

The Scottish Government's

EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION

A GOVERNANCE REVIEW



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GENERAL COMMENTS

The NASUWT welcomes the opportunity to comment on the Scottish Government's Education Governance Review: Empowering Teachers, Parents and Communities to achieve Excellence and Equity in Education.

The NASUWT is the fastest growing teachers' union in Scotland.

The NASUWT has responded to the Governance Review consultation document by commenting on each of the sections. The NASUWT has covered the issues raised by the questions in each of the sections, but has not necessarily answered the questions individually. Given the importance of this Review, the NASUWT believes it is essential that the fullest possible response is given.

The NASUWT has extensive experience of education systems across the UK and internationally and has drawn upon this experience to inform this response. The Union's response draws heavily on the experiences and views of teachers and school leaders in Scotland. The Union can provide evidence on the impact of many of the Scottish Government's policy proposals.

INTRODUCTION

The NASUWT shares the Scottish Government's ambition to work to systems that enhance standards of educational achievement and to secure greater equity across the whole school system.

It is entirely legitimate and appropriate for the Scottish Government, in pursuit of these aims, to evaluate the effectiveness of current governance arrangements and to develop proposals for reform, if appropriate, on the basis of this evaluation. It is important, however, that any changes prepared are on the basis of evidence and that the strengths of the current system are not compromised.

Whilst this submission sets out the NASUWT's detailed response to the specific areas for consideration described in the consultation document, it is however necessary, at the outset, for the Union to identify key overarching themes that should guide the development of all aspects of governance policy.

It is particularly important that the Scottish Government takes into account the implications of existing reform programmes on the education workforce and ensures that governance reform recognises the vital importance of the workforce and therefore that their conditions of service, including workload, cannot be ignored.

The Scottish Government will note that ongoing and far-reaching amendments to the curriculum and qualifications framework continue to generate significant pressure on teachers and school leaders. Additional risks in this respect can also be identified in relation to the reforms envisaged in the National Improvement Framework.

The Importance of the Workforce

Work to continue to raise standards and narrow achievement gaps in schools depends critically on ensuring that teachers and school leaders have working conditions which enable them to concentrate on their core responsibilities for teaching and leading teaching and learning. Reform that distracts the workforce from this core mission will serve only to undermine, rather than enhance, pupil progress and achievement.

For this reason, the implications for the education workforce of the proposals set out in the consultation document are given particular emphasis throughout this submission.

While a well-resourced, appropriately trained and effectively supported education workforce contributes to the wellbeing of children and young people, it is important to recognise that schools cannot be effective in isolation from the vital contribution made by other key areas of the public.

For these reasons, the NASUWT has continued to place particular emphasis on the need to tackle effectively poverty and social disadvantage. As the Union made clear in its submission to the Scottish Government's consultation on its Child Poverty Bill, one of the most profound and damaging consequences of child poverty is the impact it has on pupils' educational attainment and their future life chances.

Material deprivation and disadvantage continue to affect too many children and young people in the country. A survey of teachers in Scotland conducted earlier this year by the NASUWT confirmed that 71% had seen pupils coming to school hungry. A further 79% of teachers regularly teach pupils who lack energy and concentration due to eating poorly.

While welcoming many of the provisions within the Child Poverty Bill, the NASUWT remains clear that the Scottish Government's ambitions for all learners will not be realised in full until there are statutory provisions in place that require the 'poverty proofing' of the school day to ensure that children and their families do not experience unacceptable additional costs in accessing their entitlement to free education. Access to educational opportunity should not be on the basis of parents' ability to pay.

Without meaningful and concerted efforts to tackle the causes and effects of child poverty on children and young people, the proposals for reform set out in the consultation document will be unlikely to secure greater equity across the education system.

Child poverty cannot be tackled by schools alone. Effective multi-agency approaches in meaningful poverty-reduction strategies are necessary, as is coherent Government policy on health, housing and education. Wider children and young people's services, including those focused on social care, health, youth justice and community cohesion, have a critical role to play, alongside schools.

Currently, multi-agency arrangements are too often subject to excessive and unjustifiable variation across local authority areas, with significant differences in the ways in which collaborative arrangements are overseen and how responsibilities and functions are distributed between services.

Such inconsistency in provision is entirely unacceptable and it is important that the outcome of the Governance Review recognises this. The review of governance structures, particularly in respect of how 'middle tier' functions might best be organised, provides an important opportunity to secure more consistent and effective multi-agency working across all communities that establishes common minimum expectations in all communities.

The consultation document fails to detail proposals on the implications for the future of multi-agency working, beyond brief references to the Care Inspectorate and the Scottish Social Services Council. The NASUWT is, therefore, concerned that reforms may be taken forward in ways that fail to take account of the need to secure effective partnership working between schools, local authorities, other education-related bodies and the wider children and young people sector. The NASUWT requests the opportunity to engage further with the Scottish Government to consider how the multi-agency dimensions of governance reform can be embedded more effectively in policy development on education system governance.

With particular regard to the governance of schools, the NASUWT notes that special publicly funded provision for children and young people with additional support needs (ASN) has been included as a distinct category of institution within the scope of the review. It is right that the unique role of these settings has been recognised by the Scottish Government. Not only do such settings work with children and young people who require dedicated and specialist support to meet their often complex needs, but they are also more appropriately regarded as a resource held in common by all schools across the local community. This context establishes important considerations in respect of the governance of such settings, given the particularly wide range of stakeholders that have an interest in the range and quality of services they provide. The NASUWT, therefore, looks forward to the distinctive needs of the special and alternative sector being reflected fully by the Scottish Government in the outcomes of the Review.

SPECIFIC COMMENTS

SCOPE AND PRINCIPLES

Principles for Reform

The NASUWT notes the principles that the Scottish Government proposes should underpin its approach to reform and asserts that the education system should:

- be focused on improving outcomes and support the delivery of excellence and equity for children and young people;
- meet the needs of all children and young people, no matter where they live or their family circumstances;
- support and empower children and young people, parents, teachers, practitioners and communities;
- be backed by a straightforward and transparent funding system to ensure the maximum public benefit and best value for money; and

- support children and young people to make smooth transitions into formal learning, through school and into further education, training or employment.

The NASUWT accepts these principles. However, the NASUWT believes that there are additional principles that should be added, including reference to:

- the centrality of the workforce and teacher professionalism in raising standards and narrowing achievement gaps;
- the need to ensure that teachers and school leaders have working conditions which enable them to focus on their core professional functions and that they are recognised and rewarded as highly skilled professionals; and
- ensuring that reform of governance does not undermine workplace downward pressure on teacher and school leader workload.

International Evidence

The NASUWT notes that the proposals set out in the consultation document seek to reflect evidence of effective practice in other fast-improving and high-performing jurisdictions. Specifically, reference is made to the recent Organisation for Economic Cooperation and Development (OECD) review of governance, *Governing Education in a Complex World*.

The NASUWT agrees that the OECD has identified critical features of effective governance structures; in particular, that governance and accountability should be inclusive, adaptable and flexible and that collaboration and role clarity are essential contributors to effectiveness.

The NASUWT is clear that the five distinct elements of effective governance identified by the OECD represent a coherent basis for the development of policy in this area. The Union agrees that effective governance arrangements:

- focus on processes, not structures;
- are flexible and can adapt to change and unexpected events;
- work through building capacity, stakeholder involvement and open dialogue;
- involve a whole-system approach, aligning roles and balancing tensions; and
- harness evidence and research to inform policy and reform.

However, it is important to acknowledge four additional key messages from the OECD's work in this area if its evidence is to be used to guide the development of policy effectively.

First, the OECD is clear that national and state-level policy is important in stimulating, steering and leading reform. Therefore, approaches to reform must ensure that the state retains a key role in shaping policy and ensuring consistency across education systems.

Second, the workforce and their representative organisations are important components of governance arrangements at all levels. Teacher trade union input

ensures that the development of governance policy and governance in practice can reflect the legitimate concerns and interests of the workforce.

Third, the development of governance policy is challenging, given the multi-faceted and complex nature of the education system. It is, therefore, essential that policy formulation in this area is regarded as an iterative process that should be informed by ongoing feedback from stakeholders, including the workforce. This consideration serves to emphasise the importance of trade union engagement in the development and implementation of governance arrangements.

