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**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON  
28 AUGUST 2019**

**SUBJECT: EDUCATION GOVERNANCE: EDUCATION REFORM AND  
SCHOOL EMPOWERMENT**

**BY: CHIEF EXECUTIVE**

**1. REASON FOR REPORT**

- 1.1 To update Committee on progress in relation to education governance and the school empowerment agenda.
- 1.2 This report is submitted to Council in terms of Section III (D) 1 of the Council's Scheme of Administration relating to exercising the functions of the Council as an Education Authority.

**2. RECOMMENDATION**

- 2.1 It is recommended that Committee scrutinises and notes the report.**

**3. BACKGROUND**

- 3.1 The Scottish Government's 2017 consultation 'Empowering Schools: A consultation on the provisions of the Education (Scotland) Bill' set out clear aims and objectives in relation to the Education Bill: improving the education and life chances of our children and young people, closing the unacceptable gap in attainment between the least and most disadvantaged children and raising attainment for all. The Bill sought to establish a Head Teachers' Charter which would set out the rights and responsibilities of the Head Teacher as a leader of learning in their school.
- 3.2 The Education Reform Report was published in June 2018. The report recognises that an empowered system designed to improve the life chances of children and young people is critically dependent on the relationship between and active involvement of schools, teachers, pupils and parents.
- 3.3 The Scottish Government and COSLA Education Reform Joint Agreement was sent to schools in June 2018. This was produced following collaboration with representatives from Scottish Government and Local Authorities. The joint agreement references the Head Teacher charter and outlines

empowerment in improvement, curriculum, staffing and funding.

- 3.4 In February 2019 agreed drafts of 'A Headteachers' Charter for School Improvement' and Empowering School Leaders documents were produced. Both documents outline principles which support the culture of empowerment.
- 3.5 Further to this, in April 2019 the Scottish Government and COSLA published 'Devolved School Management Guidelines (Draft)'. This document has been devised to assist local authorities to develop their own devolved management (DSM) schemes. This document references the aforementioned documents. A final version was received in June 2019. The guidance, part of the Education Reform Programme, replaces the 2012 DSM Guidelines. This is statutory guidance issued by Scottish Ministers under section 13 of the Standards in Scotland's Schools etc Act 2000. This guidance is also issued to Local Authorities in relation to their functions under Section 8[3] of the 2000 Act, in relation to delegation schemes. Local Authorities are expected to use the new Guidelines, and the accompanying Framework, to update their Authority's DSM scheme as quickly as possible, with full implementation expected by 2021. Officers will work with colleagues in Aberdeenshire and Aberdeen City to progress this and a further paper will come back to Committee to provide details including an action plan and timescales.
- 3.6 The Scottish Government is committed to raising standards in all Scottish schools and improving the outcomes for all children. Consideration was given to legislate for Educational Reform under the Education Act however this is now a requirement of the Educational system with no plans for a Bill. The Local Authority reports annually on progress in meeting priorities within the National Improvement Framework (NIF). School inspections are one way of demonstrating that standards are met and improvements are evident including progress towards NIF priorities. A new inspection framework is in place with Quality Indicators (QIs) focussing on improvements to attainment.
- 3.7 Five Moray Schools have been inspected over session 2018/19 with three under the full inspection model and 2 under the short notice model. The QIs which are common for each model are 2.3 Learning, teaching and assessment and 3.2 Raising attainment and achievement. It is noted nationally that it is now markedly more difficult to achieve a very good or excellent grade. Since the new inspection framework has been introduced, the number of schools achieving a good grading has dropped from 75% to 58% nationally. For the 5 schools inspected 80% (4 out of 5) achieved a good or better in each QI. Head Teachers get regular updates about inspection expectations with feedback at meetings and use of Associate Assessors. Moray currently has six Associate Assessors.

