Summary

• The Scottish Government has prioritised closing the attainment gap between the most and least disadvantaged children, and raising attainment more generally. However, the Government has not made clear how the proposed governance changes will: lead to improved educational experiences and outcomes for young people; and secure the kind of parental engagement that helps to raise standards, especially among disadvantaged children.

• The legislative framework for school education remains the Education (Scotland) Act 1980. Arguably, the Act no longer reflects the needs and circumstances of schools today. Serious consideration should be given to piloting new approaches rather than working on the assumption that structural changes need to be applied on a lockstep basis.

• While the governance review focuses on issues of structure, it will be important to consider the culture of Scottish education. It has often been said that culture trumps structure. There is concern that a culture of compliance and conformity in Scottish education inhibits head teachers and teachers from expressing critical and independent views.

• The review document tends to treat learners as a product of the system and passive recipients of its output as opposed to them being the central actors. It will be important that the role of young people in relation to empowerment and decision making is recognised to ensure that any structural changes are made in the best interests of learners.

• There will need to be clear lines of accountability in a landscape that could comprise diffuse levels of input and oversight (potentially including national government as a direct and indirect funder of schools, local authorities, school clusters, new education regions, strengthened parent councils and Education Scotland).

• Consideration will need to be given to the implications of devolved responsibilities on school leaders, including the extent to which they are able to embrace greater decision making responsibilities and to the support they will require. School clusters would allow for pooling of management capacity. It is more realistic to hope for 350 outstanding leaders than 2,500. These points make clear the importance of ensuring that there is a focus on developing leadership capacity at all levels.

• There was support for the review considering the role, functions and structure of Education Scotland. Concern continues to be raised that the agency’s combined responsibilities for supporting curriculum development and quality assurance are in conflict.

Introduction

1 In September 2016 the Scottish Government launched a review of school governance. The review starts from a presumption that decisions about individual children’s learning and school life should be taken at school level. It is considering the changes required to: empower schools, parents and communities, decentralise management, establish school clusters and create new educational regions. In so doing, the consultation, which runs until 6th January 2017, seeks to set a direction of travel while leaving open the ways in which the proposals could be developed.

2 The RSE hosted a Chatham House rule discussion on the review on 31 October, bringing together more than 20 participants from a range of perspectives, including national and local government, primary and secondary school, parents, educational research, colleges and universities.

1 Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education: A Governance Review; Scottish Government September 2016 http://www.gov.scot/EducationGovernanceReviewConsultation
The meeting was chaired by Dr Keir Bloomer FRSE, Convener of the RSE’s Education Committee. In preparation for the meeting and to identify key discussion points, participants were invited to submit brief reflections on the Governance Review.

This report, prepared by the RSE, presents a summary of the main areas of discussion. It has drawn upon the written submissions. The report has not been endorsed by the meeting participants. Nor does it necessarily reflect the views of the RSE. It has been submitted to the Scottish Government’s consultation on the review. It has also been circulated to all the meeting participants and been made available on the RSE website. The RSE’s Education Committee intends to make a separate submission to the review.

The RSE has hosted roundtables on the National Improvement Framework and on the Government’s plans for developing an educational research strategy, both of which are relevant to the discussion on school governance.

Attainment priorities

The proposed governance reforms need to be considered in the context of the Scottish Government’s ambitions on attainment. The Government has prioritised closing the attainment gap between the most and least disadvantaged children while also raising attainment more generally. It is therefore important that discussion of changes to governance structures does not lose sight of these overarching priorities. There remains a pressing need to consider how the attainment gap is to be closed. Indeed, there is a prior requirement to articulate what the attainment ‘gap’ is. There continues to be a need to develop an evidence base on interventions that can support improvements in attainment. A major criticism has been the lack of a strategic approach to utilising research to inform education developments in Scotland.

That being said, it is clear that parental engagement is crucial to making progress on improving the attainment of disadvantaged learners. A key issue relates to how to reach those parents who are currently less engaged in their children’s learning. It is important to recognise that education is not solely the responsibility of schools. It is a shared enterprise which requires consideration to be given to the support for young people (some of whom may not be attending school regularly) and their families that is available outwith school. Any new model of school governance will therefore need to take account of the broader education landscape, including combined service provision (for example, education and social work services) that support the needs of learners and their families. This also has implications for the way in which services are funded, particularly in relation to facilitating partnership working and avoiding silo approaches.

It was recognised that universal approaches (e.g. increased parental involvement and the provision of pre-school education) aimed at raising attainment may do so but in a way that does not lead to greater equity. This suggests that interventions should be targeted at improvements for disadvantaged learners. The National Improvement Framework provides an opportunity to make better use of existing data and information, including learning lessons from schools and local authorities where there are improvements in the attainment of disadvantaged learners.