Fourth, the OECD report establishes that notions of accountability have to be understood holistically. The NASUWT's views on specific issues in respect of school accountability are set out elsewhere in this submission. However, it is important to recognise at the outset that the OECD does not limit its definition of accountability to crude, top-down models in which schools are held to account through a narrow range of externally imposed indicators of school performance. Instead, accountability is viewed by the OECD as a process that applies to all those with decision-making authority across the education system, including national agencies and elected office holders. Accountability is further understood as a process that values the full range of aims and objectives established for education systems beyond those that can be captured through a limited range of performance indicators. These include the social and personal development of students and the contribution that schools make to the wellbeing and prosperity of wider society. These additional considerations must therefore also inform the development of Scottish Government policy if progress is to be carried out on the basis of best international practice and sound evidence.

EMPOWERING TEACHERS, PARENTS, PRACTITIONERS, SCHOOLS AND COMMUNITIES

Empowering Teachers

The NASUWT asserts that children and young people learn best when teachers are given the time, resources and scope to make the fullest use of their professional talents, knowledge, and expertise. An education system that does not give practical effect to this core guiding principle cannot expect to provide pupils with the full range of high-quality learning opportunities to which they are entitled.¹

It is, therefore, appropriate for the Scottish Government to examine the extent to which current models of governance across the education system support the realisation of this important principle in practice.

The creation of an environment within which teachers can exercise and make appropriate use of their professional autonomy is directly related to governance of the education system at school, local and national levels.

The experience of recent curriculum and qualifications reform is instructive in this

¹ NASUWT (2013), *Maintaining World Class Schools*, NASUWT, Birmingham.

respect. This process of change has been characterised, to date, by a lack of clarity and coherence in respect of leadership and governance between national-level bodies and their local-level counterparts. While national expectations have been established regarding the need to respect teachers' professionalism and their scope to make informed decisions about teaching and learning,² requirements imposed on them in respect of curriculum and qualifications reform at local level have served in practice to constrain teachers' professional agency.

In particular, teachers have been subject to highly prescriptive and restrictive requirements that have given insufficient regard to the need to allow them to use their professional skills and expertise to meet the needs of learners.³

It is evident that many of these restrictions have originated from decisions taken by local authorities. The implications of local authority requirements on professional practice, therefore, justifies the Scottish Government's consideration of the ways in which national and local-level governance is organised and discharged.

The NASUWT notes that the Scottish Government intends to address these issues by devolving greater decision-making responsibility and resources to schools from local authorities.

Whilst this is fine in principle, such a proposal would not necessarily, of itself, secure for teachers greater professional autonomy in the classroom. It is, for example, not the case that simply giving greater autonomy to school leaders results necessarily in enhanced professional autonomy for teachers. It is important to consider the nature of the powers being devolved to the national framework in which they operate and the nature of the school accountability systems. The NASUWT's experience elsewhere of simply extending school autonomy has been that schools have used increased devolved powers to impose additional or alternative restrictions on teachers' scope to make use of their judgement and expertise that limits rather than enhances their professional agency unreasonably.

Any decision to recalibrate decision-making between schools and national or local-level bodies must, therefore, be clear about the national framework in which autonomy operates, the nature of the developed autonomy and the accountability framework.

Any enhancement of school autonomy must, therefore, be accompanied by meaningful action to define and recast professional relationships within schools. These relationships must be based on collegiality, on establishing co-operation and professional respect among all members of the school team and, most importantly, on supporting a management and leadership approach that emphasises the role of school leaders as leading professionals and is focused on supporting the professional practice of classroom teachers.

² See, for example: Donaldson, G. (2010), *Teaching Scotland's Future*. Scottish Government.

³ Scottish Government (2013), *Curriculum for Excellence Working Group on Tackling Bureaucracy*. Available at: (<http://www.gov.scot/resource/0043/00438617.pdf>); accessed on 18.11.16.

The advantages of securing cultures of staff engagement and participation across all schools are clear. On behaviour, for example, many teachers believe that pupil indiscipline has come to be seen as an issue which the individual class teacher must address and resolve alone. A collaborative and collegiate approach that views pupil indiscipline in a particular class as a matter for all adults involved in the life of the school would result in more sustainable and consistent setting-wide behaviour management strategies. Other key areas of school development and improvement, including curriculum design and implementation, the management of ASN and narrowing achievement gaps, would all benefit from leadership and governance founded on the principles of respect for teacher professionalism and collaborative approaches to problem-solving and decision-making. It should be noted that the development of teacher professionalism and collegiality would also have significant implications for initial teacher education.

The NASUWT welcomed in principle the analysis and recommendations of the 2010 Scottish Government-commissioned review of teacher education, *Teaching Scotland's Future*, led by Professor Graham Donaldson.⁴ The Review recognised the complex and challenging nature of teaching, requiring the highest standards of professional competence and commitment.

The NASUWT believes that the proposed review of governance provides a timely opportunity to reflect on the extent to which these important principles can be reflected further in programmes of initial and career-long education of teachers. Specifically, these programmes should be evaluated to consider the extent to which they address how teacher professionalism is best articulated and advanced in an education system in which greater decision-making authority may be located at school level.

The Scottish Government will have a central role to play in taking forward the changes in school culture and practice that greater decentralisation of authority and resource control would require.

Given that the stated aim of the Scottish Government is to raise standards of achievement and the narrow attainment gaps, it is important that those responsibilities devolved to schools do not undermine their ability to work towards these aims.

An important lesson to be drawn from other jurisdictions is that allocation of inappropriate responsibilities to schools, particularly those relating to teachers' pay and conditions, act as a distraction from work focused on teaching and learning and can result in the adoption of poor human resource and industrial relations practices.

These dimensions of effective approaches to school autonomy serve to reinforce the NASUWT's view that the determination of a pay and conditions framework should remain a national-level responsibility.

Moreover, it should be recognised that central determination of remuneration and employment conditions represents a powerful means by which the Scottish

⁴ Donaldson, G. (2010). *op. cit.*

Government, in collaboration with relevant stakeholders, can drive the cultural and organisational changes required to secure collegiality and frameworks supportive of professional collaboration in every school.

The Governance review therefore provides the opportunity to ensure that the arrangements in place currently in respect of teachers' pay and conditions are fit for purpose. At present, pay and conditions are determined through the Scottish Negotiating Committee for Teachers (SNCT). Teachers' pay and conditions are inextricably linked to the provision of high-quality education for all children and young people. The NASUWT is clear that the SNCT cannot be regarded as an appropriate means by which the national framework of terms and conditions for teachers should be determined. The SNCT has been culpable, alongside the Scottish Government, in the deterioration in the terms and conditions of teachers since 2011 and has contributed to a progressive undermining of the 'gold standard' framework established by the McCrone Report, *A Teaching Profession for the 21st Century*.

This track record of profound failure serves to emphasise the unfitness-for-purpose of the SNCT as the vehicle for taking forward the revisions to the pay and conditions framework that would be required to facilitate the reforms to education governance across the system envisaged by the Scottish Government in the consultation document. The NASUWT, therefore, restates its call for the Scottish Government to establish a statutory framework that would give teachers the pay and conditions of service necessary to ensure the successful delivery of educational reform wherever they work in the country.

In light of the desire to promote teachers' professionalism, collegiality and partnership working in every school, a return to the principles of the McCrone Report in the pay and conditions framework will be an important and necessary first step in governance reform.

The McCrone Report set out important provisions that aimed to support teachers in working in partnership with their colleagues. Many of these important supports for collegiality have eroded away.

The NASUWT is, therefore, clear that action should be taken to:

- i. protect teachers from requirements to undertake administrative and clerical tasks which do not require the skills of qualified teachers;
- ii. remove permissions from schools to require teachers to exceed the 35-hour week and increase teachers' maximum contact time;
- iii. reverse recent and significant increases in teachers' cover duties, noting that cover is an ineffective use of the time of teachers; and
- iv. reinstate the pay and conditions of supply teachers who are a vital resource for schools.