#### **4. Moray Position**

- 4.1 Improvement – the Local Authority has statutory responsibility under the Standards in Scotland's Schools etc Act 2000 for the provision and improvement of education in Moray. The Education Authority (Schools and Curriculum Development section) has a strategic plan 2018-21 which reflects local and national priorities. An annual authority report evaluates

achievement of this plan in relation to the National Improvement Framework. Head Teachers are responsible for producing an annual Standards and Quality Report (S&QR) and School Improvement Plan (SIP). The improvement plans reflect national and local priorities as well as taking into consideration the school context. Improvement work on a regional basis is outlined in the Northern Alliance Improvement Plan. The Schools and Curriculum Development Strategy Group provides support and challenge in the development of policy and practice to inform school improvement. During session 2018/19 the learning and teaching strategy has been reviewed, the tracking and monitoring strategy updated, guidance and advice on formal classroom observations updated, Scottish National Standardised Assessment advice updated as well as Pupil Equity Funding and School Improvement Planning guidance updated. Working groups led by Quality Improvement Officers (QIOs) have a range of school staff as members, embracing the spirit of empowerment. School staff continue to take opportunities to lead improvement by volunteering as Quality Assurance and Moderation Support Officers (QAMSOs) and lead practitioners for Emerging Literacy as further examples of empowerment.

- 4.2 Curriculum – all Moray schools deliver Curriculum for Excellence which aims to help children and young people to become Successful Learners, Confident Individuals, Responsible Citizens and Effective Contributors. A range of local authority policies and guidance support Head Teachers to design curriculum in their schools which adhere to the principles of curriculum design: challenge and enjoyment, breadth, progression, depth, personalisation and choice, coherence and relevance. In practice this has led to the development of more consistent approaches to curriculum organisation. For example all Moray secondary schools operate a 33 period week and offer six subjects in S4. This has been achieved by the Head Teachers working collegiately with officers in order to provide greater opportunities for Moray's young people. Colleagues across primary and secondary schools increasingly work together to ensure that standards are moderated across progression pathways in literacy and numeracy. Secondary curricular groups are supported allowing staff to meet to moderate the Broad General Education and share resources and practice for Senior Phase subjects. A revised raising attainment strategy is currently in draft form and will be reported to Committee in October.
- 4.3 Staffing – Primary Head Teachers are allocated staffing based on a formula within the DSM scheme. They are empowered to deploy staff as they wish; for example, if allocated two Depute Headteachers with teaching commitment they can decide to have one only with no teaching commitment. The deployment of Newly Qualified Teachers (NQTs) in primary is organised centrally as well as the recruitment of those NQTs who achieve full registration and wish to remain in Moray. NQTs in secondary are also organised centrally in conjunction with Head Teachers. For the first time this session secondary NQTs who achieved full registration and wished to remain in Moray were also interviewed and recruited centrally with Headteachers involved in the interviews. All Head Teachers are responsible for the appointment of all other staff in accordance with the relevant Moray Local Negotiating Committee for Teachers (LNCT) agreements, up to Depute Head Teacher level. The draft Head Teacher Charter Agreement states that Head

Teachers should be integral to the appointment of staff in partnership with the Local Authority. The process for the recruitment of Head Teachers is outlined in an LNCT agreement with parents and elected members involved in the process.

- 4.4 Finance – Head Teachers are allocated an annual budget as per the current DSM scheme. They hold responsibility for this devolved budget in terms of planning and managing expenditure. The DSM scheme has been altered year on year in line with budget decisions with little flexibility for Head Teachers once staffing, curriculum resources, heat and light etc are accounted for. The DSM is a unique Council budget as it allows for virement and an ability to carry forward planned over and underspends. Underspends however were taken as a budget saving in session 18/19. As well as management of DSM, Head Teachers are also responsible for two other aspects of finance – the school fund and the Pupil Equity Fund (PEF). Each school has a school fund which contains the money generated by the school community through fundraising efforts and any other monetary donations. It should be noted that parent council funds are held separately and are the responsibility of the parent council who are required to submit audited accounts to the local authority annually. The school fund is audited annually and internal audit undertake routine checks also. PEF sees funding go direct from Scottish Government to individual schools who receive an amount of funding based on the number of children and young people they have who are entitled to a free school meal. All but one Moray school receives this funding. Like all Scottish Government grants, there is the requirement to report on impact of its use. Some Moray schools have received significant amounts and are obliged to consult with their school community as to how best to use the fund. Although schools have welcomed this additional resource, this has presented a new financial challenge for headteachers to manage alongside their other financial responsibilities. Recruiting additional staff has been a major challenge resulting in underspends where this had been planned but not implemented. Internal audit undertook an assessment of PEF last session. Initial scoping work on a joint project with Aberdeenshire and Aberdeen City has taken place to move the DSM review along. A further paper will come back to Committee to inform members.

