

Scottish Out of School Care Network consultation response

Empowering Schools: A consultation on the provisions of the Education (Scotland) Bill

Closing 30th January 2018

Questions

Questions are set out in italics with our comments below each Q.

Question 1

The Headteachers' Charter will empower headteachers as the leaders of learning and teaching and as the lead decision maker in how the curriculum is designed and provided in their schools. What further improvements would you suggest to enable headteachers to fulfil this empowered role?

In the continued requirement that local authorities ensure sufficiency of educational provision in their area; what benchmark will be in place to define what is sufficiency of provision? For headteachers to be able to carry out the enhanced role set out here they require sufficient and sometimes variable investment in their schools which recognises e.g. at different times there may be a lower or higher balance of pupils requiring extra support; there may be a larger number of relatively new staff requiring support and mentoring and a need for all staff to have time for continuous professional development and training in the new roles and structures in their school.

The headteacher, especially in smaller rural schools, may also be the lead practitioner for early learning and childcare in their school and indeed for breakfast clubs, after school care and holiday care provision in a few cases too. In areas of deprivation headteachers may also be involved in addressing the issue of holiday hunger by providing children and families with nutrition and care support during school holidays, in partnership with others.

In order to oversee the pedagogical performance of staff and delivery of the breadth of the CfE Headteachers must be confident in having current and in depth knowledge of the overall CfE, including the emphasis on GIRFEC, health and wellbeing and wider community links. Administration, financial management, and HR support is essential in order to ensure they are not caught up in managerial tasks which take time away from pedagogical and community leadership.

Question 2

The Headteachers' Charter will empower headteachers to develop their school improvement plans collaboratively with their school community. What improvements could be made to this approach?

Not mentioned anywhere in this consultation is that over half the 1000+ out of school care services providing care for over 60,000 children of school age, in Scotland are located in schools and all are a clear part of the local community supporting children's development and learning before and after the school day and during holidays and in service days (Care Inspectorate, 2017, SOSCN, 2017).

There are examples of good practice of headteachers and the lead practitioners of the out of school care service (increasingly a degree level qualified professional) working together particularly to support children under GIRFEC, but also on practical measures in terms of sharing the building and outdoor spaces. Examples include headteachers requesting an out of school care club to help

ensure absentee children are picked up, given breakfast and taken to school by the service; others include at least a joint meeting monthly to review continuity of care for children in need from the school also attending the out of school care service.

There are also still but far less frequent than in the past, negative examples where headteachers do not recognise the professional and separate role when pupils transfer to the care of the regulated, registered and responsible out of school care service; by inappropriately intervening to order children to carry out a task etc. There is, therefore, for some out of school care services located within schools, a worry that more power to headteachers may mean less support for the provision of free or low costs school lets and shared agreements which are in place at local authority levels in many areas of Scotland, for reasonable access to required facilities for the out of school care service; this includes breakfast, after school care and holiday clubs.

Another positive that may come out of more choice and power to headteachers is of course for those that understand the added value that a local out of school care can bring to a school may lead to them supporting such provision on many different levels. In turn, this would help improve the quality and stability of such services. Headteachers, who can make decisions on all areas of staffing and timing of cleaning; allocation of school community funds; opening up kitchens, especially during holidays, could indeed enable far more open, flexible and accessible school age childcare, learning and development support services in the field of out of school care. Therefore this also could be an exciting opportunity to create much more flexible responsive services with the backing of headteachers able to make higher level decisions about how their school is used out of hours.

In terms of pedagogical leadership CfE recognises that for most children learning is certainly not confined to the school day but takes part at home and in the wider community. The play, care and learning provided in out of school care contributes both to this academic development and the overall health and wellbeing of children, and supports their rights at many levels in terms of the UNCRC.

It is vital that in the Headteachers Charter; as well as giving more power there should also be more requirements to carry out genuine collaboration with the closer communities of fellow professionals caring for the same children out with school hours, and respecting their rights and needs in terms of shared premises and resources to benefit children, families and the local community. Next to Early Learning and Childcare, Out of School care services are the second largest providers of childcare and learning support to families in Scotland (Care Inspectorate, 2017) and we believe such services should be specifically covered in the Charter, and always be part of the school improvement plan, given their presence and importance to the school communities.