More broadly, the Scottish Government should work with the NASUWT to develop a modern terms and conditions framework that would ensure that teacher

professionalism is enhanced further as governance reform is progressed. This framework should recognise the primacy of classroom practice in pay and career development structures and advance the principles of professional collegiality set out above.

The NASUWT strongly advocates that the Scottish Government's Governance Review of the education system provides a vital opportunity for an independent review of teachers' terms and conditions which have deteriorated so markedly since 2011.

Children and Young People, Parents and Local Communities

The NASUWT recognises that parents and pupils have an important role to play in sustaining and enhancing school communities.

On parental engagement, the NASUWT has set out its views in detail in its submission to the Scottish Government's consultation on the draft National Improvement Framework.

Proposals put forward by the Scottish Government to devolve greater decision-making power to schools serve to emphasise the issues highlighted by the Union in that submission. The submission can be found at www.nasuwt.org.uk/NationalImprovementFramework.

Parental Involvement

The NASUWT welcomes the apparent reconsideration of initial proposals to mandate the involvement of parents in the development of school improvement plans. However, the Union would welcome further engagement with the Scottish Government on the precise nature of its proposals in this respect. The NASUWT notes that the National Improvement Framework continues to set out an expectation, albeit not an explicit requirement that Parent Councils should be involved in the co creation of school improvement plans.

The NASUWT continues to stress that not all schools have a functioning Parent Council and it is important to recognise that even where such bodies exist, their roles and responsibilities are not defined precisely in statute.

Many Parent Councils lack rigorous and appropriately established ways of working – for example, through the adoption of appropriate standing orders – necessary to allow them to engage meaningfully in school improvement processes or other areas of school governance.

Practical approaches to parental engagement depend upon the views of all members of schools' parental constituencies being taken into account. It is by no means evident currently that Parent Councils are fully reflective of those they exist to represent, particularly because there are no stipulations in respect of the form that Parent Council accountability to the wider parent body should take.

The NASUWT notes that the Scottish Government has yet to set out in detail how it is intended that schools and parents or their representatives should reach agreement on

the contents of school improvement plans or other critical dimensions of school governance. It is also not clear what provisions the Scottish Government intends should be put in place in the event of disagreement between parties involved in such activities. It is essential to note in this context that teachers and school leaders are subject to statutory and regulatory requirements in respect of the way in which they discharge their professional responsibilities that are non-negotiable, regardless of the views of parents. The Union, therefore, continues to call on the Scottish Government to set out further detail of its plans in this respect.

Student Voice

Concerning the participation of pupils in governance arrangements at school-level, the NASUWT has always recognised that learners' engagement in their own educational progress and wellbeing, as well as that of their peers, is central to creating and maintaining positive school communities.

However, it is important that arrangements in this respect are established on an appropriate basis. The NASUWT has identified seven fundamental principles that should guide the development of policy and practice in this area. Pupil participation must:

- make a positive and demonstrable contribution to the life of the school;
- not undermine teachers' professional authority;
- not compromise the fundamental rights of children and young people;
- respect the views of all members of the school community, including staff;
- reflect the capacity of pupils to participate in particular activities and the extent to which they can reasonably be held to account for the results of their actions;
- be consistent with and support work to promote equality and diversity and tackle discrimination and prejudice;
- be inclusive and give all pupils an opportunity to participate; and
- not add to teacher and headteacher workload or school-level bureaucratic burdens.

The importance of applying these principles effectively and consistently is essential in relation to school-level governance. In particular, while schools should always seek to encourage pupils to take greater responsibility for key aspects of school life, it must be recognised that the fundamental role of pupils is to learn rather than lead, manage or govern schools.

Consequently, there are important school-level tasks that cannot be allocated appropriately to pupils. It is evident that some activities require professional skills and expertise and can only be undertaken by suitably qualified adults who can be held accountable legally or contractually for their decisions and actions.

In taking forward its proposals in this respect, the Scottish Government must, therefore, confirm areas of school activity in which it would be inappropriate to include pupils.

These areas include:

- staff appointments, pay and discipline;
- individual pupil discipline;
- decisions about the admission or exclusion of pupils;
- the nomination, appraisal or removal of any person with formal governance responsibilities;
- schools' budgets and their financial commitments; and
- any other matters of a confidential or personal nature.

The NASUWT would welcome the opportunity to engage further with the Scottish Government to explore the issue of pupil engagement in governance arrangements in greater depth. The NASUWT has provided comprehensive evidence on this issue which can be found at www.nasuwt.org.uk/PupilVoice.

More broadly, the NASUWT is clear that key external stakeholders, including community representatives, universities, employers and colleges, should be encouraged to engage actively in supporting the education system.⁵

However, the appropriate form and extent of these stakeholders' engagement in governance arrangements at school, local/regional and national levels will depend critically on the way in which the Scottish Government intends to reconfigure responsibilities across the system and the nature of the remit identified for each level. The NASUWT looks forward to further discussions with the Scottish Government around ways in which wider community and stakeholder engagement in the system can be secured in practice.

STRENGTHENING THE MIDDLE – HOW TEACHERS, PRACTITIONERS, SCHOOLS AND OTHER LOCAL AND REGIONAL PARTNERS WORK TOGETHER TO DELIVER EDUCATION

The questions contained within the consultation document chapter on strengthening the 'middle' are contained within the OECD report, *Improving Schools in Scotland: An OECD Perspective*. The OECD report draws a distinction between the aims of the Curriculum for Excellence (CfE) approach up until now, which has been to foster 'leading in the middle', to an approach which it describes as 'leading from the middle'.

The change in approach suggested by the OECD report, *Improving Schools in Scotland*, is concerned with a belief that transformation to address inequality in the system can only really occur at what is described as a 'meso' level. The report suggests that there is an urgency to this situation before embedding takes place, stating: *“These levers, we suggest, now need to pull and be pulled more explicitly together. “Leading from the middle” takes the intermediary layer of implementation and diffusion to a point where it becomes the empowered locus of collective initiative and responsibility.*⁶

⁵ NASUWT (2013). *op. cit.*

⁶ OECD (2016), *Improving Schools in Scotland*.

The OECD report stresses the need for coherence as the Review has identified. However, it also stresses the need for accountability and transparency. In this context, it is important to set out from the outset that when the consultation document states that strengthening the middle includes a consideration of *‘what happens above the level of the individual school and childcare setting and beneath the level of national government’*, that for the OECD there is a clear recognition of the importance of local authorities in this context and the value that Scottish educators place in their local authority system. The issue for the OECD is one of ensuring consistency and transparency, as well as allowing for a responsiveness to a range of local needs.

The NASUWT agrees that a review of the ‘middle tier’ is a central element of this Governance Review. It is helpful to identify the key strengths and weaknesses of local authorities, as the key middle tier bodies in the delivery of education.

The Role of Local Authorities

A key strength of local authorities is that they are meant to be, at their core, democratic, accountable and transparent institutions. By definition, they link democratically with the local communities they serve, and the roles of local councillor or Leader of the Council are recognisable and meaningful to local communities.

However, the NASUWT recognises that there are flaws in the current local authority role in education. Some local authorities are too small to be functional as effective education authorities. NASUWT members have been critical of the lack of leadership shown by some local authorities in implementing CfE. Other local authorities have been drivers of unacceptable and unreasonable teacher workload, which detracts from teaching and learning.

There are inconsistencies across local authorities in managing the teacher workforce. The Local Negotiating Committee for Teachers (LNCT) system and the lack of a statutory basis for teachers’ pay and conditions has allowed individual local authority interpretations of national terms and conditions, which can fragment national teachers’ terms and conditions. Some local authorities are aloof and authoritarian when discharging their responsibilities to the schools workforce.

The NASUWT has been concerned for some time about the allocation of trade union facility time by some local authorities, which should allow all members of the schools workforce to have a voice, through elected representatives, in the role and function of local authorities as employers of teachers. Local authority processes should be fair and transparent and yet the NASUWT has evidence that ‘sweetheart’ deals, and differential treatment of recognised unions, are not uncommon.