Rationale for the review and clarity of ambition

While the Governance Review makes a number of specific commitments, including the creation of new education regions and encouraging school clusters, the overarching rationale is unclear. Has the Scottish Government launched this review to support its priorities on attainment? If so, it is not clear how the proposed governance changes will lead to improved educational experiences and outcomes for young people. Perhaps the reforms are concerned with reducing bureaucracy.

---


Or they might be centred on developing a more democratic education system. A clear rationale is essential as this will influence the type of governance and accountability structures required. Allied to this, the evidence-base for the governance proposals is not apparent and the references within the review document are to official or corporate reports, with no mention of research studies. Concern was raised that a lot of energy and effort could be expended on reforming governance structures without it being clear what impact this will have on learners. There is also a risk that in implementing governance changes we substitute a new set of constraints and challenges for existing ones. Therefore, there needs to be a strong case for reforming governance as there will be significant opportunity costs associated with the changes.

Changes to governance and funding arrangements will inevitably have implications for different parts of the education system. While ‘empowerment’ is a positively-loaded term, empowerment of one key actor may mean the weakening of another. For example, increasing the decision-making power and pedagogical freedom of schools, head teachers and teachers may indeed help improve attainment. At the same time this weakens local authorities (i.e. some powers are devolved to the school): local authorities are accountable to citizens/parents; head teachers are not. Strengthening the influence of parents in their local school may ‘empower communities’ to shape their children’s education, but this inevitably weakens the position of teachers as educational experts. It is thus important to consider the overall power-balance of a governance system and to be specific about which actors should be empowered over which aspects of school education.

The review provides an opportunity to develop a more strategic approach to education reform in Scotland and to promote curricular coherence. The introduction of Curriculum for Excellence has resulted in a proliferation of additional curricular advice and fragmented approaches. There was also recognition that in comparison to the substantial curricular reforms which have taken place, very little consideration has been given to how schools are governed. The legislative framework for school education remains the Education (Scotland) Act 1980 (as amended). Given the passage of 36 years since its introduction, it can be argued that the Act no longer reflects the needs and circumstances of schools today. It was also considered that the current arrangements are applied uniformly, which can stifle creativity and innovation. The present review enables consideration to be given to more diverse approaches. In addition, while much time has been spent on curriculum and assessment reform, attainment has remained stubbornly resistant to change. On the other hand, the lack of attention given to governance structures could be interpreted as demonstrating how successful those involved in running Scottish education have been at protecting their interests.

It will be important for the review to recognise that the fundamental relationships within schools are among teachers, pupils and parents. Otherwise there is a risk that the review will result in changes to the status of professional groups as opposed to empowering these key relationships. Teachers feel deeply responsible to young people, parents and communities, to whom they are not formally accountable. They are accountable to Government, its agencies and local authorities, to whom they have no strong feelings of responsibility. Accountability needs to be more inclusive and coherent.

Cultural considerations

While the governance review focuses on issues of structure, it will be important to consider the culture of Scottish education. Indeed, it has often been said that culture trumps structure. The governance review presents an opportunity for close attention to be given to cultural values. This would include the need to consider what society is looking for in terms of outcomes for learners and enabling them to make informed choices about their learning pathways. Ultimately, meeting the needs of learners must be the key success criterion of any school reform. It was suggested that at secondary school level, learner performance in national qualifications and Highers remains the key driver. In order to address this, prevailing cultural norms relating to the function of school will need to be challenged; changes to governance in isolation are unlikely to have the desired impact.
There was concern that there exists a culture of compliance and conformity in Scottish education. This can inhibit head teachers and teachers from publicly expressing their professional views when they run counter to those of their employers (i.e. local authorities) or to national policy on education. Part of this may relate to what it means to be an educational professional as it was suggested that critical and independent thought tends to suffer at the expense of a dominant culture of conformity and corporate orthodoxy. This has implications for initial teacher education and career-long professional development.

The current governance, management and relationship structures are reasonably well defined. This means when issues arise action can be taken to address them. Reference was made, for example, to the way in which the City of Edinburgh Council was able to coordinate the plan and logistics of providing alternative arrangements for pupils impacted by the closure of school buildings earlier this year. Arguably, having clearly defined structures which have existed for many years can also act as a barrier when it comes to thinking about potential new approaches which are by their nature uncertain. It will also be important to recognise that in the context of the current proposals, individuals and organisations will inevitably seek to protect their interests.