Question 3

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

With reference to the following two statements about the school improvement plan:

- “Empower headteachers and teachers to work collaboratively by requiring schools to work together. While the Charter will not specify precisely what form that collaboration should take we expect it to apply not just in relation to other schools, but in relation to the work of

the Regional Improvement Collaboratives and the wider school community. Guidance will be provided to ensure these expectations are clear;

- Ensure local authorities and headteachers will continue to be required to have regard to the importance of reducing inequalities of outcome for socio-economically disadvantaged pupils but headteachers will be able to decide improvement priorities for their school (in consultation with their school community);”

Guidance on real and not token collaboration with the wider school community should specifically cover out of school care; breakfast and after school care services and holiday care services; including children and parent’s views not just on the school but on wider provision such as out of school care and holiday provision many families need.

In terms of reducing inequalities for socio-economically disadvantaged pupils, research has clearly demonstrated that it is the most disadvantaged children who gain most in both improved literacy and numeracy and overall wellbeing, by participating in out of school care services and extracurricular activities (Tanner et al, 2016). Yet, in the least well off families it is precisely those children who are unable to take up such opportunities; as they are unaffordable or parents not in work or sufficient work to be able to get help with childcare costs.

Headteachers could support raising the attainment of their least well of pupils, using this clear academic evidence, by sponsoring places for such children in collaboration with the out of school care service leaders; and together there are also many ways in which further support could be developed such as nutrition, breakfast clubs, and lunch during school holidays; and other discreet and inclusive support; such as access to outdoor weather clothing for activities etc.

Question 4

The Headteachers’ Charter will set out the freedoms which headteachers should have in relation to staffing decisions.

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

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

a) The advantages to headteachers of having greater input into recruitment systems used by the local authority is in providing knowledge and experience of the actual skills required, or indeed skill gaps in some schools, towards the criteria for candidates; including pedagogical knowledge. The disadvantage may be in not taking a broad local authority or indeed regional or national perspective in focusing only on their own school’s requirements. Recruitment processes are also intensive and time consuming and headteachers would still benefit from economies of scale used by local authorities in terms of advertising posts and processing applications.

b) As the headteacher is the academic leader it makes sense they have influence, choice and discretion in recruitment and promotional structures. If a headteacher was not involved in such processes in the past, there is a training need for understanding fair and legal recruitment practice. Given that in many areas of Scotland, catering, cleaning and caretaking functions may be carried out

by arms lengths organisations there is a question here in terms of how can a headteacher be able to control, guide and plan with all such staff, when they are not employed directly by the council?

Question 5

Should headteachers be able to decide how the funding allocated to their schools for the delivery of school education is spent? If so, what is the best way of doing this?

Headteachers should have more influence and power over how their school funding is allocated – it is for them, in partnership with local authorities and national government, to decide what the best way of doing this is. However, children, parents and other community organisations such as out of school care services which provide breakfast, after school and holiday clubs, must all have a say and be included in a collaborative and open process.

Question 6

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

Local authorities generally should involve communities and inform the public of their spending decisions and allocations; they should listen to the priorities of the local community and protect community resources as well as involving headteachers in terms of both academic and GIRFEC leadership.

Question 7

What types of support and professional learning would be valuable to headteachers in preparing to take up the new powers and duties to be set out in the Headteachers' Charter?

We have pointed out that training in fair recruitment practice may be required for those not previously involved in direct recruitment of staff. The new Headship qualification (SCEL) might address pedagogical leadership and mentoring others. There should be ongoing professional support in terms of GIRFEC and inclusion, in both the social and children with disabilities sense. Given the emphasis on collaboration with children, parents and the community, consultation and communication are also topics worth exploring in professional development opportunities.

Question 8

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

We particularly welcome the fact that it is all parents not just those who have the time and confidence to take part in parents' forums, who should be involved in a genuine spirit of collaboration. Whilst parents, children and the community must be involved, it should be clear that headteachers and teaching staff make key decisions on academic matters. For example, the early primary 1 and 2 CfE acknowledges that such young children take part in active learning through play, but researchers have found that it is often parents who object to play activities as part of learning practice without understanding why it is important.