The NASUWT does believe that local authorities have a key role in education, but the Union recognises the need for reform, including a role for larger or regional bodies. It is vital, though, that reform must lead to a balance being achieved between supporting a greater coherence across the system and creating the circumstances in which teachers, as professionals, can have a greater sense of professional agency within the system.

However, the Union signals a cautionary note about structural reform. In the experience of the NASUWT across the whole of the UK, education policy-makers set too much store and spend too much time on the creation of new structures and too little time on examining the strengths of the current structures and identifying and addressing the weaknesses. All too often, all the structures are dismantled, good or bad.

The Review asks a series of questions about how the system can be led from the 'middle'. The OECD report, *Improving Schools in Scotland*, stresses that the Scottish Government should examine accountability and improvement processes established in countries/jurisdictions such as Finland, Norway and Ontario.

The consultation document does not refer to evidence that may be helpful from these countries/jurisdictions. It is important that the work that is done in this review examines very closely the evidence that is available on how systems can be improved. This includes a close examination of systems such as those identified by the OECD that are high-performing. Dialogue should include identifying the experiences of all stakeholders within those countries/jurisdictions, including teacher trade unions. The NASUWT recognises that there is a desire to create a country-specific solution. The NASUWT supports this, but it must be based on knowledge of what works.

Effective Collaboration amongst Teachers and Practitioners

Effective collaboration amongst teachers and practitioners has been identified as key to enhancing teachers' job satisfaction and efficacy, as well as improvements in student achievement and sustained positive teacher behaviours.⁷ However, this must be viewed as an activity which takes time and resource in order that it is carried out effectively and is not seen as a burden or an add-on.

Evidence from the NASUWT's Annual Big Question survey of teachers in Scotland demonstrates that workload is a major issue for teachers, with 85% citing it as their number one concern. Of concern is that 23% of teachers state that they have not accessed CPD activities of any kind in the last year.⁸ It is important that this is recognised when considering how effective collaboration can be developed between teachers, namely that this cannot be viewed in isolation from the existing work and duties of teachers.

Teachers currently feel overburdened and under pressure. Therefore, processes that establish collaboration must start from the basis that a critical issue is that teachers need time within their working day to enable this to happen. Currently, teachers do not feel secure that they have enough time for professional development, let alone this extra role that they would have to undertake.

Collaboration can only take place when teachers have their own sense of professional agency and feel empowered to act. The NASUWT Big Question again highlights some

⁷ Schleicher, Andreas (2015), *International Summit on the Teaching Profession: Schools for 21st-Century Learners – Strong Leaders, Confident Teachers, Innovative Approaches*, OECD.

⁸ NASUWT (2016), Big Question 2016, NASUWT.

worrying statistics that show that teachers do not currently feel empowered, with 79% stating that they are not currently managed in a way that empowers them. Factors that disempower teachers include: constant change; a lack of respect for teachers' professional judgement; a lack of understanding of the nature of their job from decision makers; unrealistic expectations; and a culture of blame or criticism. Movement away from this requires a culture change and a recognition that teachers' terms and conditions are inextricably linked to the provision of high quality education. The review must address these concerns.

Collaborative activities must be purposeful and enhance teaching and learning. It should not be a burdensome bureaucratic process. It should be supportive and developmental and not high-stakes or judgemental. Engagement cannot be on the basis of compulsion.

Local authorities could have a key role in facilitating professional and consistent professional collaboration.

Collaboration must be supported through appropriate resourcing, including support where professionals wish to develop: for example, curriculum resources and training. There is no purpose to bringing professionals together unless there is an understanding that the work that they may undertake will then be appropriately resourced, through a suitable funding mechanism.

Collaboration across Services and Support Functions

Collaboration across a range of services is important for the successful delivery of equity across the system. Schools are not islands within their communities and the reasons for disadvantage and for the progress of pupils is not just related to their experiences in schools but is related to the totality of their experience; for example, housing, health, experience of crime and aspirations linked to the working experiences of their communities. In this context, creating the circumstances in which stakeholders within health, housing, benefit provisions and others work collaboratively from the middle, is critical.

Regional Delivery of Services

The Scottish Government must take care to not create structures or institutions that lead to a fractured system. The OECD report, *Improving Schools in Scotland*, is clear that there is a need for enhancement and the ensuring of consistency, not for the creation of new additional structures for their own sake.

Educational Regions

A strength of local authorities is that they are democratically accountable bodies. Local authorities have an important role in educational provision. Their current role needs to be reviewed to identify the strengths and weaknesses, to ensure that there is consistency across authorities underpinning a national education service, and consistency within each authority.

Local authorities have a key role in ensuring that all children and young people receive the entitlements of a national education service.

Unfortunately, local authority reforms across the UK have been unsuccessful because they have not focused on clearly defining the key role of local authorities and have fragmented the system.

In England, the Westminster Government's experimentation has increased school autonomy, while ideologically motivated local structural reform has deepened inequality, acted as a diversion from raising standards and removed vital services from the poorest in society.

The path which the Westminster Government has taken in the delivery of education should not be regarded in any respect as a model for the Scottish Government to follow.

The NASUWT's experience in Wales, where regional consortia were developed in order to 'raise improvement' is that they have not enhanced educational provision. The consortia have developed command-and-control systems in which partnership working has actually reduced, whilst bureaucracy and high-stakes accountability has increased.

The Wales experience does not necessarily mean that regional bodies cannot work, but it is important that the failings of the Wales consortia are noted and not replicated.

Northern Ireland also provides a cautionary tale. Structural reform of the education system in Northern Ireland has consumed inordinate resources, been immensely bureaucratic and time-consuming, and caused ongoing turbulence for schools. The NASUWT can provide more detail on the impact of the changes in England, Wales and Northern Ireland.

The principles or factors on which the Scottish Government should evaluate reform strategies are quite simple:

- is the reform needed?
- is it democratically accountable?
- will it enhance the teaching and learning of pupils?
- will it add to workload burdens of schools?
- will it require additional resource?

Any reform must enhance the teaching and learning experience of pupils and improve their life chances.

The NASUWT will be pleased to work with the Scottish Government on middle-tier policy reform to make this a success. The NASUWT is keen that the Scottish Government does not replicate the mistakes of other administrations and avoids the failings of the past.

A CLEAR NATIONAL FRAMEWORK

A national education service should be focused on delivering entitlements to all children and young people, regardless of location or backgrounds.

In order to deliver the core entitlements, a clear national framework is essential, with appropriate local flexibility.

The national framework should secure the following:

- i. the entitlement of all children and young people to be taught by a qualified teacher who is recognised and rewarded as a highly skilled professional, and has conditions of service which enable the teacher to focus on teaching and learning;
- ii. the entitlement to access a broad-based national curriculum;
- iii. for children with additional learning needs (ALN), the entitlement to the removal of barriers to learning;
- iv. the entitlement to access educational opportunities without reliance on parents' ability to pay;
- v. investment in education; and
- vi. the entitlement to schools operating in the interests of children and young people and not for profit.

In order to deliver these entitlements and meet the aspirations of the National Improvement Framework, there are a number of issues in the current framework which need to be addressed.

Teacher Workload

Excessive teacher workload is a major risk to the provision of high-quality education for all children and young people. Standards cannot be raised on the backs of tired and exhausted teachers, and excessive workload is a major contributory issue in the failure to recruit and retain teachers.

There are a number of national factors responsible for excessive teacher workload. These include:

- i. inadequate national leadership of curriculum and qualifications reform, leading to spiralling teacher workload and lack of public confidence in some national qualifications;
- ii. inappropriate emphasis on bureaucratic school self-review processes generated by the inspectorate (Education Scotland), which detract from teaching and learning and raising standards;
- iii. lack of statutory levers to tackle teacher workload. For example, the CfE Tackling Bureaucracy Working Groups have delivered a series of recommendations to reduce teacher workload. However, the Scottish Government is over-reliant on local

authorities to deliver changed working practices at school level and in many cases change is not being delivered; and

- iv. the year-on-year deterioration of the provisions of the teachers' conditions of service framework fails to ensure that teachers' workload is managed and that teachers can focus on teaching and learning. The key generators of excessive workload are:
- 38% of teachers included administration;
 - 38% included cover for absent colleagues;
 - 35% included school self-evaluation.

