work well in relation to colleges with a sufficient degree of independence built in through commissioning external agencies to undertake reviews.

Other respondents again highlighted the work of the Tertiary Quality Project (TQP) through SFC which would bring colleges and universities into one cohesive quality assurance and enhancement framework (drawing on advice and expertise of the Scottish Credit and Qualifications Framework Partnership (SCQFP)). This drive for Further and Higher Education to rationalise one system across the tertiary sector was again welcomed and should not be interfered with, it was felt:

“There needs to be clarity that colleges will not be inspected twice by QAA and by the inspectorate and therefore creating disparity between colleges and universities at a time when most jurisdictions are looking to create a coherent tertiary sector.” (Awarding Body)

Having one joined up system by which colleges and universities were assessed was also seen to bring benefits in terms of:

- leading to smoother transitions/pathways for students moving between college and university;
- increasing opportunities for more effective collaborations between colleges and universities, both in the research space and in supporting student outcomes and success; and

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<sup>1</sup> One organisation noted that the importance of adopting the same model for colleges and universities since it is important for universities that their reviews meet the [European Standards and Guidelines on quality in Higher Education](#) and that the review itself is conducted by a member of the European Association for Quality Assurance in Higher Education (ENQA).

- encouraging parity of esteem, supporting students to take the pathway after school that best suits their needs and choices for future study and careers.

Among those who supported the inclusion of colleges in HMle inspections, views were expressed that the inspectorate should focus on assessing the overall learning environment, teaching practices, and the alignment of courses with industry needs. Given the dynamic nature of vocational education, the inspectorate should also assess the adaptability of colleges to technological advancements and changes in the job market, it was suggested. Again, some of those who supported inspection of colleges also said that this was contingent on any plans keeping in line with the direction of travel identified by the SFC tertiary quality framework and that duplication of review/inspection and assessment by multiple agencies must be avoided. Only a very small minority supported the replacement of existing inspection and quality assurance arrangements with an entirely new model:

“We strongly believe that there should be a separation of funder and inspector for the purposes of transparency in the college sector. This approach would result in an inspection programme which is entirely independent of the Scottish Funding Council’s broader responsibilities for colleges, including funding. The present configuration could be perceived as compromising the ability for independent inspection, to comment without fear or favour, on the performance of the college sector.” (National Agency/Public Body)

A final comment was made that that any new inspection model should not lose the strengths of the previous review model in colleges which used Associate Assessors to build capacity, carry out peer review activities and add strategic value both in their own institutions and across the sector.

### **Initial Teacher Education**

There was mixed feedback regarding the role of the inspectorate in Initial Teacher Education (ITE). The dominant view, however, was that such establishments were already overseen by standards bodies or had rigorous quality checks in place. For example, the General Teaching Council for Scotland (GTCS) plays an independent role in creating/accrediting the standards for ITE and registration for the profession, and the ITE Self-Evaluation Framework for ITE provides feedback to HMle. This was seen as a good example of partnership working.

Some respondents highlighted the perceived value of existing self-assessment models per se:

“We urge caution around changing the self-evaluation model... The self-evaluation framework is flexible and adaptable, allowing for differences between contexts, geographical locations and groups of learners to be considered.” (Trade union/professional representative body)

“The HMle inspection regime for ITE needs to be proportionate and make further use of the ITE self-evaluation framework, as ITE already has available extensive QA approaches as required by

university providers, such as programme management boards, quality assurance committees, course evaluation, programme evaluation and External Examiner reports.” (Post School Sector/College/University)

Similarly, others noted that universities often have their own institutional reviews of teaching and learning, and quality assurance processes which provide opportunities to evaluate the strengths and areas for development, e.g. the QAA’s Enhancement-Led Institutional Review (ELIR) process. Again, it was felt that these should be left unaltered.

Involving HMle in inspection of ITE was, therefore, considered to be unnecessary, overly bureaucratic and potentially repetitive. It was also suggested that this might undermine the work of those already overseeing quality in this field:

“With respect to initial teacher education, any inspection system would need to support existing internal and external quality assurance processes and scrutiny mechanisms... The overall burden of quality assurance and scrutiny activity concerning Initial Teacher Education requires to be considered in support of quality enhancement...” (Trade union/professional representative body)

A small number offered a more qualified response that, if ITE inspection was to fall to a new inspectorate, this would only work if a collaborative approach (including existing partners) was adopted, using existing criteria, standards and performance measures.

Other respondents welcomed a supportive role for HMle in the inspection of ITE programmes, but were keen to see participation from appropriately experienced Higher Education professionals with sector-specific knowledge in the process, for example, having an ITE representative co-opted onto the inspection team for each Higher Education Institute (HEI). It was felt this would be necessary to ensure contextual factors were taken into consideration in any inspection work carried out.

Where inspection of ITE by HMle was supported, this was again seen as vital in ensuring that teacher training programs are rigorous, up-to-date, and reflective of best pedagogical practices. It was felt that inspections of ITE should also extend beyond academic knowledge to include practical training, enhancing capabilities of probationer teachers, fostering effective classroom management, and incorporating diverse teaching methodologies. Overall, for those who supported HMle inspection of ITE, this was mainly because it would assist in programme development and in ensuring the future teaching population was fit for purpose:

“Continuous evaluation and feedback mechanisms are essential to refining teacher education programs and preparing educators for the complexities of modern classrooms.” (Post School Sector/College/University)

Overall, however, the dominant view in relation to ITE was that any ‘new’ inspection system would need to support existing internal and external quality assurance processes and scrutiny mechanisms for this sector.

## **Early Learning and Childcare**

There was strong agreement that inspecting early learning and childcare (ELC) settings was important since these environments provided a strong foundation for children's education. In ELC settings, it was suggested that inspections should prioritise assessing the quality of care, the development of age-appropriate learning activities, and the provision of safe and inclusive environments.

However, it was again stressed across responses (both here and throughout the consultation) that there must be no duplication of inspection for ELC settings between HMIE and the Care Inspectorate (both of whom currently have a role), since having a dual system of inspection was overly burdensome:

“[Organisation] remains of the view that a single body should be established for the inspection of early learning and childcare... A single body would be the most effective way to overcome the pressures, workload and burdens that many in the sector experience under the current system and indeed the proposed new shared inspection framework.” (Local Authority)

Event participants also discussed the need to avoid overlap/duplication between inspectorates/inspection duties, and between HMIE and the Care Inspectorate in particular (although this was also relevant for HMIE and local authorities). These respondents felt it would be important to ensure the system is clear and understood by all, including providing clear roles and responsibilities to avoid such issues.

Indeed, the dominant view in relation to ELC settings was that the current system of dual inspection must change. Several respondents also pointed towards the parallel consultation on the quality framework for ELC, noting that they had separately responded to it, outlining their concerns regarding both the existing system and proposed new system for inspection ELC.

## **Modern Apprenticeships**

Few respondents commented specifically on the role of HMIE in the inspection of modern apprenticeships. Among those who did, discussions were largely focused on what the purpose of such inspections should be and how they should be carried out, rather than outlining their views on the general principle of whether the new inspectorate should have a role in the sector or not.

One common concern, however, was the need to avoid modern apprenticeships being audited or inspected by two separate bodies, for example, SDS, the SQA and HMIE. Respondents again stressed that it would be important that learning was taken from the experiences of SDS/Education Scotland joint Modern Apprenticeship reviews to ensure duplication is avoided and the responsibility and purpose of different agencies is clear.

A very small number of respondents indicated that they were not sure if there was a role for HMIE within modern apprenticeships, and that alternative bodies or approaches may be required for apprenticeships that have industry body

requirements and links. A small number commented that inspections in this sector would be 'difficult'.

### Other Comments

A small number of respondents repeated earlier comments that inspections should be limited to/prioritised for school environments only. Some reiterated that there should also be accountability for the inspectorate itself. Several respondents again expressed their disapproval of inspections per se. They argued that the process was challenging, stressful and damaging to the mental health of those being inspected, and that a more supportive approach to improvement was needed.

### Maximising the Impact of Education Inspection

The consultation document set out three priorities to improve the operation and impact of inspection in the education system, these being to:

1. Ensure that children, young people, adult learners, parents/carers, teachers and other practitioners, as well as the public, have confidence in the work of the inspectorate of education.
2. Ensure the involvement of teachers and other practitioners, children, pupils and students, parents/carers, local authorities and providers in inspections.
3. Ensure inspection evidence is being fully utilised to: (a) provide assurance and public accountability; (b) drive improvement and build capacity; and (c) inform practice and policy.

**Q9: Do you agree or disagree with the priorities set out? Is there anything in addition that you would like to see inspection cover?**

Again, around two thirds of respondents (67%, n=259) agreed with the priorities set out in the consultation paper.

	Number	Percent	Valid Percent
Agree	259	67%	87%
Disagree	38	10%	13%
<b>Sub-Total (Answered Qu)</b>	<b>297</b>		
Not Answered	89	23%	
<b>Total</b>	<b>386</b>		

While most comments reflected general support of the priorities (in line with the purposes set), several specifically commented on the perceived positive value of Priority 2 (i.e. ensuring the involvement of teachers and other practitioners, children, pupils and students, parents/carers, local authorities and providers in inspections):

“By reforming inspection we have an opportunity to better engage or involve everyone who has a role in education inspection. This includes teachers, as well as children, young people, adult learners and parents and carers... The inspectorate’s decision-making must not be unduly influenced by those it inspects. However, we should always ensure their perspectives are considered in the way in which inspection is carried out and overseen.” (Local Authority)

A commitment to involving children, young people, parents and carers was seen as particularly important in securing confidence in the work of the inspectorate (i.e. achieving Priority 2 would support the delivery of Priority 1). However, event participants felt that more details were needed regarding how pupils and parents would be encouraged to engage with inspections.