## **5. Next Steps**

- 5.1 Improvement – the local authority will continue to work with Head Teachers in support of the Joint Agreement' and associated documents. The continued approach to developing increased collaboration between schools and the authority and schools with each other will continue to ensure that Moray's children and young people remain a priority. There will be an increased ask of the Moray Strategy Group to represent Head Teachers' views in the development of policy and practice to support school improvement. Secondary Head Teachers have been present at Committee and led attainment meetings with their local elected members. We will continue to seek opportunities to increase Head Teachers autonomy and for them to become more accountable. There will be increased engagement with the Education Scotland Northern Team and in addition schools will be supported by a wider range of colleagues and professional development through the

Regional Improvement Collaborative workstreams and connections made across the Alliance.

- 5.2 Curriculum - support will be provided to Head Teachers to decide on the structure of the curriculum, in particular the number and variety of offers in the senior phase within individual schools and across Moray. We will continue to pursue opportunities that the 33 period week offers us and will report to committee the review of this so far. The appointment of Education Support Officer (ESO) posts for Curriculum Pastoral Care and Learning and Teaching will provide some capacity to support curriculum delivery within Literacy and Numeracy and Health and Wellbeing initially. It is hoped that Moray progression pathways can be developed with school staff and support materials updated.
- 5.3 Staffing – Head Teachers may decide to create alternative staffing models albeit in accordance with Moray Council LNCT agreements and in line with existing finance. Support will be offered to Head Teachers who consider alternative models to ensure alignment with Council policies and procedures. Through modernisation and improvement work and the development of the learning estate strategy consideration will be given to campus leadership models including 3-18 where appropriate. We will continue to work with Head Teachers regarding recruitment of staff and allocation of NQTs in future.
- 5.4 Finance - It is proposed to undertake a review of DSM guidelines in conjunction with colleagues in Aberdeen City and Aberdeenshire to determine the need for any adaptations to current arrangements. Arrangements are made to meet in August to discuss this and to move this forward using officers from each authority. We will consider further improvement actions in relation to the management of the school fund and PEF working with finance to include support, training, expectations and advice for all three funding streams. We will also continue to seek support from Education Scotland to deliver improvement sessions regarding effective use of PEF and we will update guidance and advice on an annual basis including the sharing of good practice across Moray.

## **6. Summary of Implications**

### **(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

This report relates the priority 'Provide a sustainable education service aiming for excellence' from the Corporate Plan and to 'Building a better future for our children and young people in Moray' from the LOIP.

### **(b) Policy and Legal**

Raising attainment is a key priority of the Scottish Government as part of the National Improvement Framework. Moray Council has a duty each year to report on progress to meet national priorities and to provide evaluative evidence of improvement which informs the National Improvement Framework annual report.

- (c) **Financial implications**  
Head Teachers will continue to be accountable and responsible for the devolved school budget, the school fund and the Pupil Equity Fund. Moving towards greater empowerment requires all teachers to be meaningfully involved in decisions about school funding. This will require Head Teachers to work with their staff and may require training.
- (d) **Risk implications**  
The risks lie mainly with the Council's ability to meet requirements from the joint agreement and the timescales involved. Members will be updated regarding risks and mitigating actions.
- (e) **Staffing implications**  
There are no staffing implications arising directly from this report.
- (f) **Property**  
There are no property issues arising directly from this report.
- (g) **Equalities**  
None arising directly from this report
- (h) **Consultations**  
Chief Executive, Education and Social Care SMT, Quality Improvement Officers, the HR Manager, Paul Connor, Principal Accountant, Tracey Sutherland, Committee Services Officer, Local Negotiating Committee for Teachers (LNCT) Union side joint chair and the Equal Opportunities Officer have been consulted and are in agreement with the contents of this report as regards their respective responsibilities.

## 7. **CONCLUSION**

### 7.1 **In order to move to an empowered system Officers will continue to work with Head Teachers to ensure compliance with the national joint agreement.**

Author of Report: Vivienne Cross (Head of Schools and Curriculum Development)

Background Papers: <https://www.gov.scot/publications/education-bill-policy-ambition-joint-agreement/>  
<https://education.gov.scot/improvement/Documents/HeadteachersCharterFinal.pdf>  
<https://education.gov.scot/improvement/Documents/EmpoweringSchoolLeadersFinal.pdf>  
<https://www.gov.scot/publications/devolved-school-management-guidelines-draft/pages/4/>