Sixty-nine per cent of teachers report record keeping as the top cause of bureaucracy. The NASUWT has submitted, in response to the Deputy First Minister's workload challenge, comprehensive proposals to reduce teachers' excessive workload. These proposals, which can be found at www.nasuwt.org.uk/Workload, should be implemented without delay.

The NASUWT has also prepared a detailed analysis of the current position with regard to teachers' pay. The submission has been made to the SNCT and a copy is appended in Annex 1 of this submission for information. Pay is critical to the recruitment and retention of highly skilled professionals on which the education service relies.

The NASUWT believes that, if the National Improvement Framework is to be a success, teachers must have a terms and conditions framework which enables them to focus on teaching and learning.

The Scottish Government urgently needs to introduce legislation to provide a 'gold standard' national statutory employment framework for teachers.

The NASUWT is committed to working with the Scottish Government to secure such a framework.

However, progressive thinking and action to secure reform will not be delivered through the archaic, highly bureaucratic and opaque structure of the Scottish Negotiating Committee for Teachers (SNCT), which has demonstrated it is incapable of delivering a pay and conditions framework for teachers which motivates and retains teachers and advances educational progress.

An independent School Teachers' Review Body for Scotland is needed urgently, to provide an evidence-based process for determining teachers' pay and conditions. This Body should be an integral part of the creation of a national Social Partnership of unions, employers and government to work collaboratively.

National Strategic Management of the Workforce

There is no appropriate national system of strategic management of the school workforce other than a national agreement over teacher numbers. Strategic

management is left to individual local authorities. The Scottish Government fails to collect sufficient or appropriate data on key issues relating to the schools workforce, such as teacher vacancy rates, teacher deployment by qualification, the amount of cover in Scotland's schools and teacher wastage rates, to enable effective national management of the school workforce to ensure the educational entitlements of all children and young people are being secured. This needs to be rectified urgently.

Equalities

Furthermore, the Scottish Government does not monitor to a sufficient extent the implementation of the UK Public Sector Equality Duty and the Scotland Specific Equality Duties as applied to the schools workforce. In particular, key data relating to teachers' salaries broken down by protected characteristics is not collected. If the Scottish Government is to achieve its equalities aspirations in the National Improvement Framework, this must be urgently addressed.

SCEL and School Leadership

Research shows that it is the teacher's contribution that matters most to pupils' learning. The NASUWT believes that it is vital that the Scottish Government recognises fully that the effective engagement of teachers and school leaders is critical to securing the highest standards of educational provision which meets the needs of all children and young people. This therefore means recognising teachers, together with headteachers and principals, as co-leaders of teaching and learning, challenging of education hierarchies, and promoting professional collaboration and collegiality at all levels.

Since the school's core function is to teach and educate children and young people, the NASUWT believes that it is right to make clear the need to enable headteachers to focus their responsibilities chiefly, if not exclusively, on teaching and learning. Headteachers and principals have a critically important role to play in leading teaching and learning. Indeed, the international evidence confirms this point. In 2012, the OECD made it clear that one of the chief characteristics of the highest performing education nations is the commitment of headteachers/principals to instructional leadership.⁹ This is key to a high-status teaching profession and for ensuring that the morale and motivation of teachers who are not school leaders remains secure.

The Scottish College for Educational Leadership (SCEL) is now in its second year. The NASUWT is part of the Stakeholder Group.

The NASUWT notes the Scottish Government's intention to introduce a requirement for all teachers appointed to their first headship post to hold the Into Headship qualification. The Union accepts that implementation of the draft National Improvement Framework would mean that the programme content of the qualification would need to be closely aligned to the provisions of the Framework. What is required is continued engagement of stakeholders with SCEL on reviewing the content and

⁹ OECD (2012), *Education at a Glance: OECD Indicators 2012: United Kingdom – Country Note*. Paris: OECD Publishing.

design of the Into Headship programme and a commitment to masters-level pay to accompany masters level learning.

The NASUWT is particularly interested in the extent to which the qualification will enable school leaders to adopt approaches that support teachers in their core responsibilities for teaching and leading teaching and learning. Headteachers should be lead practitioners who have the confidence of their staff.

The qualification must ensure that school leaders can take effective strategic decisions in respect of the allocation of financial and other resources, promote the adoption of effective approaches to curriculum and qualifications reform in their institutions and support school leaders in creating a culture in which the benefits of progressive approaches to industrial relations are understood and inform the management of staff in schools.

The independent quality impact assessment of the Into Headship programme recommended that the course content of the programme would need to be redesigned to ensure that it made more effective reference to equality and inclusive practice, including ensuring that headteachers are aware of their responsibilities under the Equality Act 2010. The assessment also highlighted that the programme needs to ensure that candidates' access to learning is structured in a way that does not discriminate against particular groups of teachers. The NASUWT believes that there is a critical need to ensure that the Into Headship programme and other leadership-focused initiatives, address the significant under-representation of particular groups, most notably teachers and school leaders from black and minority ethnic (BME) backgrounds, in school leadership roles. Further work should be carried out in this regard, including an examination of the barriers that exist for under-represented groups to pursue professional learning opportunities.

There are some blurring of the lines and strong similarities between the GTCS standards and the SCEL workplan which should be clarified moving forward.

The NASUWT welcomes the continued commitment of the Scottish Government to mandatory qualifications for school leadership and notes the re-statement in the draft Framework of the Scottish Government's intention to introduce a requirement for all teachers appointed to their first headship post to hold the Into Headship qualification. The Union accepts that implementation of the draft National Improvement Framework would mean that the programme content of the qualification would need to be closely aligned to the provisions of the Framework.

The NASUWT looks forward to continuing engagement with the Scottish Government and the SCEL on the content and design of the Into Headship programme.

The General Teaching Council for Scotland (GTCS)

The GTCS should remain as the independent body with responsibility for regulating the profession, creating and maintaining Teacher Standards including those for leadership, accrediting professional learning and managing student placements, and the Teacher Induction Scheme.

The GTCS is practitioner-led and funded almost entirely by subscriptions from registrants. Registration is compulsory for all teachers in state schools to ensure teachers are appropriately qualified, and this should continue. The NASUWT does have some reservations about the Scottish Government's announcement on new routes into teaching, particularly the suggestion to combine the Postgraduate Diploma in Education (PGDE) and Induction year, and urges caution in agreeing any new strategy that may undermine the Standard for Registration.

The accountability frameworks place significant emphasis on those with leadership and management responsibilities across the system. The GTCS Standards for Leadership and Management should be given sufficient weight and, as a minimum expectation, be placed on an equal footing to the Standards for Registration.

SCHOOL FUNDING

The NASUWT accepts that, when carrying out a detailed review of the school governance, the Scottish Government will need to review the current system of school funding.

There are several key components involved in a review of school funding on which the Scottish Government will need to focus:

- the level of investment which Scotland makes in its schools and the overall funding quantum which schools receive;
- the extent to which the education funding system actively contributes to achieving the Scottish Government's targets in the National Improvement Framework, not least the raising of standards and the narrowing of the attainment gap, supports social mobility; and
- the formula for funding schools.

The National Level of Investment in the School System

Cuts in education spending since 2010 have had a devastating impact on schools. In January 2016, the Local Government Benchmarking Framework published its National Benchmarking Overview Report 2014/15.

The Report makes it clear that education spending in Scotland has suffered swingeing cuts since 2010, which include:

- a reduction in real costs per primary pupil of 10.8%;
- a reduction in real costs per secondary pupil of 4.1%;
- in primary education, a 5.9% reduction in real gross expenditure has occurred in parallel with a 5.5% increase in pupil numbers;
- in secondary education, a 5.4% fall in pupil numbers, but a reduction in gross expenditure of 9.3%.

The overall real-terms cut in education expenditure from 2010/11-2014/15 is 7%.

The Report makes it clear that, against this background of austerity in school spending, teachers have delivered a continued improvement in standards, including a 6.3% increase in pupils achieving 5+ awards at SCQF level since 2010/11, and a 4% increase in young people entering positive destinations upon leaving school.