A supportive and collaborative way forward for inspections was also seen as the only way that genuine improvements to the existing system could be made:

“A more collaborative, capacity building approach which can support teachers and school leaders is required. The current model and approach can cause much stress to those involved and at times the perceived lack of consistency in the various judgements is not an uncommon criticism.” (Post School Sector/College/University)

Several respondents urged a greater focus on a more collaborative approach to self-evaluation and scrutiny (including inclusion of senior leadership team members in the school inspection process and greater involvement of Associate Assessors):

“The crucial element, and a significant oversight, lies in the acknowledgment that Scotland's education system has the potential for enhanced self-evaluation of its performance in delivering education. A primary focus of the inspectorate must be directed towards building capacity, validating system-wide quality improvement activities. Without this emphasis, the inspectorate itself may lack the necessary capacity to effectively achieve the three identified priorities.” (Local Authority)

Several of those who indicated agreement with the priorities also noted that they felt all three were quite generic and could already be evidenced in the existing inspection model, rather than being ‘new’ or ‘aspirational’ for any new inspectorate. Similarly, there were comments that the priority around ‘confidence in the work of the inspectorate of education’ was potentially redundant with several respondents suggesting that this should be a natural expectation of any public body.

Where respondents **disagreed** with the priorities or offered less robust support, this was mainly because of the way that the priorities were phrased. Some of the terminology was perceived as undermining the collaborative and supportive approach that was desired, e.g. in relation to driving improvement and building capacity. This was seen to reinforce the view that inspectors alone force improvement and that teachers and schools are ‘forced’ to improve (i.e. top-down language of driving improvement).



Stressing the importance of 'impact' and 'evidence' was also criticised unless a wider, less academic and less politically influenced view of success was adopted, i.e. one which avoids narrow attainment measures and instead focuses on the wider needs of pupils/students, and which considers success in context and over the long term. The removal of grading and scoring was encouraged in any inspection model.

Others again highlighted that 'accountability' had negative connotations and should never be the focus of an inspection (with the inspection process being perceived as being too heavily based on scrutiny):

"The focus should be on quality of education, rather than accountability. There is no point in transparency if education is failing in every aspect." (Individual)

"Inspection is very much still a process that happens 'to' schools. While we welcome the ambition to bring learners, practitioners and other stakeholders into the process, we nevertheless question the ongoing use of the language of 'accountability' - this frames the narrative as a 'them and us' one which we feel it would be beneficial to move away from." (Third Sector)

There were also more general comments that accountability should receive less weighting in the priorities overall:

"Supporting improvement, capacity building and informing practice should be prioritised before accountability. The published order is indicative of over-emphasis on the accountability aspect of inspections." (Local Authority)

Overall, the wording of the priorities should reflect a more collegiate and collaborative approach it was stressed, and have more of a focus on delivery of quality education:

"These seem to be priorities for government rather than priorities for children, young people and their families." (Individual)

Across all respondents, suggestions for additional priorities were relatively scarce with several respondents instead commenting again on how they would like to see inspections implemented/what they would like inspections to cover. The few comments which may relate to updating the proposed priorities, however, included:

- the main priority should be delivery of quality education/upholding educational standards;
- ensuring continual development by identifying and sharing of good practice within the sector should be prioritised;
- the priorities should reflect the increased partnership working between the inspectorate and local government in recent years, including the Collaborative Improvement model; and

- the inspectorate must also prioritise the identification of best practice and how it can be applied in other contexts.

A more general comment was also made that the priorities should include an emphasis on equality, rights and the everyday culture of education settings.

A few respondents suggested specific wording changes, although each was typically only suggested by one or two respondents each: Suggestions included:

- that the first priority should also include reference to ‘understanding’; i.e. the various stakeholders should ‘understand and have confidence in the work of the inspectorate of education’. (Indeed, it was suggested that an additional priority should be the inspectorate making itself more publicly known, accessible and available to parents and families. Including reference to ‘teaching unions’ in this priority was also suggested);
- that the second priority should also reference colleges, i.e. involvement of... ‘colleges and other providers in inspections’ and that it could also include reference to self-evaluation, reflection and development as part of the journey to improvement. It was also suggested that the priority should read ‘meaningful, rights-based involvement’; and
- that for the third priority, the order should be changed to (a) drive improvement and build capacity; (b) provide assurance and public accountability; and (c) inform practice and policy. It was also suggested that a fourth sub-bullet could be added to “improve outcomes for children and young people”, which it was recommended should be inserted at the start of the list.

A small number of respondents suggested that local communities, community groups and organisations should be included in the priorities, as well as destination partners such as regional employers, colleges and universities (although respondents did not specify how).

Greater clarity was also sought in relation to specific priorities. For example, for Priority 1, it was suggested that it would be useful to explore in more detail what ‘confidence’ might look like for the stakeholders listed which could, in turn, provide more clarity around the purposes of inspection. More clarity around what was meant by ‘driving improvement and building capacity’ was also requested. Some also noted that they would have welcomed more detail on how the priorities would be implemented and how they would affect the existing regulatory environment.

A caveat was also raised that, while involving teachers and other professionals in the inspection process as a priority was very much welcomed, this involvement alone would not adequately support teachers in the way that they needed. Instead, fuller consideration and detail was requested as to how the ambition of better support for teachers would be achieved.

Several respondents also noted that, while they agreed with the need to fully utilise evidence, robust data sharing mechanisms would be needed (an issue also discussed in events), and these would need to be transparent and all evidence

clear/accessible. There was also a need to ensure that inspection evidence was being used in appropriate ways and was not used instrumentally:

“In addition, the range and quality of evidence has to be transparent and provide evidence about what we want to measure, rather than what is easy to measure. The inspection protocols should allow those inspected establishment to show themselves at their best and not being constrained by the evidence required.” (Post School Sector/College/University)

Others again used this question to assert their disagreement with inspection per se and/or to advance views that self-assessment was a more valid and effective approach to improvement. Finally, comments were again made that it was important for the inspection process to be directly related to the outcomes for children and young people themselves, not just the improvement of the system.

## **Addressing the Priority Issues**

The final section of the consultation paper sought views on different ways the priorities outlined at Q9 could be achieved - either through new legislation or through alternative options within current legislation. Each of the three priorities was the focus of the final three consultation questions.

<b>Q10: Do you have a view on these options for establishing the new approach to inspection?</b>
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Respondents were asked for their views on how Priority 1 (detailed at Q9 above) could best be achieved moving forwards. Specifically feedback was sought on whether:

1. to remove the inspection function from Education Scotland to create a distinct and separate executive agency without requiring new legislation. The inspectorate would remain directly accountable to Scottish Ministers; or
2. to take forward legislation to establish the role of ‘HM Chief Inspector of Education for Scotland’ in law as an independent office-holder. In this situation the HM Chief Inspector could have primary responsibility for setting the schedule, frequency and focus for inspections, as opposed to this power remaining under the legislative control of Scottish Ministers.

Responses to this question were very mixed with no clear themes emerging and several respondents commenting on what they perceived to be the strengths and weaknesses of both options (as well as positing alternative options) rather than expressing a clear preference for either approach. Some also interpreted this question to be a choice between options while others understood it to mean that both options could/would be implemented concurrently. Similarly, here and at later questions, event participants sought clarity over the differences between and consequences of implementing changes in legislation or not via legislation, and whether the options were mutually exclusive or could be combined.

## Option 1: New Executive Agency

Many respondents stated that they agreed with the formation of an independent agency, separate from Education Scotland and guided by stakeholder voice and current emerging research, mainly because this approach would maintain the autonomy of the inspection process and address historical concerns around impartiality:

“Establishing the inspectorate as an independent body is imperative to address this issue and ensure that it can carry out its functions with autonomy and objectivity. This move is crucial for restoring confidence in the inspection process and ensuring that evaluations are conducted without any undue influence, ultimately contributing to a more robust and trustworthy education inspection system.”  
(Individual)

"Creating a distinct executive agency would remove the potential for conflicts of interest and would ensure that the function of the agency would be more clearly defined." (Post School Sector/College/ University)

While this option was seen as more radical, it was also seen as necessary to help avoid potential conflicts of interest between development, improvement and evaluation functions, as was characteristic of the current system.

For those who supported this option, comments were made that, while not requiring legislation, clear governance structures should be put in place to oversee and guide the new executive agency's operations. Similarly, it was felt that while the agency would be independent of Education Scotland, collaboration and sharing of intelligence between the two would still be necessary and appropriate to ensure that the whole system remained joined up. This included, for example, inspectors maintaining a high level of awareness of the quality models and practices that Education Scotland were providing or could provide to schools:

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

For some who agreed with a separate body, there were also questions around how/ who would provide advice and support to teachers - i.e. Education Scotland or the new inspectorate.

Some supporters of a new executive agency warned that the size and scale of the organisation would depend on the level of collaboration with local authorities and argued for: greater use of local authority approaches to quality assurance; using local authority intelligence to determine schools for inspection by the independent body; use of a wider range of Associate Assessors; and a greater role for local authority officers in the inspection process.