While genuine collaboration with parents is essential, it should not take anything away from the role of professional staff in both schools and early learning and childcare settings, indeed out of school care settings (staffed by professionals with the same qualifications as ELC staff), is to make informed

curriculum choices based on their expertise and training, which should not be unduly affected by parental pressure.

Question 9

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

See Q8 answer above.

Question 10

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

No and see Q8 answer above.

Question 11

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

Yes. The Scottish Out of School Care Network, for example, requires every out of school care service taking part in our quality improvement framework; Achieving Quality Scotland, the underpin all of their engagement with children with the UN Convention on the Rights of the Child; which also underpins GIRFEC. All headteachers and indeed all staff in schools and parent councils should know and understand such principles which the children must know about and be able to use a rights based perspective suitable for their age and stage in the school.

Question 12

What are your thoughts on the proposal to create a general duty to support pupil participation, rather than specific duties to create Pupil Councils, committees etc...?

This would be better as, just as in the case for say, parent councils, pupil councils might be made up of the most confident and articulate, rather than be representative and inclusive of the whole school community.

Question 13 to 16 on regional collaboratives SOSCN does not have a view here.

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

Question 14

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

Question 15

If we require Regional Improvement Collaboratives to report on their achievements (replacing individual local authority reports), should they be required to report annually? Would less frequent reporting (e.g. every two years) be a more practical and effective approach?

Question 16

In making changes to the existing planning and reporting cycle, should we consider reducing the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework?

Question 17

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

We understand the rationale behind using the professional framework and success of GTCS as a justification for the establishment of a wider body which is open to all delivering an education role in Scotland. We consider that the out of school care sector, breakfast and after school clubs and holiday clubs, are part of that wider learning community for children and their families as it contributes strongly to CfE and GIRFEC as well as children's rights and social inclusion. This is not to say that the sector would necessarily want to register with the proposed body; however, there are issues here in terms of who should be registering.

In terms of the proposal for the new Education Workforce Council for Scotland to cover early years practitioners does this then mean that if you work in Early Learning and Childcare you can choose to register with the new Council or the Scottish Social Services Council? Or is this intended only for those with a formal teaching qualification as is the case with those who are registered with GTCS now?

If this registration is open only to those ELC practitioners working in *funded* early learning and childcare provision will that leave out of school care staff and non-partner providers staff with the SSSC while all the others move to the status of being part of the education workforce? Will this create a two or indeed three tier early learning and childcare workforce; recalling that, apart from childminders, staff in all early years and out of school care have the same qualification levels and contents under SSSC registration. Will the daycare for children part of the SSSC register then drop in large numbers as the ELC workforce in the expanded funded provision move to the new Education Workforce Council?

The SSSC currently sets the professional qualifications and CPD for early learning and childcare staff, apart from those already registered with GTCS; will there be a shared agreement between both SSSC and the new proposed registration body on qualifications and CPD levels?

We have often pointed out that support staff such as classroom assistants have no access to a professional body or standards, so we support their inclusion in the proposed council, we know some SSSC registered out of school care staff may also work as classroom assistants or support staff in schools; would they now have to belong to both registers given their different roles?

To create broad ranging professional standards to cover such a wide range of staff, including those in CLD, involved in adult education and community education (an unknown number), for example, school librarians (where posts still exist) for this new register, must not lead to the dilution of the successful role GTCS has played in terms of teacher professionalism in Scotland.

At SOSCN we have had the experience over the last ten years or so of a sector which was behind in qualifications levels and quantity, striving to meet the new professional standards required, while highly successful in some cases, in others it has led to staffing shortages and higher turnover of staff,

rural areas in particular finding it hard to get highly qualified managers. Therefore to bring in staff previously not required to register or meet specific requirements, has to be a carefully phased in process.

Question 18

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

Greater clarification is required on the purpose and aims as set out see our answer to Q17.

Question 19

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

See our answer to Q17

Question 20

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

See our answer to Q17

Question 21

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

See our answer to Q17

Question 22

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

Yes.

Question 23

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

Given the wide ranging remit and the rather large numbers involved in the governance of organisations proposed for the merger, the key criteria should be much fewer people and more with an expert role or background, rather than tokenistic representation (whether of church, key workforce group or union).

Question 24

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