The NASUWT believes that the success of the National Improvement Framework will be directly related to the replacement of austerity measures by a national programme of investment in the education system.

The NASUWT believes that there is extensive evidence of the adverse impact of austerity on the school system. For example, the NASUWT strongly supports the key focus in the National Improvement Framework of Additional Support for Learning (ASL), and on children with Additional Support Needs (ASN) in particular. However, the provision of education to children and young people with ASN is currently disintegrating under the strain of inadequate resourcing. The NASUWT is committed to the full inclusion of all children and young people with SEND in the Scottish education system, but in far too many cases the Presumption of Mainstream policy has become a euphemism for managing cuts in high-quality, specialist ASN provision, including specialist ASN staff such as speech and language therapists and educational psychologists.

In addition, the reduction in the numbers of support staff in schools, which the Scottish Government's figures show as falling by 18% since 2007,¹⁰ does not only jeopardise educational standards, but also results in teachers being diverted away from their professional pedagogical role, into support staff duties and activities, such as supervisory duties and clerical and administrative tasks. The reduction in the number of support staff in schools militates against excellence and also contributes to high teacher workload, one of the key drivers of teachers out of the profession.

The power of investment in key public services has been devolved to the Scottish Government and is a policy option which the Scottish Government can and should adopt. Public services provide a vital social infrastructure, which means that investment in them benefits the whole of Scottish society. In addition to the improvements in services for the people of Scotland which result from high levels of investment, there are benefits to the wider Scottish economy of higher employment and wage levels in schools and other key services, as higher consumer spending would tend to be focused on Scotland's businesses. Newly devolved taxation powers give the Scottish Government the opportunity for a programme of investment in public services, including education.

The NASUWT and the public will expect the Scottish Government to use the full extent of its powers to provide high-quality public services.

A Funding System for the National Improvement Framework

The NASUWT supports the aspirations of the Scottish Government to achieve 'excellence' and 'equity' across Scotland's school system. However, as the impact of

¹⁰ Scottish Labour Party survey, 8 October 2016.

spending cuts on SEND provision and support staff in schools demonstrates, these aspirations will not be achieved without significant investment. 'Excellence' involves funding the school system to raise educational standards and 'equity' involves funding the school system to ensure improved educational outcomes for the poorest and most disadvantaged in society.

The NASUWT advocates that the Scottish Government should adopt the following key principles to underpin its school funding system. The funding system for all state-funded schools should:

- i. provide equality of opportunity and equitable access for all learners, including through the provision of a broad and balanced curriculum, and contribute to raising educational standards for all pupils and narrow the achievement gap;
- ii. ensure that all schools are funded on the same basis, irrespective of their legal or governance status, which should not result in anomalies between schools where their needs and circumstances and the expectations upon them are the same;
- iii. reflect the additional costs related to pupil deprivation, socio-economic circumstances, school location and setting;
- iv. ensure the provision of, and access to, high-quality education and related support services for children and young people, including vulnerable children;
- v. provide equality of entitlement for all learners to be taught by qualified teachers and for the recruitment, retention and development of a world-class workforce in every school or setting as critical components in delivering better outcomes for all children, and that these entitlements must not be based on parents' ability to pay;
- vi. be clear and transparent so that school budgets are based upon clearly identified and agreed sets of expectations about what work schools should do and the performance expectations that will apply to them;
- vii. be fit for purpose, taking account of local circumstances and needs and the expectations on schools and local authorities, while promoting public and professional confidence in the system;
- viii. be sufficient in ensuring that the global amount available for the funding of schools takes full account of education priorities and needs and promotes fairness, equity, inclusion and social cohesion;
- ix. ensure that changes to the funding for schools do not result in detriment to colleges or early years provisions, which are also essential in providing education for school-aged pupils;
- x. be responsive to changing needs and circumstances;
- xi. be predicated on consultation and democratic involvement at national, local and institutional levels, including full recognition of school workforce trade unions;

- xii. promote stability for schools and enable schools to plan and organise their priorities in the longer term, and help to minimise turbulence;
- xiii. support the best use of resources, through arrangements for strategic planning of local provision, institutional collaboration, economies of scale and the pooling of resources to meet locally identified educational needs; and
- xiv. ensure that schools in receipt of state funding should not be able to make a profit and that they demonstrate the provision of good value for money.

The NASUWT believes that the four key principles which are set out by the Scottish Government to underpin a funding system are consistent with the key principles above. All proposed funding systems and policies should be tested against the above principles.

Evidence provided by the OECD Report, *Improving Schools in Scotland: An OECD Perspective*,¹¹ indicates the following in respect of socio-economic inequality:

- i. Scotland's schools tend to be more inclusive of socio-economically disadvantaged students than the OECD average;
- ii. socio-economically advantaged students out-perform disadvantaged students, but the spread of achievement is lower than the OECD as a whole. However, a third of socio-economically disadvantaged students have high levels of motivation, self-confidence and engagement with education, and crucially these students receive support from their teachers to develop these traits. Such students succeed at school and achieve high levels in the PISA assessments;¹²
- iii. being poor in Scotland puts children at a substantial disadvantage. This is evident in children aged 3 and aged 5 who grow up in the lowest income quintile. These disadvantages include:
 - being around 13 months behind in their knowledge of vocabulary and ten months behind in their problem-solving than children in the highest income quintile;
 - 43% of children in the lowest income quintile presented abnormal ranges for conduct problems compared with 19% of children in the highest income group;
 - 16% of children in the lowest income quintile presented emotional problems compared with 6% of children in the highest income group;
 - 39% of children in the lowest income quintile reported a poor diet compared with 13% of children in the highest income group; and
 - 26% of children in the lowest income quintile reported less than good health during the first four years compared with 12% of children in the highest income group.¹³

The application of key principles 7.13(i) and (iii) above would ensure that funding for schools which educate students living in these circumstances reflect the additional costs

¹¹ *Improving Schools in Scotland: An OECD Perspective*, OECD, 2015.

¹² *Ibid*, page 59.

¹³ *Ibid*, page 68.

related to pupil deprivation and socio-economic circumstances, and that funding is actively targeted at narrowing the attainment gap.

The evidence suggests that ensuring that teachers have sufficient time to focus on teaching and supporting their pupils, without being diverted into other activities, is crucial to narrowing the attainment gap, as are high levels of investment in early years teaching for the poorest children. In particular, addressing problems of health and diet arising from poverty are crucial to narrowing the attainment gap and therefore a strategy of wider social provision is necessary for the poorest children.

Moreover, any changes to the school funding system must enhance the inclusion of socio-economically disadvantaged children and young people.

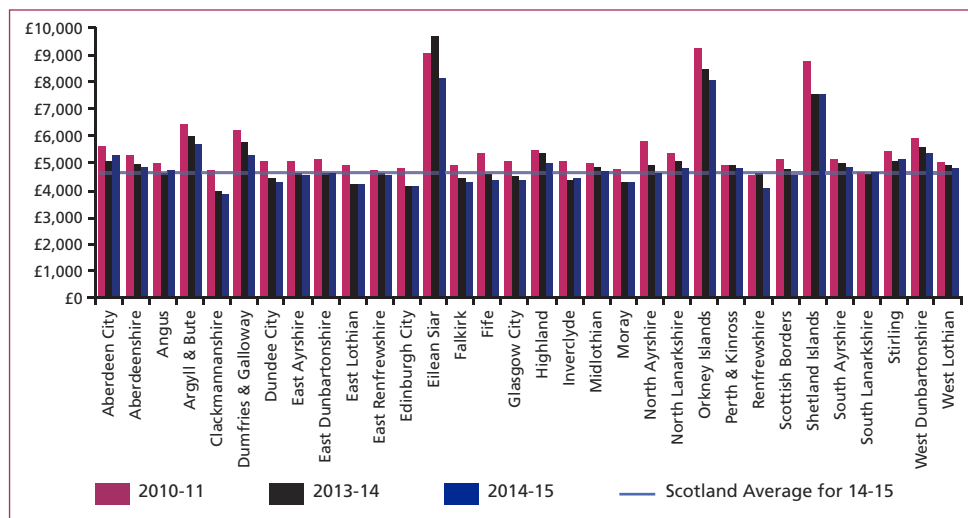
A Funding Formula for Schools

School funding is a highly politically charged issue. It is extremely easy for stakeholders in the education system to perceive inequalities, even injustices, in school funding when comparing different schools or different local authorities. The NASUWT understands that a new funding formula is a key commitment in the Scottish Government’s Delivery Plan for the National Improvement Framework, but is aware that there are key pitfalls which the Scottish Government will need to avoid.