Consistent with comments about the NQB, a small number who supported the creation of a new inspection agency stressed that it must be staffed by ‘new’ or ‘fresh’ personnel, with suggestions that moving staff from the old inspectorate to a new agency would risk undermining any new approach. Similarly, some felt that creating a new inspectorate would not fix existing problems in the system, unless the more fundamental issues raised in the Muir Report were also addressed:

“Unless the concerns that were raised in the Muir report are actively addressed (such as the impartiality of the inspectorate), they are likely to persist despite the replacement of Education Scotland in either option. The processes themselves need to be trusted by learners, teaching professionals and other stakeholders and the inspectorate must be fully independent so that it can evaluate the impact, implementation of approaches and the quality of education.”  
(Third Sector)

Some who **disagreed** with the creation of a new inspectorate indicated that they felt this would not achieve the ‘independence’ from government that stakeholders wanted to see:

“The inspectorate under this model would remain directly accountable to and funded by the Scottish Government... this would dilute the independence of the new body, further the perception that the Scottish Government is seeking to maintain arms-length control over the inspection function and would do little to affect the culture change which is so urgently needed to the inspection and scrutiny process...” (Trade Union/Professional Representative Body)

The other main arguments given against this proposal were that having yet another organisation involved in education and scrutiny may add to existing bureaucracy and be just another organisation that schools have to defer to. Respondents also pointed towards the risks of separating out inspection and support agencies in case they developed in different directions/became disjointed (i.e. divergent thinking), with views that maintaining an integrated scrutiny and support body would help to keep messaging consistent.

## **Option 2: Independent Office Holder**

Among those who supported the appointment of an independent office-holder, many commented that it would make accountability and independence more obvious and more stringent which, in turn, could maximise public and professional confidence in the inspection process:

“[Organisation] leans towards favouring the establishment of the HM Chief Inspector of Education as an independent office holder enshrined in law. The reason for this preference is rooted in the desire to mitigate the politicisation of education in Scotland. We believe that by establishing the Chief Inspector as an independent office holder, we can contribute to removing undue political influence and create a more stable and impartial environment for educational inspection.” (Trade union/professional representative body)

Several others agreed that the appointment would also lead to greater clarity around exactly who was responsible for setting the schedule, frequency and focus for inspections.

It was also suggested that having an independent office holder would give parity to education with other sectors, i.e. having a Chief Education Officer, akin to the current roles of Chief Medical Officer and Chief Nursing Officer. It was felt that this would demonstrate that the education sector was valued equally in relation to other key public services.

Again, those who supported this approach urged for the legislation to be very clear and thorough. It was felt this should set out its applicability to “all educators and learners” to ensure parity, for the role to be clearly defined, and detail how engagement with stakeholders would/should be taken forward.

Specific suggestions were made that checks and balances should be in place to ensure that the individual appointed had adequate competence on issues of equality and rights, and that the legislation had an explicit commitment to protect and promote the rights of the child enshrined in the UNCRC. It was also stressed that the individual appointed needed to be aware of the unique needs of GME.

Among those who **disagreed** with this option, concerns were mainly linked to how a single office holder might be regulated or held to account. There were also concerns that any legislative changes may actually add another level of complexity to the existing system and act as a barrier to progress. Specifically, it was felt that there could be ambiguity around accountability:

“This should be achievable without an independent office-holder enshrined in law, which may actually create barriers and questions, such as to whom such a person would be answerable and accountable.” (Local Authority)

Suggestions were also made that it may be beneficial, in order to ensure a focus on improvement, if there was increased partnership with other stakeholders, including local authorities, in setting the schedule, frequency and focus for inspections. Similarly, there was support for the office holder to be supported and directed by an Advisory Body which should also have legislative standing, and be representative of key stakeholders as well as independent members (discussed more in response to later questions).

A very small number of respondents noted that there may be risks with having a single individual heading up inspections and/or investing the role in an individual. This was based mainly on perceptions that similar such roles had not proved effective and/or that it introduced a greater potential for bias:

“...investing these powers in an individual can see certain issues sidelined because that individual isn't interested or has a vested interest in them not being looked at, and certain issues raised up for special attention because of the personal concerns in the individual in office. While these things can happen with a less personalised,

more devolved institutional approach, the chances are that a more holistic approach would be taken where one individual is not a figurehead.” (Individual)

Some disagreed with a single role because they felt it may not instil public and stakeholder confidence in the inspection process, again, particularly around accountability. A common view was also that, if a Chief Inspector were to be appointed, this should not be a political appointment - political independence was stressed as key.

As noted above, some respondents interpreted this question to be a choice between the two options set out, while others understood it to mean that both options could/would be implemented concurrently. Several supported a combined approach - i.e. separating the inspection function from Education Scotland to a new executive agency, and using legislation to create a HM Chief Inspector to be in charge of this agency to ensure its independence from government (while this was the intention of proposal Option 2, this was not always clear to respondents).

Some respondents proposed direct alternatives to the options set out, albeit that most focused on the practicalities of carrying out inspections (and as such are covered in the following chapter). The only suggestion that had more direct relevance was Education Scotland retaining its inspection function but becoming completely independent from government.

### **Other Comments**

Several respondents offered more general comments which were varied in scope.

Some asserted that accompanying the new approach to inspection should be robust legislation in terms of duties, for example, around reporting, impartiality and accountability. Others, meanwhile, felt there was no need for new legislation with regards to inspections and that it should be possible to achieve much of what was being proposed without lengthy and complex legislative change (which in itself may have unintended consequences):

“By its nature a legislative approach is time consuming to undertake and would likely result in broad provisions being set out to avoid constraining the new inspectorate in the face of as yet unforeseen circumstances. A non-legislative approach could be enacted and adapted much more swiftly to take account of changing circumstances, system priorities and budgetary pressures (or opportunities) arising.” (Trade Union/Professional Representative Body)

“I strongly object to the creation of legislation to set up an inspectorate separate from the education system. It can only breed animosity, antagonism, and complexity... Any perceived benefit from total independence would be lost in antipathy, mistrust and unnecessary and adversarial processes.” (Individual)

Event participants were similarly split regarding whether legislation was required (here and more generally regarding the new inspectorate). While some were supportive of legislation as it could provide greater budget security, others felt legislation may not be necessary, noting that progress had and could be made without it, or that this could lead to more bureaucracy and delays.

If new legislation was introduced, some respondents urged that this should undergo consultation with all relevant stakeholders.

Some caveated their support by reiterating that any inspection approach must be collaborative, context specific, supportive, honest and fair. It must also be taken forward without incurring excessive cost, it was suggested.

In the main, there was also strong support that whatever approach was adopted, the new agencies/new office holder must have a degree of independence from government. Only a very small number of responses indicated that they did not feel the inspectorate should be completely independent and/or that responsibility should not be taken away from Ministers, mainly on the basis that they questioned the competency of inspectors and their recent relevant establishment-based experience.

Some again noted that they did not agree with the principles of 'inspection' per se and felt that this was a 'top-down' and outdated approach which should be replaced by self-assessment.

Finally, some respondents noted that they required more information to be able to consider the proposals more carefully, especially as they related to different sectors (for example, it was not clear what the implications of either approach might be for teacher education and universities). Another view was offered that, without a clear explanation of what the issues are with the current provision, it was hard to understand why any changes were needed at all.

**Q11: Do you have a view on how governance arrangements for the inspectorate could be developed to better involve providers, including teachers and other practitioners, pupils and students and parents/carers in inspection?**

In relation to Priority 2 (i.e. to 'ensure the involvement of teachers and other practitioners, children, pupils and students, parents/carers, local authorities and providers in inspections') respondents were asked if they had a view on how governance arrangements for the inspectorate could be developed to better involve providers in inspection.

Options outlined in the consultation included that new measures to strengthen governance and the voices of those involved in inspection could be considered within the current arrangements (for example, by setting up a user focused advisory council). Alternatively, this could be achieved through legislation, it was posited, by requiring the Chief Inspector, as an independent office-holder set up by legislation, to establish an advisory council, with membership drawn from those likely to be



affected by the Chief Inspector's work. It could also place a legislative duty on the Chief Inspector to have regard to any advice provided by the Council and, where advice was not followed, to set out the reasons why.

As with Q10 there were different interpretations of this question. Several respondents assumed they were being asked to express a preference for either of the two options, some offered new or alternative views on governance arrangements, while others interpreted the question to relate more to the principle of involving various stakeholders in the inspection process rather than in the new agency's governance arrangements.

Despite some ambiguity in responses, overall, there was strong support for involving all of the listed stakeholders in both the inspection process and governance arrangements to ensure that stakeholder voices were taken on board. Involvement of stakeholders was also seen as the best way to guarantee impartiality and responsiveness of inspections and to instil stakeholder trust in the inspection process:

"All stakeholders, teachers, students and parents should be involved in governance arrangements for inspections, including the purpose of inspection and the operational processes involved. This would make the processes more transparent and could remove some of the professional self-doubt that inspections can create, whilst not detracting from the vital work of the inspectorate. The establishment of an Advisory Council whose members are stakeholders in the process would be welcomed." (Post School Sector/College/University)

### **Teachers/Headteachers**

The involvement of teachers and head teachers in governance arrangements and inspections was particularly welcomed (both by those who provided written responses and those who attended events) as it would allow for their expertise to feed directly into the process:

"We would strongly advocate for a more prominent role for existing headteachers in the governance arrangements of the inspectorate. As individuals on the frontline of education, headteachers possess valuable insights and practical knowledge that could significantly contribute to the development and improvement of the inspection process. Their inclusion in governance arrangements would ensure that the perspectives of those directly involved in managing and leading educational establishments are integral to decision-making." (Trade union/professional representative body)

It would also be helpful to include representation from teaching professional associations and ITE providers/students to ensure the views of student teachers were included in improvement, it was suggested. While involving teachers was seen as essential, the way that teachers were appointed to any governance role

must be fair and transparent, it was felt, as well as their membership of any council not being tokenistic.