With reference to the need to address cultural barriers, it is questionable as to whether the flexibility of the current system has been fully exploited. Schools in Scotland are subject to less statute and regulation than in many other countries. There is, for instance, no national curriculum. In principle there is extensive scope for innovation. It would be worth exploring this further before making structural change. In so doing, there is a need to find an appropriate balance between school autonomy and supervisory bureaucracy.

Role of young people in decision making

Given that decisions about learning are ultimately made by young people themselves, it will be important to consider their views. Concern was expressed that the review document tends to treat learners as a product of the system and passive recipients of its output as opposed to them being the central actors. It will be important that the role of young people in relation to empowerment and decision making is recognised in the review to ensure that any structural changes are made in the best interests of learners.

Presumption that decisions should be taken at school level

While the review starts from a presumption that decisions about children's learning and school life should be taken at school level, further consideration will need to be given to the extent of the decision making power at this level. Decisions about learning and school life can relate to: setting the strategic direction; implementing policy; resourcing schools; and what happens in individual classrooms. That being said, there was an acceptance that the principle of subsidiarity should be employed whereby decisions about learning should be taken at the school level so far as possible. If greater decision-making responsibilities are to be devolved to schools, including those relating to funding, it will be important that there are clearly defined lines of accountability. However, the review paper does not set out what this might look like.

It will be crucial to consider the implications of greater devolved responsibilities on school leaders. The review document assumes that all head teachers will have the capability and capacity to take-up the new responsibilities envisaged. However, consideration will need to be given to the extent to which school leaders are able to embrace greater decision making responsibilities and to the support they will require. In allocating more powers to head teachers, safeguards will need to be put in place to ensure that children's learning is not adversely affected by increasing levels of school empowerment. This makes clear the importance of ensuring that there is a focus on developing leadership capacity at all levels of the education system. The preceding points provide a persuasive case for school clusters as they would allow for pooling of management capacity and give emphasis to continuity. It is more realistic to hope for 350 outstanding leaders than 2,500.
In a context where there could be diffuse levels of input and oversight (potentially including national government as a direct and indirect funder of schools, local authorities, school clusters, new education regions, strengthened parent councils and Education Scotland), it remains unclear to whom Head teachers would be ultimately responsible. Multiple funding streams also have implications for accountability mechanisms. This reinforces the importance of ensuring that accountability processes are clearly defined.

What changes to governance arrangements are required to support decisions about learning being taken at school level?

**Devolved School Management**

If funds are to be allocated directly to head teachers, consideration will need to be given to how they will account for use of these funds and the internal controls that will need to be put in place. It would be instructive to look at the way in which devolved school management (DSM) is currently applied in Scotland, whereby local authorities pass control of a proportion of their education budgets to head teachers. The main issue with DSM is not the size of the budget that is devolved, but the extent to which head teachers are able to exert control over the devolved budget. While head teachers notionally have control over 80% of the school budget under DSM, in practice the majority of this is already accounted for as it is tied to staffing which is the responsibility of the local authority and not the head teacher. It was reported that head teachers might have direct decision-making authority for only 1-2% of the devolved budget. There is also concern that the bureaucracy associated with head teachers accounting for their use of the devolved budget can be vastly disproportionate given the limited budgetary autonomy they have. Given that there does not appear to be any intention within the review to relinquish national agreements on staffing arrangements and salary levels, it remains to be seen to what extent head teachers will be able to have more decision-making responsibility.

**Needs-based funding formula for schools**

The Scottish Government is committed to establishing a fair and transparent needs-based funding formula for schools, with detailed proposals to be brought forward for consultation in March 2017. Given the scale of this undertaking and the potential complexity of the accountability structures, there would seem to be merit in exploring whether an intermediary body should be created to ensure there is a firewall between politicians and schools.

More generally, given the complexity associated with the funding of education in Scotland, it was suggested that there is a case for establishing a dedicated centre for the study of economics in education. This would give assistance to central and local government, and to educational regions (if they are set up). The centre could also provide courses for teachers and other professionals aspiring to leadership roles.