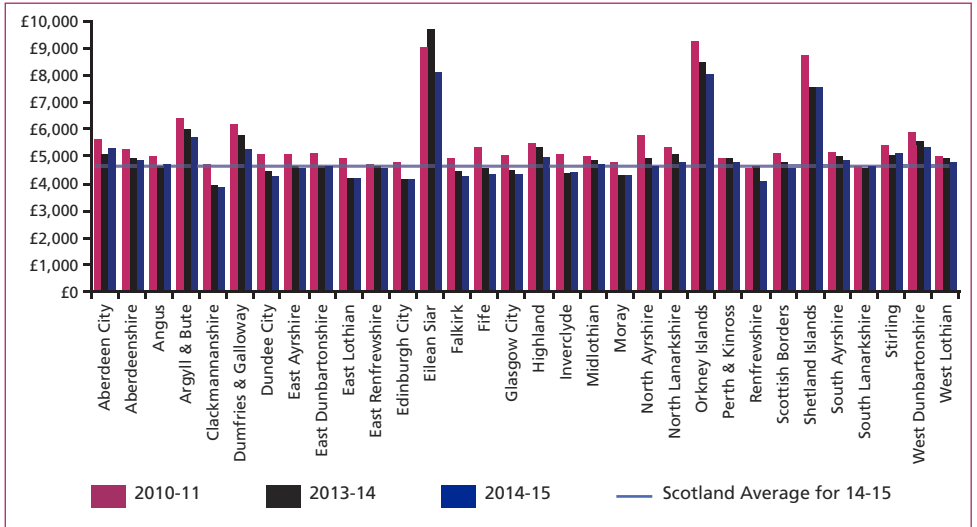
The NASUWT cautions against the ‘a child is a child is a child’ approach to a funding formula, which would have as a key assumption that there should be a high baseline funding figure for each individual child (weighted for age), irrespective of their circumstances. The geographical and socio-economic characteristics of Scotland demonstrate how this would not just be profoundly regressive, but also unrealistic.

This can be demonstrated by the following charts, which set out the cost per primary and secondary pupil, broken down by local authority:

Cost per primary school pupil



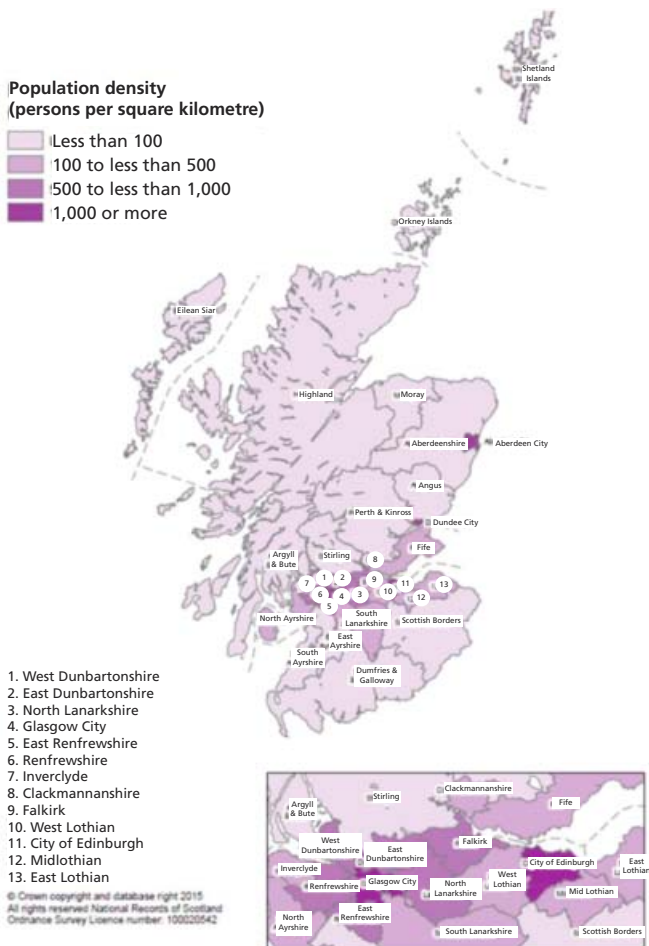
Cost per secondary school pupil



Apart from demonstrating the cut in education spend in 2014/15, the funding pattern clearly demonstrates the impact of population density on the costs of schooling. This corresponds to Scotland's geography and demonstrates that, with the exception of the 13 local authorities in the Central Belt and Aberdeen, Scotland is a sparsely populated country and that sparsity is the key factor in determining school funding levels. The correlation between sparsity and high education funding can clearly be seen in the map below.

The challenge for the Scottish Government will be to manage any discourse around a national funding formula for schools, and to implement any funding formula, so that it supports the progressive aims of the National Improvement Framework. The NASUWT understands that the detail of this will be provided in the consultation in March 2017, but registers at this stage that high levels of weighting for both deprivation and sparsity will be crucial in any common formula.

The NASUWT has extensive experience of the development of national funding formulae and is willing to work with the Scottish Government to share this experience and expertise to develop a formula which will enhance educational provision for all.



Delegating Monies direct to Schools

One key strategy prepared to improve standards is to increase autonomy for teachers and school leaders, within parameters which ensure that the resulting autonomy is used to enhance and improve teaching and learning.

The NASUWT does believe that some of the principles set out in the Devolved School Management (DSM) process, including partnership working with teachers, form the basis for allocation of funding direct to schools.

The NASUWT agrees with the statement set out in the Scottish Government's DSM toolkit that '*DSM schemes should focus on the nature and range of service functions rather than the devolved percentages of budgets*'. It is, for this reason, that the NASUWT does not believe that, as a general rule, staffing flexibilities or costs should be devolved to school level. The unfortunate experience of delegation to school level

of staffing costs and control of staffing elsewhere in the UK is that it can lead to a 'race to the bottom' in respect of teacher staffing, resulting in discrimination against the older, more experienced teachers who form the bedrock of the school system, particularly during periods of reform. The increase of school autonomy over staffing elsewhere in the UK has contributed to the high teacher wastage rate and the teacher shortage crisis. All too often, decisions are made on the basis of budget rather than education need.

The Scottish Government should avoid and monitor systems in which delegated monies are held in unspent reserves by individual schools. Whilst it is understandable for schools to withhold some contingency funding, this should not be allowed to build up significant unspent reserves. The NASUWT does not believe that schools should be allowed to build up unspent reserves for capital projects, for example, which is often the rationale given in England and Wales for maintaining high levels of reserves and depriving children and young people of their financial entitlements.

England does provide a classic example of a cautionary tale against allowing schools to maintain significant unspent balances. The latest available figures from the DfE show that £2.2 billion was held unspent in school reserves in 2014-2015.

The DfE data shows that in 2014-15 the total revenue balance across all local authority maintained schools in England was £2.2 billion, equating to an average revenue balance in each local authority maintained school of just under £120,000. The proportion of schools with a surplus increased from 93.2% in 2013-14 to 93.4% in 2014-15. The proportion of schools with a deficit decreased from 5.6% in 2013-14 to 5.4% in 2014-15.

DfE data shows that there were 17,693 local authority maintained schools in 2014-15. Out of these, 16,534 had a surplus at the end of the 2014-15 financial year, averaging £134,000 per school.