### **Pupils and Students/Children and Young People**

The voices of pupils and students were also welcomed on any advisory council (as well as having a more active role in inspections), and this was especially true at the tertiary level. While engaging pupils and students was seen as particularly important, however, it was noted that their involvement may require additional support (including financial support) to enable meaningful participation:

“[Organisation] would encourage the Scottish Government to include learner’s voices in the governance of the new education inspectorate... Learners who become governors or committee members should receive a full induction and training in committee skills to enable them to effectively contribute to the work of the organisation. They should also be given a named person as a point of contact to support them in their role. We also believe that they would benefit from pre-meeting preparation to help them understand the papers and content of meetings they are being asked to contribute to.” (Representing parents/carers and/or children and young people)

Again, respondents urged that involvement of children and young people must never be tokenistic and felt that very clear policies and practices should be set out for how their input would be considered:

“...simply having young people in the room would not equate to the meaningful participation of young people in decision-making. Scottish Government should consider in these plans how they will account for giving the views of young people due weight in decisions taken as part of the inspectorate function, regardless of which of the two options is taken forward.” (Representing parents/carers and/or children and young people)

Some respondents noted that specific thought and planning would also be required regarding how the experiences of children and young people with additional support needs would be captured/reflected.

### **Parents and Carers**

There were slightly mixed views on whether parents and carers needed to be involved in governance. Some felt their level of involvement in inspections was already proportionate, while a small number suggested that parents/carers should have a more clearly defined input.

Where parents and pupils/students were involved it was felt that this should be at the local rather than national level in order to maximise effectiveness.

While generally supportive of involving teachers, pupils/students and parents/carers in the governance arrangements of the new inspectorate, event respondents sought further detail about how they would be empowered in decision making.

## **Representation**

While the views of teachers, pupils/students and parents/carers were all highlighted as being particularly important to be represented in inspections and governance, it was also noted by some that the views of different stakeholders may be quite diverse. It was suggested that having separate advisory 'groups' rather than a single advisory council may, therefore, be more appropriate:

“It may be that separate advisory boards for teachers, parents and carers, and pupils would be more useful as it is likely there will be different views from all three. It would then be the job of the organisation to synthesise all these views into a coherent whole.”  
(Individual)

It was also suggested that forming advisory groups tailored to specific education sectors (e.g. primary, secondary, further/higher education, community learning and development) may be useful to ensure that the unique needs and challenges of each were adequately addressed.

Collectively, respondents expressed a preference for any advisory committee to be broad in its representation, including representatives from groups facing inequalities and social disadvantage, as well as representatives from different sectors:

“Greater involvement of key stakeholders is welcomed. This should be carefully considered in terms of representation and function regarding decision making and/or consultation. The representation should be broad across the country and ensure it captures a wide demographic.” (Local Authority)

Involving individuals from different generations was also seen as beneficial to ensure that the inspectorate could benefit from a broader range of insights, leading to more informed and balanced evaluations.

Several respondents also encouraged wider representation in any governance arrangements and committees. This included representation from employers and different vocational sectors; trade unions; the GME sector; support for learning practitioners; third sector organisations, especially those working with young carers and other children and young people nationally; and other community members (although there were no specific suggestions for whom).

In addition to being representative, the need for fair and transparent selection mechanisms for the advisory council was also stressed:

“Implement a transparent and inclusive process for selecting members of the Advisory Council. Consider open nominations, ensuring that the selection process is fair, unbiased, and free from undue influence. Members should be chosen based on their

expertise, experience, and commitment to improving education.”  
(Post School Sector/College/University)

Some caveated their support by suggesting that representation/input from stakeholders must be proportionate and reflective of those involved and impacted by the process but balanced with maintaining the integrity of the process. It was also suggested that it would be useful for anyone involved in governance to have a clear induction and training, so that they understand their position on an inspectorate and what a conflict of interest could be.

### **Legislative Footing**

Views as to whether an advisory council should be legislated for or not were less clear. Some again felt that a legislative footing would give the role and authority of the advisory council and the Inspector a more robust standing:

“Our view is that the legislative option requiring the Chief Inspector to establish an Advisory Council, with representative membership, is the optimum way forward. The legislative duty to have regard to advice provided by the Council, retaining some flexibility in selectivity, will strengthen the Chief Inspector’s traction in his role, and hence the collective authority of the inspectorate.” (Third Sector)

Others felt that placing the advisory committee on a statutory footing was overly bureaucratic:

“[Organisation] does not favour the establishment of a statutory Advisory Council. The legislative route may narrow the range of opinions heard and taken account of to those appointed to the Advisory Council, and lead to an overly bureaucratic approach to involvement of stakeholders.” (Local Authority)

If membership was set out within legislation, it was encouraged that representatives of local government should be prescribed as members of any advisory council. Governance arrangements for the new education inspectorate must also reflect Scotland's current and continually evolving legislative landscape, it was suggested.

A small number of respondents noted that they did not feel sufficiently knowledgeable regarding the legislative process to be able to offer a reliable view about its suitability in this context.

### **Alternative Models**

Respondents also set out a range of alternative or additional governance arrangements (most offered by just one or two respondents each), including:

- having an ‘oversight group’ instead of a ‘governance group’;
- establishing stakeholder ‘forums’ instead of committees;
- including professional associations in the composition of the Board;
- using secondments to ensure school staff are included on boards;

- local authority advisory sub-groups to feed into the work of the national advisory council; and
- having the same advisory committee structure as proposed for the NQB.

### **Lack of Support for Proposals**

A small number of respondents disagreed with the need for an Advisory Council, especially one which included pupils and students. It was felt that pupils and students could still have a direct line to the new inspectorate without the need for them to have governance responsibilities; that having such a role may distract from their learning; and that they would lack the relevant experience. Others felt that the various stakeholders were already engaged in a formal way during inspections, and that change was therefore not needed, or felt that governance of inspection should be reserved for Scottish Ministers.

A more general view was given that ‘service users’ should not be part of the inspection or governance process as their views may be biased, and their involvement may lead to evaluative decisions that were not adequately informed/ evidence based (especially given the complexity of the education system).

Conversely, a small number of respondents felt that the options presented were limited and did not go far enough:

“It is disappointing that the consultation proposes a very limited model of stakeholder engagement through the creation of an Advisory Council. We do not believe that this provides meaningful engagement in the governance of the new body. Although a legislative duty could be placed on the Chief Inspector requiring them ‘to have regard to’ any advice provided by the Council, it is clear that the Chief Inspector would not be obliged to follow the advice given... We would suggest a governance model, similar to that of GTCS Council, which is truly independent of government and includes representation from teachers and other stakeholders in the governance arrangements.” (Trade union/professional representative body)

A few respondents indicated that they found this question difficult to understand, as written, and some felt that they needed more information on the proposals before being able to offer an informed response (including clarity regarding what was meant by ‘governance’ and whether this would be bottom-up or top-down, as well as what was meant by ‘involvement’ as this cannot be measured as an objective assessment). Others again used this question to reiterate their disapproval for inspections per se.

**Q12: Do you have a view on how the Scottish Government make sure evidence from inspections is being used as fully as possible to drive improvement and inform policy, and on who the inspectorate should report to?**

Finally, respondents were asked to provide feedback on the third priority area (i.e. to 'Ensure inspection evidence is being fully utilised to: (a) provide assurance and public accountability; (b) drive improvement and build capacity; and (c) inform practice and policy') and how this could best be achieved. Options for reporting structures and mechanisms were set out, as follows:

1. Strengthening reporting without the need for legislation. Ministers could set an expectation that the inspectorate publish a range of documents, and include a specific requirement to report regularly on the overall performance of Scottish education, providing an overall view across the education system to inform Ministers, Parliament, providers and the wider public; or
2. The same requirement for reporting could be set out in legislation. The Chief Inspector (established in legislation), could be required to report annually on the carrying out of their functions and the performance of Scottish education. Legislation could also include a duty on the Chief Inspector to publish individual inspection reports.

Again, a wide range of responses were provided at this question, often taking a broader approach to the question than focusing on the two reporting options set out. This included identification and discussion of very specific reporting (and evidence/data gathering) topics/areas which might be useful, discussion of the types of reporting (and inspection methods) that would be beneficial, and methods for collecting data and feedback. While many indicated support for formal reporting structures to be in place, far fewer indicated their preferences related to the use of legislation in this regard.

## **Annual Reporting**

General support was expressed for the use of annual reports to monitor the inspectorate's work and to provide an overall view on performance across the Scottish education system. It was felt this report should include an overview of the inspectorate's activities, budgeting, any key findings in relation to inspections and education generally/at the national/system level, and information about how they are supporting schools/establishments to improve - and should cover both GME and English language sectors. It was noted that information could be difficult to access currently and so a mechanism was required to ensure greater transparency and information sharing:

"An annual report synthesising the main themes from inspections across the country, as well as in each local authority. At present some of this knowledge can be hard to come by/feels privileged. There needs to be transparency around this." (Individual)

It was stressed, however, that the annual report needed to be supported by other regular reporting, including inspection findings, thematic inspection reports, annual inspection audit reports, Summary of Inspection Findings (SIF), policy papers, etc. It was also suggested by several respondents that report versions should be tailored for different audiences (e.g. local authorities and education providers,

parents/carers, lay readers/the general public, child friendly versions, and translated into Gaelic and BSL):

“Reports of different levels should go to authority (education), parents, and general public to allow evidence to be shared without concern over undue pressure.” (Individual)

“Consideration of the format of reports, to ensure they are focused on action for improvement which can be applied by schools and authorities is necessary. Reports to education authorities and schools should focus on improvement and how action for improvement can be applied across a range of similar situations. Reports for the public and parents/carers at a particular establishment may still require a more traditional evaluative approach focused on that establishment.” (Local Authority)

While it was felt that reporting should be publicly available, a few specifically suggested that a range of communication methods should be used to disseminate reports, including social media and websites. It was also suggested that the inspectorate should work with professional organisations and associations to communicate messages and disseminate findings.