**Approach to the provision of education and related support services**

It was questioned whether the current basket of powers and responsibilities exercised by local authorities is the only model of governance that is acceptable. This model involves local authorities having roles in relation to accountability, corporate governance services (finance, legal, HR), policy (increasingly moving to national government), controls resulting from collective agreements, educational support services (declining as a result of financial constraints), non-educational support services (transport, information technology, catering, cleaning and many more, which are sometimes outsourced) and aspects of supplies. While on the one hand the current arrangements can provide for economies of scale, on the other hand they can constrain choice for those using the services. It is not clear that the components of this list necessarily need to sit together. Consideration could be given to disaggregating the package and thinking separately about each element.
Piloting innovations

25 In relation to encouraging more innovation in the system, serious consideration should be given to piloting new approaches (incorporating independent evaluation) rather than working on the assumption that structural changes need to be applied on a lockstep basis. It was noted that Scottish education has tended to shy away from encouraging pilot studies that arguably has been a factor in the relatively high level of uniformity in the present arrangements. For example, while every school is unique, they tend to be characterised by management and leadership structures that are fairly uniform. Work could be undertaken to identify head teachers and communities who would be willing to participate in piloting new approaches.

26 The review also presents an opportunity to learn from approaches elsewhere, particularly where governance structures and leadership are having a positive impact on attainment. While there are frequent references to the corrosive aspects and excesses of the academy programme in England, it will be important not to lose sight of the fact that some academies have undertaken exemplary work in raising attainment from which Scotland could learn. This would include the London Challenge experiences where head teachers were both challenged and supported in raising attainment.

Parental engagement

27 The review recognises that parents involvement in their child’s learning, and in the life and work of their school, is a key factor in securing better outcomes for children. There was a general sense that the current parent council model provides a flexible approach and functions reasonably well. However, this needs to be considered in a context where parent councils do not have formal decision-making responsibilities. There is of course likely to be a broad spectrum of parent council engagement in school business with some having a close connection to the decision making process while others will primarily be involved in fund raising. The operating practice of the parent council is likely to be heavily influenced by its relationship with the school’s senior management team.

28 Of course, parental engagement extends far beyond the more formal parent council mechanism. Consideration will need to be given to ways in which parental engagement with schools is to be measured. A key issue is that of how to reach those parents who are currently less engaged in their children’s learning. This has clear implications for securing equity and, in turn, addressing the attainment gap. Parental engagement has tended to be an extremely challenging area in which schools can feel that a lot of energy is expended for very little return. It remains unclear how changes in governance will help to secure the kind of parental engagement that helps to raise standards, especially among disadvantaged children.

29 On the basis that parental involvement in schools will be strengthened, consideration will need to be given to the training and development needs of parents to ensure that they are able to fulfil the responsibilities expected of them. This could have cost and time implications. Lay parents are currently reliant on the advice of educational professionals.

30 It was recognised that in parallel to the governance review, consideration is being given to the operation of the Scottish Schools (Parental Involvement) Act 2006. While this Act makes provision for parents to make representations on matters affecting the education of their children, there may be scope for strengthening parents’ voice in the school decision-making process.

Role of the ‘middle’ in Scottish education

31 The OECD report on Scottish schools called for a strengthened “middle” operating through networks and collaboratives among schools, and in and across local authorities. The Governance review seeks to pursue this agenda. It is therefore important to clarify what is meant by the “middle” in relation to organisation structures, processes of planning, decision-making and delivering education. The review also proposes to establish new educational regions. However, it is silent on what form of relationship will exist between local authorities and the education regions.
32 If the proposals in the review are put into effect, the result will be to move a proportion of locally-generated funding from local authorities to national government, and decision-making from local authorities to schools. Given the wider implications of these developments, it was commented that the stage has been reached where national government cannot simply emasculate local democracy; rather, it needs to develop a view on the future of local democracy. This brings into sharp focus the need to consider the role of local authorities not only in relation to education provision, but more generally.

33 It is instructive to note that local authorities in Scotland are, in comparison to some other countries, very large which it was suggested makes them further removed from communities and schools. Scotland has 32 councils. Norway with a similar size of population of 5.2 million has 428 local authorities (and 19 administrative regions); Finland with a population of 5.5 million has 313 local authorities (and 18 regions), and Sweden with a population of 9.9 million has 290 local authorities (and 21 county councils and 8 regions).

Connections with colleges and universities

35 Reference was made to the goodwill of universities and colleges in being ready to work with schools. In relation to implementing the Developing the Young Workforce agenda, there is joint planning between local authorities and college regions. Having the local authority as a single point of contact can make it easier to develop these links. Therefore, greater school autonomy could have implications for the way in which colleges, universities and employers are able to engage with schools.

Additional Information

This discussion report has been signed off by the RSE General Secretary.

Any enquiries about this Advice Paper should be addressed to Mr William Hardie (email: whardie@rse.org.uk)

Responses are published on the RSE website (https://www.rse.org.uk/)

The Royal Society of Edinburgh, Scotland’s National Academy, is Scottish Charity No. SC000470

Advice Paper (Royal Society of Edinburgh)
ISSN 2040-269
The Royal Society of Edinburgh