The following statistics show that average budget surpluses in England have increased significantly in recent years. When averaged across schools, surpluses have increased steadily year on year since 2009/10, as the table and chart below illustrate:

Average revenue balances per school 2009-2015

All schools	Total number of schools	Total revenue balance (£,000)	Average revenue balance (£ per school)	Change in average balance	Change in average balance since 2010	Schools in deficit			Schools in surplus		
						Number of schools in deficit	% schools in deficit	Total deficit (£,000)	Number of schools in surplus	% schools in surplus	Total surplus (£,000)
2009-10	21,722	£1,665,279	£76,663			1,968	9.06%	-£161,418	19,671	90.56%	£1,826,697
2010-11	21,567	£1,955,448	£90,669	18%		1,511	7.01%	-£143,478	19,930	92.41%	£2,098,926
2011-12	20,978	£2,323,533	£110,760	22%		1,081	5.15%	-£109,937	19,679	93.81%	£2,433,469
2012-13	19,648	£2,224,954	£113,241	2.2%		1,111	5.65%	-£81,191	18,318	93.23%	£2,306,145
2013-14	18,708	£2,184,369	£116,761	3.1%		1,057	5.65%	-£75,947	17,438	93.21%	£2,260,316
2014-15	17,693	£2,119,569	£119,797	2.6%	56%	948	5.36%	-£103,040	16,534	93.45%	£2,222,608

Average maintained school surplus revenue balances per school have increased from £76,663 in 2009-10 to £119,797 in 2014-15. These have increased by 2.6% since 2013-14 and by 56% since 2009-10.

The situation is no better in Wales, where more recent data is available. According to the Welsh Government's statistical data, the overall level of reserves held by schools in Wales was £64 million at 31 March 2016, the equivalent of £142 per pupil. This is an increase of 0.9% compared with the previous year. Reserves in primary schools accounted for £51 million or 79% of the total.

Whilst it might seem counterintuitive that schools build up high levels of unspent balances in circumstances where school funding is restricted and there are often pressing priorities to meet, the building up of large unspent balances, sometimes at the same time as implementing staffing reductions in the workforce, is now hardwired into the psyche of schools in England and Wales. The NASUWT believes that, should the Scottish Government adopt a policy of increasing its devolution of funding direct to schools, robust procedures must be put into place to ensure that public funding vital to the education of children and young people is not withheld in unspent balances.

ACCOUNTABILITY

The NASUWT believes that it is right that, as a publicly funded service, education should be subject to an appropriate, constructive and proportionate system of accountability and should quote in the public interests. The NASUWT has developed ten key principles for judging the effectiveness of systems of accountability. These are that systems of accountability should:

- i. be rigorous, challenging and reasonable. Both the public and the profession should have confidence in the judgements made;
- ii. support schools to raise standards and improve the quality of teaching and learning;
- iii. help schools to deliver a broad and balanced education to all learners;
- iv. link to, encourage and support ongoing professional and institutional development;
- v. be fair and equitable. Measures should take account of an institution's context and schools should not be disadvantaged or penalised because they are inclusive and take learners with complex needs;
- vi. recognise and respect teachers' professionalism. Accountability should not operate in ways that could undermine teachers' professional judgement or integrity;
- vii. involve and take account of the views of teachers, school leaders, support staff, learners, parents and the community;
- viii. avoid unnecessary bureaucracy and not place excessive workload burdens on teachers and school leaders;

- ix. be streamlined so that duplication and conflicts are avoided; and
- x. encourage co-operation and collaboration. Schools should be encouraged to work together to develop and share effective practice.

Notwithstanding the different models of school accountability adopted across the UK and internationally, the NASUWT believes that these principles are critical to the ability of any system of school accountability to support teachers, school leaders and other staff in schools to support the development and progress of all pupils. However, experience the NASUWT has gained of each of the main forms of school accountability across the UK, highlights a range of significant shortcomings that have profound and negative effects.

Accountability for public education cannot rely on a single measure such as attainment or qualifications. This may be a politically expedient tool, but there is much more to public education than examinations and qualifications. The Scottish Government has to rebalance the debate on school accountability and, in doing so, recognise the wider social purposes of public education.

The NASUWT is not opposed to school self-evaluation in principle and considers self-evaluation to be a key element of a rigorous, challenging and appropriate system of quality assurance and accountability. However, the Union is extremely concerned that the current approach to self-evaluation embedded within Education Scotland's 'How Good is Our School?' (HGIOS) agenda is extremely time-consuming and bureaucratic. Rather than reducing the levels of organisational bureaucracy associated with self-evaluation, HGIOS 4 has encouraged schools in a significant number of instances to add additional and unnecessary workload to school self-assessment.

HGIOS 4, although not mandatory, is widely used as the basis for self-assessment, particularly in relation to the expectation for self-assessment in the National Improvement Framework. The number of quality indicators and challenge questions means that, should a school apply the totality of HGIOS 4 to all of its processes, it would be doing very little other than producing self-evaluation reports. The NASUWT is concerned that, should self-evaluation become statutory and HGIOS 4 be used as the tool for self-evaluation, there would be little, if any, time left for teaching and learning.

Surveys of NASUWT members have demonstrated a huge variation in approaches to inspection and self-assessment across schools and authorities. Within this picture, school self-assessment has frequently become a bureaucratic burden which prevents the raising of standards.

The NASUWT believes that the Scottish Government's approach to inspection and self-assessment should be streamlined and that local authorities and school leaders should adopt a consistent approach to implementing a slimmed-down inspection and self-assessment policy. This approach should be workload impact assessed to ensure that self-assessment is not exacerbating a culture of high-stakes accountability.

The NASUWT strongly opposes the use of performance tables as an accountability measure. The Union believes that performance tables do not help to raise standards or develop an education system of the highest quality. The use of performance tables in the UK is now confined to England. However, the Union has continued to warn that the publication of data from the new National Assessments at P1, P4, P7 and S3 could have a similarly negative impact on schools, creating the opportunity for inaccurate comparisons, as performance tables have had on schools in England.

The NASUWT believes that the Scottish Government must move to an accountability system which takes sufficient account of inequalities within the education system. A focus on pupil attainment and progress (even with attention given to contextual data about a school) places schools that are inclusive and have a large number of pupils with special needs and disabilities, or that have a large number of pupils from deprived backgrounds, at a considerable disadvantage. The Scottish Government must ensure that its accountability regime does not undermine one of the strengths of the education system in Scotland, that Scotland's schools tend to be more inclusive of children from socio-economically deprived backgrounds than is the case in schools across the OECD generally.

Teachers' Experiences of Inspection and Self-evaluation

In November, the NASUWT brought together a focus group of classroom practitioners, supply teachers and school leaders from across Scotland to examine their experiences of inspection and self-assessment, both positive and negative. Extracts from the experiences of teachers and school leaders are detailed below:

- i. *In the past, policy was set – HMIE inspected – now Education Scotland sets policy, inspects and sets agenda. Who polices them? – Because, to be honest, a lot of the agenda is not working. (headteacher)*
- ii. *The concept of constantly expecting an inspection (i.e. schools that are now 11 years after their last inspection and are considered at risk of inspection for four years incurring constant visits from QIOs) is exhausting for all the staff and SMT.*
- iii. *The goal posts move every three years.*
- iv. *There is unofficial and unacceptable monitoring – HTs in secondaries going around the school after school hours, looking at staff planners and rating tidiness of rooms and displays.*
- v. *Headteachers in primary schools tend to undermine the professionalism of staff by over-monitoring of teacher planners and planning documents. Excessive planning has major workload issues.*
- vi. *In a recent school inspection, our school received an 'excellent' for Self-Evaluation but only a 'good' for Meeting Learners' Needs: this seems contradictory.*
- vii. *Classroom monitoring now includes 'Learning Conversations' with pupils. This is affected by the personalities involved.*

- viii. No self-evaluation policy has been agreed with staff or indeed shown to staff.*
- ix. My school has continued the top-down approach – there is no link to teacher empowerment or professional learning.*
- x. Our self-evaluation process does not involve evaluation of the senior management by the rest of the staff.*
- xi. We are also supposed to evaluate by observing peers. However, this rarely happens.*

As publicly funded bodies with a clear public service mission, the Union is clear that it is important that schools are held to account for their work with children and young people. However, it is critical that they are held to account for the right things in the right ways. The NASUWT is prepared to engage constructively with the Scottish Government and other relevant agencies to address the problems associated with current inspection and school self-assessment processes, so that good practice is developed across the school system which supports the processes of reform.



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