Several respondents indicated alternative reporting lines - although it was not clear whether they were referring to inspection reports or higher level governance reporting. A few suggested the inspectorate should report to individual teachers, schools and local authorities, or Education Scotland/the Education Authority, while a range of other bodies were suggested by one respondent each, including Audit Scotland, the Chair of ADES, the GTCS, and teaching unions. Others suggested that reports should be made available more widely than just being submitted to the Scottish Government/Ministers, and that this should include reporting to children and young people/pupils and students:

“In order to create genuine improvement in the system, the inspectorate should not only inform their findings to both the Parliament and the Scottish Government, but also the other bodies such as new Education Scotland agency as well as the Centre for Teaching and Learning. That intel can be used to support tangible improvement based on a shared and agreed framework of what excellence in teaching and learning looks like.” (Individual)

“There is no mention of reporting to learners. This should be expected, as much as evaluative reports for parents/carers and the public.” (Representing parents/carers and/or children and young people)

Both those who provided written responses and those attending events also questioned who would be responsible for quality assuring the inspectorate and inspections to ensure consistency in approach.

## Informing Practice and Policy

Respondents were generally in favour of inspection evidence being shared widely with schools/establishments, teachers, parents/carers, local authorities, and with Education Scotland representatives, as well as with the Scottish Government and other stakeholders. In particular, it was felt that the sharing of good practice could help to inform practice across all educational establishments and not just those being inspected.

There was a strong sense, however, that responsibility for using inspection evidence to improve practice should not lie with just one agency but, rather, needed to be shared between the inspectorate, educational establishments, teachers/lecturers, pupils/students, local authorities, other public bodies, etc. A few also suggested that local authorities should have a responsibility for publishing information and evidence related to improvements, developments and successes.

Further, it was felt that inspection evidence could and should help to inform policy, but it was argued that a clear pathway needed to be established. It was also felt that care was needed in relation to how this was done, and that stakeholders may need to be more involved in shaping policy:

“Evidence used in such a way would need to be fully representative of Scottish education and cover the wide range of contexts, settings, challenges and opportunities that exist across the system for it to be truly reflective of practice in establishments.” (Local Authority)

Several respondents, however, felt that the current inspection methods and evidence gathered were not suitable for driving improvements. Evidence and feedback were described as being “formulaic”, of poor quality, “unhelpful”, and lacking detail. Rather, it was suggested that changes needed to be made to the inspection process first before evidence could be considered robust and useful.

Among those who were not supportive of inspection at all, at least not in its current format, it was suggested that inspections did not drive real improvement, but rather, had negative impacts. Respondents (including those who submitted written responses and event participants) suggested the proposals (here and elsewhere) maintained the current top-down inspection model, but that inspections needed to adopt a more supportive approach. This included the need for self-evaluation, peer working/support/evaluation, collaboration and collegiate discussions (including teachers/school staff, pupils and parents/carers), improvement oriented feedback and post-inspection support, that inspectors should demonstrate and model good practice, and the one-word grading structure should be removed:

“I'm not sure how evidence from inspections is useful. A 2 or 3 day snap shot is not enough evidence to say something is effective.”  
(Individual)

Others argued that, while evidence should inform policy or initiatives it should not drive inspection, improvement agendas or changes:



“National policy should be cognisant of evidence drawn from inspection reports but it is important that the inspectorate is independent of government control. Let the reality of and best practice identified in schools be the driver of change, not short-term political point scoring.” (Individual)

## **Legislative Requirements**

While most respondents did not discuss the issue of legislation, several did make their views on the requirement for this clearer. On the whole, those who discussed legislation tended to be in favour of setting out reporting requirements in law. It was stressed that this would prevent future political interference. These respondents felt the inspectorate or Chief Inspector of Education should be fully accountable to the Scottish Parliament, and should be required/duty bound to provide annual reporting to the Scottish Parliament (or specifically to the Education Committee), as this was felt to offer the most independent approach. While a few suggested the inspectorate should report to the Scottish Government or Scottish Ministers, this was preferred by less respondents than reporting to Parliament, and was actively discouraged by others. Statutory reporting was considered necessary in order to provide consistency, transparency, accountability and oversight/scrutiny:

“[Organisation] supports the proposed approach for the inspectorate to report on the overall performance of Scottish education. This reporting would provide valuable insights for all stakeholders... Additionally, legislating the reporting requirements for the Chief Inspector can ensure consistency and accountability. Annual reports on the inspectorate's functions and the broader performance of Scottish education would enhance public trust and provide a clear benchmark for educational standards and improvements.”  
(Industry/Private Sector)

It was also suggested that the legal responsibility around reporting should be shared with partners, so that those with a statutory requirement to secure improvement should develop action plans designed to respond to inspection findings and deliver improvements in practice. Further, it was noted that close links and joint working would be needed between any new inspectorate, the new curriculum/improvement body (or remaining parts of Education Scotland), and government in order to ensure inspection drives improvement and informs policy:

“In the interests of maintaining the independence and reliability of the inspection body, it may be the most effective approach for it to separately report to government for the purposes of policy making and to report to the national agency for driving improvement, with a feedback loop back to the inspectorate. Carefully defined and clearly executed remits and responsibilities will be essential for the three sides of this triangle to function well.” (Local Authority)

## **Other Issues**

A few other issues were also discussed by small numbers of respondents.

Terminology issues and a lack of detail around how the three priority elements would operate in practice, and how the requirements would be met, was again flagged by a few respondents. Similarly, respondents reiterated concern about the lack of detail in the consultation document about what the remaining part of Education Scotland would look like once the inspection function was separated (also a concern for event participants). Further, the lack of detail in relation to the role and collaborative opportunities for other organisations within education were also highlighted. It was felt that more information (and consultation) was required on these issues.

Event respondents also sought clarity on the purpose and reporting lines for the new inspectorate, how they would be held accountable, how they would be monitored, quality assured and supported to improve, and how independent they would be from government.

Again, a few respondents felt that the scope of the reforms did not represent a new approach or address the main issues in relation to inspection. There were also concerns that the proposals, and delivering public accountability, might not be enough to ensure that improvement is delivered.

## 4. Operational and Other General Issues

Across the consultation questions, many respondents highlighted and discussed more general operational and practical issues linked to qualifications and inspections (rather than focusing on the proposals that had been set out in the consultation document). This included consideration of how the NQB and inspectorate should operate and be staffed, as well as more general comments related to the nature and delivery of qualifications, assessments, and inspections. These comments are collated and presented below.

### **New Qualifications Body**

Respondents provided considerable discussion of the assessment structure and potential for change, practicalities associated with the verification of qualifications, the need for stakeholder involvement and engagement, the need for collaborative working, and possible additional roles or tasks that the NQB should fulfil. They also gave a range of other, more general comments related to the NQB.

### **Qualification Assessment Structure**

Mixed views were expressed in relation to the use of exams, the portion of any final qualification dedicated to an exam or alternative assessment methods, and the range of choice available to pupils/students in this regard.

A large proportion of respondents who discussed this issue (including some event attendees) felt that, within qualifications, a greater proportion of the final mark should be based on ongoing or block/unit level assessment, coursework, project work, practical assessment, presentations, and portfolios, with less emphasis on the final exam. Others suggested removing high stakes final exams entirely. It was argued that this would make qualifications more accessible, provide a better and fairer reflection of a pupil's/student's ability, and was more in line with college and university assessments, where many courses were said to have already removed or reduced the emphasis on final closed book exams.

Others, however, preferred assessments in the form of rigorous and challenging exams (including introducing these for National 4s which currently do not include a final exam). It was felt that exams provide a national standard, prevent bias, maintain integrity, and provide high quality status and recognition of qualifications.

A few respondents suggested there should be a choice of assessment method in order to ensure qualifications are accessible and appropriate for all pupils and students, while others felt that assessment methods should be considered and developed to be suitable for each subject/course.

While many did not express any preference for the use of internal or external assessments, there were mixed views among those who did. Most individuals who expressed a preference supported external assessment in order to ensure robustness of the system and reduce the burden on teachers. A few did, however, feel that teachers should have at least some input to the assessment and marking/grading of their pupils. On the other hand, organisations who discussed this issue

tended to want to see greater trust being placed in teaching professionals' judgement and more ongoing use and development of the Alternative Certification Model (ACM) which was used during the COVID-19 pandemic.

There was also a perception among a few respondents that pupils are currently over-assessed, and that changes should include reducing the amount of assessment that occurs:

“Learners in Scotland are amongst the most heavily examined in the world. There is a need to reduce the number of formal examinations, while still retaining those most appropriate to the subject matter in hand.” (Trade Union/Professional Representative Body)

Providing a range of assessment methods was suggested, including typed assessments and designing and developing digital assessment using modern techniques and IT packages. The use of Artificial Intelligence (AI) was also discussed, both as something which needed to be recognised and harnessed appropriately, but also as a risk to project based work, assignments, etc.

### **Qualification Verification Processes**

Respondents discussed the practicalities of the verification process for qualifications and how they thought the NQB should conduct this.

Several respondents felt that the way qualifications were accredited currently was sufficient and appropriate, and so wanted these methods to be carried over to the NQB.

Others, however, wanted to see the system redesigned, while many respondents simply outlined the various steps/elements which they felt should be incorporated in any accreditation model (without discussing whether these represented 'new' or a continuation of existing elements). The main recurring elements included:

- utilising or developing an overarching framework which maps all available qualifications, their relationships to one another, levels, etc. (with most suggesting the continued use of the SCQF);
- developing national standards in liaison with stakeholders and rolling out awareness raising/training on this across the teaching profession;
- implementing a process of internal and external verification and validation through audits, inspections, regional officer visits, online meetings, sampling, pupil evaluations, and the use of feedback loops. These approaches were also suggested as useful for monitoring the delivery of qualifications;
- moderation, both within and across establishments/local authorities, in setting and marking assessments/exams was also considered to be important; and
- a few respondents felt that the central marking system was a useful/positive mechanism for quality assurance, and should be retained.

Respondents also discussed the need to establish a clear and robust quality assurance framework - utilising the same framework across all qualifications to

ensure consistency, efficiency and equitable standards. Some also stressed the need to ensure greater continuity and consistency in delivery standards between schools/educational establishments.

### **Stakeholder Engagement Methods**

In addition to Board and Committee representation (as discussed at Q2 and Q3), it was also felt important that both teaching professionals and pupils and students were engaged and involved in the NQB in a wider manner, with a robust framework established to ensure meaningful and inclusive ongoing stakeholder engagement and collaboration.

Specific suggestions for engagement with teaching professionals, proposed by individuals and a range of organisation types, included:

- maintaining teacher involvement in designing/setting exams;
- regular feedback loops, engagement and consultation activities, including using digital channels and online forums, questionnaires, and pro-active direct in-school discussions and focus groups for teachers to make comments/ provide suggestions and feedback;
- creating or tapping into existing area and/or subject specific committees/ groups;
- establishing a rotating panel to sit on a Steering/Working Group; and
- seconding teachers into the agency for fixed periods.

Suggested approaches for wider (or alternative) engagement with pupils and students included:

- surveys;
- an online feedback/interactive learner facility;
- utilising social media;
- local, school or subject based meetings/discussions/assemblies/focus groups/Q&A sessions;
- conducting establishment level consultation exercises;
- tapping into existing pupil/student councils and/or the SCQF School Ambassador Programme;
- establishing cluster/local authority/regional pupil groups, working groups or learner panels;
- developing a national forum; and
- using 'exit' interviews or surveys to gain views of qualifications.

A range of agencies were also suggested which could be involved in either facilitating direct access to pupils and students, or who could act as conduit for their views. These included the Scottish Youth Parliament, the Children's Parliament, the Children and Young People's Commissioner for Children's Rights, Young Scot, Youth Scotland, the Pupil Parliament, student partnerships in quality Scotland

(sparqs), Community Learning and Development (CLD), and Skills Development Scotland (SDS). More specialist agencies were also suggested to support access to and gather views from minority groups, those with disabilities, neurodivergent young people, etc.

Several respondents also felt that parents and carers needed to be involved in, and invited to contribute their views to, the NQB.

### **Working Collaboratively and Inviting Stakeholder Involvement**

Respondents felt that the new qualifications body needed to develop an open culture to invite and accept feedback, reflection and regular evaluation in order to ensure both it and its qualifications remained agile and responsive, and to ensure that qualifications could be updated quickly and efficiently when required:

“A culture of being open around reflection and evaluation - if the profession tells you something is not working or an element of a qualification is not up to standard, then the ability to listen to this and make changes is crucial. This is an agile way of working that acknowledges the needs of learners and teachers may alter and therefore, the qualification may need tweaked from time to time.”  
(Individual)

It was also noted that close links and collaboration with curriculum development, innovation and establishment based practice was needed in order to ensure the curriculum drives the assessment, and not the other way around.

In particular, was considered important to involve teachers/lecturers in the NQB's decisions at all stages, including the design, delivery, monitoring and review of qualifications, as well as to inform policy and practice development. Specific points where consultation with the profession would be required included when planning to update or change subjects or assessments; to discuss proposed qualifications/assessments and how these could be delivered; to understand possible challenges and opportunities and what can be practically managed within schools/establishments; and throughout any research, planning, testing and implementation stages of new systems/plans. Several respondents stressed the need for engagement to happen early enough in any decision making and design process to allow feedback to meaningfully inform the outcomes.

More generally, several respondents felt that a more joined up approach needed to be taken, not just by the NQB, but across the whole education system. It was felt this was essential for several reasons, including:

- to avoid duplication of roles and responsibilities; aims, visions and policies; and work/effort;
- to tackle transition issues and provide a more joined up approach to learning across the different ages and stages;
- to focus on pupil's and student's needs, pathways, progression and success, as well as removing any barriers;

- to develop a consistent/national skills framework and better link all qualifications so these can be compared, understood and used to build a portfolio of interlinked qualifications (ideally using the existing SCQF model);
- to ensure all ages and educational stages are represented and considered, and that agencies are working towards the same aims; and
- to allow a wide range of individual pupil and student pathways to be developed and for true parity of esteem to be achieved between different pathways/qualifications, as well as parity of access.

A few respondents also wanted to see greater data sharing protocols set up across the education sector to better facilitate collaboration.

It was also suggested that greater clarity was required around the roles and responsibilities of all organisations, both education and skills based as well as wider stakeholders. This was felt to be needed in order to provide clarity across the sector and facilitate effective joint working:

“Legislation will provide some clarity for the new qualifications body, the education agency and the new inspectorate but reform needs to encompass the roles and responsibilities of schools..., colleges, universities, training providers, local authorities, other public bodies... and the funding agencies, and other partners... Only by being clear about the roles and responsibilities of each can we properly map the touchpoints, overlaps, opportunities for streamlining and points of shared responsibility.” (Awarding Body)

### **Additional Roles for the NQB**

Several respondents felt the NQB needed to include research to inform evidence-based decision making, develop learning, and identify educational gaps and trends. Drawing international comparisons was also considered to be important to develop understanding of alternative models. This latter suggestion was also important to ensure the Scottish education and qualification system was comparable in terms of quality with UK and international settings and would achieve global recognition.

It was also suggested across a few of the events that the NQB should provide high quality and user friendly advice, teaching materials and assessments, and should focus on delivering high standards, credibility, and public confidence.

### **Training for Teaching Staff**

Another common issue identified and discussed by respondents was a need for increased training opportunities/materials and continuous professional development (CPD)/career long professional learning (CLPL) for teaching staff. Specific suggestions included opening up any equivalent to Understanding Standards sessions to more people, providing annual training for all subjects, and mandatory training for staff on all new courses and assignments to ensure consistency between schools/establishments.

## **Awareness Raising of Any Qualification Changes**

In line with comments at Chapter 2, greater communication and awareness raising was again said to be required to ensure everyone was aware of the breadth and value of qualifications available. This included schools/teachers, learners, parents/carers, further and higher education, and employers. In particular, however, it was said more needed to be done to ensure universities would accept a broader range of qualifications as part of their entry requirements.

## **Other Comments**

A wide range of other, more general, comments were also provided. These related to both the structure of qualifications and the NQB, including:

- review the appeals process which was considered to be limited in its applicability and use;
- review and consider alternative approaches to qualifications used by other countries - those mentioned specifically included Finland, Norway, Sweden, Canada, individual states within USA, New Zealand, Australia, Ireland, and Wales;
- recognise and accredit meta-skills, and introduce the use of micro-credentials;
- provide qualifications with adaptable content to ensure they can be locally/regionally tailored or updated to incorporate subject developments or address emerging skills or markets;
- that robust, strong moderation is needed between schools/establishments;
- provide greater consistency in assessments within subjects between years, and in the grades awarded to similarly skilled learners between subjects and across years;
- conduct an audit of all existing qualifications;
- that accreditation of qualifications should take a teacher and learner centred approach;
- reduce dependence on external appointees within the NQB and move to a system of internal staff being responsible for accreditation; and
- ensure high quality, well trained and experienced staff are employed by the NQB.

Other comments or suggestions which applied more generally across the education sector included:

- review the curriculum and Curriculum for Excellence and address the disjoint between qualifications and the Broad General Education (BGE) phase;
- focus on improving the basics, e.g. reading, writing and maths;
- provide parity of esteem between different subjects and qualification types;
- remove the use of school league tables and consider alternative mechanisms for monitoring success; and



- too many organisations exist within or have a remit for education, with overlap in roles and responsibilities - it was argued that this issue was not solved/ tackled by the current proposals.

## **Reform of Education Inspection**

Across the consultation questions that focused on inspections and the creation of a new inspection agency, respondents again often discussed more practical and operational elements of the inspection process rather than answering the specific questions that were set. The main comments that were made are outlined below.

### **A More Supportive and Collaborative Approach to Inspections**

The main issue raised repeatedly by respondents in relation to the focus of inspections and how these are conducted, was the need for inspections to be more supportive overall, and to focus on improvement rather than scrutiny.

It was felt that the role of the new inspectorate should be a supportive one, regardless of who is being inspected, and that the burden on those being inspected should be minimised (especially where organisations are also quality assured by other bodies).

Several respondents called for the inspection process to include more peer assessment and self-evaluation either alongside external inspection, while others wanted to move towards a more innovative and system-led validated self-evaluation model.

In addition, several respondents highlighted a preference/need for more collaborative inspection approaches, where inspectors work closely with institutions to support continuous improvement:

“We advocate for a more collaborative and cooperative approach between schools and the inspectorate to foster improvement. We believe that the inspection process should be an integral part of a school's continuous improvement journey, involving carefully planned and strategically thought-out work over time. Collaboration with partners who can offer detailed insights and support is crucial to enhancing the day-to-day experience of our young people.” (Trade union/professional representative body)

### **Practical Conduct of Inspections**

Throughout the questions on inspections and the creation of a new inspectorate agency, respondents outlined their preferences around how inspections themselves should be conducted. A wide range of comments and suggestions were provided, including:

- remove unannounced visits (although this was not a unanimous view, with some considering unannounced visits to be important);
- further develop and expand on the quality assurance role of local authorities to work in partnership with the new inspectorate;

- more partnership working between school leaders and the inspection agency to review approaches to preparing for inspection, to increase capacity, and aid understanding of the process;
- give senior leaders within establishments a more active role in inspections;
- actively seek and incorporate the perspectives of students and parents in the inspection process, including parents/carers/pupils having a role in nominating schools for inspection;
- inspection should include assessment of how well institutions adapt to technological advancements and changing societal needs, and should also consider greater integration of technology/AI in the inspection process itself, including the analysis of performance metrics and data, to enhance efficiency and gather a more comprehensive dataset;
- inspection should be aligned across all establishments and consistently/coherently applied across all sectors and inspection teams;
- inspections should use a wide variety of evidence (noted in events), which needs to be open, honest, and accurate, gathered over a longer period of time from pupils/students, parents/carers and teachers/educators;
- inspections must recognise good work and added value with an emphasis on enhancement and dissemination of good practice, and the identification of areas for improvement;
- inspections need to acknowledge the realities of each school/setting, including locality, demographics, facilities, workload, etc.;
- establishments/local authorities should be given a link/named contact within the inspectorate who can provide ongoing post-inspection support, and/or provide follow-up visits to ensure improvements have been made and are effective;
- conduct a higher number of inspections each year to provide a better sample to inform the system, and to ensure good practice can be identified and shared quickly;
- improve the learning from thematic reviews; and
- provide professional learning focused on key inspection findings/themes and best practice to support improvement.

A few respondents also suggested that alternative inspection models should be considered, including:

- conducting inspections at local authority rather than individual school level;
- developing models that include establishment based education professionals as integral to the inspection process;
- developing models that include Area Lead Officers in inspections/have a focus on collaboration between the inspectorate and local authorities/local authorities taking a lead;

- adopting a similar approach to that used in England with agencies carrying out inspection;
- considering the college model which has removed individual evaluations of quality indicators and instead evaluates the leadership capacity for improvement/drive in self-improvement; and
- inspections should be used as part of wider quality assurance processes/ consider the role of awarding organisations in the quality assurance process.

Respondents also outlined a range of specific issues which they felt should be considered or prioritised within inspections. These included:

- more consideration of closing the attainment gap;
- consider the holistic benefit of learners rather than solely looking at academic input and output, i.e. focus on pupil/student outcomes and skills, rather than number and level of qualifications;
- prioritise keeping children and young people safe from avoidable harm/ safeguarding;
- prioritise advancing equality and children's rights/ensure that inspections consider the diverse needs of students and the inclusive practices adopted by education providers (including evaluating the effectiveness of strategies to address diversity in terms of culture, language, and learning abilities);
- ensure that neurodiversity and capacity to respond to it are considered;
- ensure that outdoor learning and learning for sustainability are actively embedded across all areas of the curriculum;
- consider how the voices of learners are being taken into account through curriculum delivery and within the wider school community;
- assess whether schools are providing sufficient opportunities to teachers for subject specific professional learning;
- ensure the health, wellbeing and workload of stakeholders is considered and protected (particularly teachers, other practitioners, pupils and students, but also for parents/carers, local authorities and other providers);
- embed trauma-informed cultures which recognise individual differences and diversity; and
- align inspection frameworks with the United Nations Sustainable Development Goals (SDGs).

It was also suggested that inspectors should have recent experience of front-line education work, and in particular, they should have experience, knowledge and understanding of working in the type of service they inspect. Respondents also stressed that inspectors must all be equalities aware.

Further, it was felt that the inspection process should be less intimidating/less stressful overall, and that findings from inspections should be fed back more frequently and used mainly at the local level. This included comments that

comparison of inspections findings between areas should be removed/discouraged to ensure that findings are always considered in their local context:

“To recognise the inherent differences in attainment and progress between schools in affluent and deprived areas and for this recognition to be noted explicitly in school inspection reports.”  
(Individual)

As such, a flexible inspection approach was encouraged:

“Allow for flexibility in the inspection approach to accommodate the unique context and characteristics of different education providers. A one-size-fits-all approach may not capture the nuanced aspects of each institution's strengths and challenges.” (Post School Sector/College/University)

### **Inspection Feedback and Reports**

It was felt that inspection reports should provide quality feedback, emphasise strengths and areas of good practice, areas for improvement and practical recommendations or solutions, as well as identifying resources to support the required improvements.

A common preference among respondents was for gradings to be removed from inspection reports. These were considered to be ineffective, to distract from the content of reports, and to encourage competition between establishments, whereas it was felt that more detailed and formative (rather than summative) feedback was needed, as well as greater collaboration to share practice:

“The gradings are unhelpful and evaluative statements are far more useful and based in capacity for improvement. A better way of giving clear assurance needs to be found. Single words are a blunt and easily misunderstood tool which has the power to cause untold harm as well as disproportionate praise.” (Local Authority)

Further, it was felt that inspection reports should be easily accessible in the public domain and made available to all parents as well as school/establishment staff.

### **Engaging and Involving Stakeholders in the Inspection Agency/Inspections**

A wide range of suggestions linked to the best methods for engaging or involving stakeholders in the new inspection agency and in inspections were provided (most offered by just one or two respondents each). These included:

- methods for engaging with stakeholders on an ongoing basis - creating an external Reference Group to support the scoping and communication of inspection approaches; regular and structured consultations with various stakeholders; using digital platforms for virtual engagement of stakeholders; introduce mechanisms for regular feedback; and
- options for involving different groups in the inspection process - the use of parent councils; school captains/head boys/girls being involved in tours and

discussions; shadowing and using young inspection volunteers; using parents as lay inspectors to gather parent/carers views; using public consultations; and collaborative face to face meetings with parents, teachers and children.

Several respondents also argued against the use of questionnaires (as used currently) as a means of capturing stakeholder input to the inspection process. They were perceived to be too prescriptive, insufficiently detailed, too rigid (i.e. one size did not fit all) and outdated. Similarly, the use of focus groups in the current model was seen as not always being representative.

### **The Use of Associate Assessors**

An increase in Associate Assessor opportunities was welcomed as a way of reducing demand on individuals whilst building capacity in the system more generally. Indeed, several respondents felt there was scope for, and urged the greater use of Associate Assessors in the inspection process (this was important to both written respondents and event participants):

“We would also propose a greater utilisation of the role of associate assessors, particularly involving a larger proportion of current headteachers. This approach not only brings the expertise of experienced professionals into the inspection process but also facilitates the development of capacity within the education system. The active involvement of headteachers as associate assessors ensures that inspection activities are grounded in the daily realities of school leadership, fostering a more nuanced and informed evaluation.” (Trade union/professional representative body)

### **Joint Working and Data Sharing**

Respondents highlighted the need for the new inspectorate to share good practice via a range of methods, including sharing examples during inspections, by publishing best practice reports/examples, and via professional learning. It was also suggested that the new inspectorate could facilitate publication and sharing of quality resources, model what “excellent” would look like, and share summarised college reports and findings related to CLD settings to facilitate wider learning. It was felt that best practice should be collated and disseminated by the inspectorate in a planned and consistent manner, with examples being identified and shared timeously (this was mentioned in both written responses and events).

It was also felt that the new inspectorate should work more closely/in a more collaborative and collegiate way with key stakeholders, partners and educational establishments to inform and support change on an ongoing basis, and not just by conducting a one-off inspection. Specific suggestions included participating in national committees, forums, working groups, and advisory groups, and setting up peer learning networks among educational establishments to facilitate shared learning and best practice, and policy roundtables to discuss insight from inspection reports and inform policy development.

Several respondents highlighted a need for the new inspectorate to work with and share data with other agencies/ bodies. This included setting up data sharing arrangements with the other organisations involved in quality assurance.

### **Accountability of the Inspection Framework**

There were calls for any new inspection framework to be clearly outlined and defined to reduce/remove ambiguity and confusion from the perspective of those being inspected. Similarly, respondents felt there needed to be strengthening of the shared understanding of the difference between regulation and inspection, as well as clear and tangible measures for what accountability would look like in practice:

“There needs to be greater transparency over what constitutes accountability and how this would manifest itself.” (Individual)

“Whilst we broadly agree with the purposes, there is a need for greater clarity on what the new inspection framework will look like and what added value it will bring in terms of improvement.” (Local Authority)

A more meaningful inspection approach was also encouraged, as well as more scrutiny of the policy making process underpinning any agreed change (i.e. stronger links between inspection findings and policy and decision making overall). Indeed, it was suggested that the new inspectorate should take more responsibility for ensuring their work informs practice and policy, and that it should follow up on implementation, or that there should be a stronger link between inspection and system wide improvement. There was also a small number of calls for improved accountability of Education Scotland and the new inspection agency itself.

### **Sector Specific Inspection Issues**

A number of sector specific comments were provided, relating to both the delivery of inspections in different settings and also commenting on the use of sector specific terminology.

In relation to **Early Learning and Childcare (ELC)**, it was argued that better alignment/streamlining of the Care Inspectorate and HMle was needed for inspections of ELC settings. Several respondents stressed that there was a need to rationalise the inspection of ELC settings, with ideally one inspectorate covering this sector rather than both the Care Inspectorate and HMle being involved. This was necessary to reduce the duplication and burden on the sector. If a dual model continued, it was felt that the inspection approach should maximise opportunities for integrated models, sharing of inspection tools and close working with between partners.

The difficulties in establishing which settings HMle were responsible for/had a role in inspecting across the ELC sector were also highlighted, along with the disparities created by having different processes for different types of providers:

“Currently Education Scotland will report on the care of young children not receiving funded ELC. While this care is not formally

evaluated as its out with Education Scotland's scope, this can cause confusion across the sector. Legislative changes for the new inspectorate could helpfully clarify the legislative basis for inspection in specific areas." (National Agency/Public Body)

Respondents also highlighted the need for more careful and accurate phraseology when referring to the ELC sector, i.e. avoiding use of the term 'nursery schools' and using 'funded provider' rather than 'funded partner provider'. In addition, it was noted that the word 'childcare' was regularly used in the consultation paper to describe ELC settings but that document writers should ensure early learning or early education was used alongside childcare.

Discussion related to **Modern Apprenticeships** was limited, however, comments were provided around the purpose of inspections, operational inspection processes, and more general areas for consideration in relation to the delivery of Modern Apprenticeships. Due to the limited discussion of this sector, most of the issues noted below were discussed by just one respondent. It was suggested that:

- the new inspectorate agency should evaluate the alignment of training programs with industry standards and the practical applicability of skills acquired and whether they meet evolving employer/workplace needs;
- a more detailed and sector-specific approach would be necessary when inspecting modern apprenticeships to ensure they comply with general educational standards while also meeting business sector requirements; and
- while being cognisant of the breadth of different establishments offering modern apprenticeships, consistency of inspection approach should be provided across different organisations.

Only a few other, more general, comments were made in relation to modern apprenticeships. These included that quality assurance arrangements should sit alongside funding responsibilities, and that the accountability and assurance for apprenticeships should be integrated into tertiary arrangements. A few suggested consideration of alternative delivery models, i.e. apprenticeships to be delivered in a modular format rather than a two year programme to make them more accessible/appealing. A final, very specifically focused comment was that a new inspectorate must deliver robust scrutiny of action to tackle gender segregation in modern apprenticeships.

In relation to **Tertiary Education** there was a preference for quality assurance functions to remain with the SFC/QAA and for it to be included in the remit of a single funding body working alongside Education Scotland. It was noted that, if the new inspectorate replaced existing arrangements within the Publicly Funded College sector, they would need to adopt a role wider than inspection and reporting. This would need to include external assurance on quality and to support improvement in the college sector (as is currently provided by SFC).

Overall, it was stressed that the roles of the new inspectorate, SFC, QAA and SDS would need to be reviewed to ensure a joined up system.

A range of more general comments were made in relation to **Initial Teacher Education (ITE)** or the operational aspects of inspection of ITE. These included:

- that there is currently little awareness amongst teachers and school leaders of the role of the inspectorate in looking at initial teacher education and that more contact may be helpful;
- ITE inspections should have a strong emphasis on equalities and rights to ensure that newly qualified teachers are being sufficiently equipped to confidently challenge such issues;
- that ITE inspections should ensure that new practitioners are guided on fundamental teaching approaches as well as specific subjects;
- that inspections look for evidence of impact on the schools that new teachers work in after qualification;
- that inspection of ITE should report on the different approaches being adopted to enable ITE providers to learn from one another/provide a focus for improvement;
- specific roles should be created for experienced teachers to provide ongoing mentoring support for newly qualified teachers;
- that the quality of provision of Global Citizenship and rights-based learning could be more uniform across ITE institutions;
- look at why numbers of applicants for ITE have reduced in recent years; and
- there was concern about the capacity of the new agency to be able to include ITE in their remit.

Finally, a small number of respondents felt that existing ITE provision was not fit for purpose and/or that ITE was highly variable across providers. Some perceived there was a clear disconnect in the system between ITE and current practice in school. ITE should be much more stringently regulated or scrutinised, it was suggested, to ensure that teachers are fully equipped to meet required standards moving forward:

“Inspection of ITE providers would be welcomed, particularly in terms of consistency of delivery and outcomes. It would be beneficial to link this to inspection information from school inspections about early career teaching to provide a wider long-form evaluation of the effectiveness of ITE, probation and the impact of other contributing factors, such as mentor teachers, to the quality of a new teacher’s learning and experience.” (Local Authority)



# 5. Recurring Themes and Next Steps

## Minority Views

Throughout the consultation a range of views and perspectives were offered, representing the experiences and needs of minority groups. As these were often discussed by just one or two respondents, or discussed very specific issues not within the scope of the set questions, these perspectives have not always been outlined in the above analysis. However, it is important to ensure coverage of these issues, (particularly in the context of closing the attainment gap), which included:

- **Gaelic Medium Education:** GME needs to be treated as a full and equitable partner with English language provision throughout education, the development of any new bodies or systems, and the implementation of any changes/reforms. GME should be fully catered for and embedded within the curriculum, assessment processes, across all qualifications, and within the inspection framework and processes;
- **ASN and neurodiverse provision:** fully consider education provision and inclusion for learners with additional support needs (of all natures) throughout all proposals, reforms and educational delivery;
- **Hearing impaired and deaf learners:** deliver BSL as an education medium (in the same way as GME), and fully consider education provision and inclusion for deaf learners throughout all proposals and reforms;
- **Visual impairments:** fully consider education provision and inclusion for blind and visually impaired learners throughout all proposals and reforms;
- **Mental health:** include mention and consideration of mental health within the proposals, ensuring the views of those with lived experience are included within any Boards, Committees, forums, inspection and any engagement activities, and incorporate mental health education;
- **LGBT issues:** ensure the curriculum and assessments are committed to progressing LGBT inclusive learning;
- **Gender equality:** provide consideration of gender equality and issues related to violence against women;
- **Racial equality:** provide consideration of equality/equity based on race and ethnic background, throughout course content, assessment, and inspection;
- **Young carers:** ensure the impact on young carers is considered, and develop ways to ensure their voices are heard and needs are met;
- **Care experienced learners:** adopt a trauma-informed approach throughout, and be cognisant about the lived experience of care experienced young people and the impact this can have on their education - develop an approach which meets the needs of care experienced learners and provides equity;
- **CLD Sector:** fully recognise and incorporate the CLD sector into the proposals, in particular, those related to qualifications and the NQB.

It was also stressed in the events and across written responses that additional support measures may be required to engage with hard-to-reach communities, and that agencies need to be pro-active in seeking such views and supporting participation.

## **Links to Existing Legislation**

Several respondents (across both written responses and in events) highlighted the need for the proposals and the Education Bill to explicitly highlight and comply with other associated and relevant legislation, and for the new bodies to be required to operate in complementary and compliant manner. Specific legislation which was mentioned by respondents included:

- the UNCRC;
- the Children and Young People (Scotland) Act;
- the Equality Act;
- the Public Sector Equality Duty (PSED), including that any new qualification or inspection bodies are listed for the PSED and Scottish specific duties;
- legislation related to CLD; and
- corporate parent legislation.

## **Other Issues**

It was noted by a few respondents (in written responses and events) throughout both the qualifications and inspection sections of the consultation, that positive aspects, staff expertise, good practice and elements which work well within the existing systems and organisations should be retained and transferred to the NQB and new inspectorate.

Also, there were common calls for the Scottish Government to consider resourcing. It was felt the new bodies will only be successful if they are properly funded and resourced, although there were concerns that this could prove challenging in the current economic climate. Similarly, it was felt that resourcing across the educational sector needed to be considered, as schools and professionals would need to be resourced, both to contribute to any governance arrangements of the new bodies/agencies, and to engage with and deliver reform more generally. Likewise, it was felt that pupils and students would need to be resourced, both financially to address any attendance barriers for Board, Committee or Forum membership, and in terms of capacity building and training to allow them to fully participate in any new arrangements and processes.

Similarly, issues related to training, both in terms of ITE and ongoing career long professional learning (CLPL) were raised throughout the consultation. It was felt that new developments in both qualifications and inspections needed to be suitably communicated to the profession, and supported via training provision.

While perhaps not directly the responsibility of either the NQB or the new inspectorate, it was suggested across consultation feedback that there is a need for

How Good is Our School (HGIOS 4) to be updated. Respondents (both written and events) felt this was required to make the guidance more relevant to the current post-COVID era, economic situation, and inclusion agenda, and provide greater transparency and consistency in inspections.

## **Issues with the Consultation**

As noted at individual questions, there were recurring issues and calls for clarity in relation to the terminology used across the consultation document. This related to the need for greater detail about what particular terms and phrases meant, as well as who would be responsible for developing the scope for certain concepts and setting and assessing success criteria. Greater clarity was also sought around the new organisations, their remits, what powers they would have, and how they would operate in practice. More details also were required in relation to the implications for specific sectors, other existing bodies, and the expected relationship between the new bodies/agencies and others (including the Scottish Government).

Several respondents (across both written responses and the events) felt that the proposals, for both the NQB and the inspectorate, would not address the main issues, both in terms of qualifications and inspections, and across education more generally. In relation to the NQB, it was felt this would largely mirror the current arrangements under the SQA, and therefore did not represent radical change. Respondents suggested the proposals missed the opportunity to change the thinking around, and content of, the system/qualifications/assessments.

Similarly, there were concerns that the proposals maintained the current top-down inspection system and did not tackle the key issues related to the inspection process itself. There was a strong sense that respondents wanted to see inspection adopt a more supportive approach, including fostering collaboration, peer evaluation, provide improvement oriented feedback and post-inspection support, and the removal of the one-word grading structure.

A few respondents also discussed consultation fatigue. It was noted that various previous consultations had dealt with the issues explored here, and there was a desire to see changes being actioned rather than further consultation/discussion.

Finally, a few organisations noted that the time available for the consultation (i.e. six weeks), and its timing (i.e. finishing very close to Christmas) meant it had been difficult for them to consult with the groups they represent. It was also suggested that the timing of the consultation, the complexity of much of the content, and the lack of supporting detail around the proposals would mean there would be little engagement from young people and parents/carers.

## **Next Steps**

The findings from this consultation will be considered alongside other evidence gathered through engagement across the education and skills landscape to influence the final content of the Education Bill. This Bill is expected to be introduced later this Parliamentary year.



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