1. **Education (Scotland) Bill**

1.1 With additional responsibilities placed on education services by the provisions of the Bill, the financial climate into which these responsibilities are being introduced must be borne in mind. In addition to detailed guidance which Scottish Government intend to produce to assist local authorities, appropriate resourcing at local level across the whole country will be required to ensure successful implementation.

2. **Attainment**

2.1 The requirement for Councils to consult is important to ensure viable strategies that best meet local needs. This will require to be properly resourced to ensure meaningful consultation takes place.

2.2 The Bill underlines the level of priority which narrowing the attainment gap has in Scottish Education, particularly in introducing the reporting mechanism and the wording “have regard to the desirability” of “reducing inequalities of outcome”. However, the narrowing of the attainment gap will ultimately be achieved through the particular strategies taken forward at local level and these require adequate funding. In the current economic climate, such strategies have been heavily cut. Unless adequate funding is provided to enable such strategies to be reintroduced and extended, the reports produced under this legislation will not reflect the desired narrowing of the attainment gap. Given the financial climate, a collegiate approach to successful implementation is preferable to a sanctions-based approach.

2.3 With regards to the reporting mechanism, it will be essential to ensure that this process is streamlined within the current structure of reporting procedures at local level, to ensure bureaucracy is minimised.

2.4 With regards to the wording “reducing inequalities of outcome”, a definition of this would be helpful within the legislation. This will ensure a focus upon pupils realising their own full potential, including in the context of vocational education. All examples of inequality of outcome should be addressed as part of this definition. However, it is not clear how teachers can be expected to differentiate where attainment is compromised due to economic disadvantage as opposed to another reason.

2.5 The wording should be consistent between the Policy Memorandum and Bill documentation to ensure clarity. Terms used within the Policy Memorandum such as “promote equity of attainment for disadvantaged children” are widely used within Scottish Education; however, it would still be useful for definitions of terms to be included to ensure these are consistently understood across the country.
3. **Gaelic**

3.1 It is unclear what the level of demand for Gaelic medium teaching is to consider whether this would warrant such a prescribed approach to the handling of requests. However, it would be logical to have a standard process.

3.2 There are clearly resource implications in the assessment processes covered by the Bill at a time when local authority budgets are under great pressure. Sections 10(7) (g), (h), (i), (j), (k) and (l) are practical matters which are likely to be assessable in the initial stage of assessment. However, such considerations appear to form part of the later full assessment stage instead. This may result in a scenario where it is known from the outset that the position on adjacent area provision, availability of suitable premises, cost, availability of persons to teach GMPE and the potential to recruit persons to teach GMPE is such that provision cannot reasonably be secured in the area. However, under the legislation, this practical position could not be acknowledged until the full assessment stage, after resource has already been expended on the initial stages. In requiring local authorities to devote resource to this process in this manner will inevitably divert funds from other areas, such as raising attainment strategies.

3.3 It is submitted that, in the absence of adequate funding for education at present and the current difficulties in recruiting teachers in a number of areas of the country, it is questionable whether many applications will be realised in practice.

4. **Chief Education Officer**

4.1 Again, the question of resource arises in relation to this point. Resource allocated to such an appointment is resource potentially taken away from “front line” education services, delivering raising attainment strategies to children. These are responsibilities which could presumably be subsumed into existing structures within local authorities; local authorities would be best placed to consider how to introduce the required responsibilities into their own structures. A localised approach would also avoid overlap with roles and responsibilities already existing within local authorities, ensuring the most efficient use of resource at local level.

5. **Registering Teaching Staff**

5.1 It is submitted that GTCS registration is indeed desirable in principle for all teaching staff within Scotland. However, the manner of implementation will require careful consideration, with consultation to ensure that this is done in a manner which is fair and reasonable. Teachers will require to be supported. It would not be appropriate for staff to be put in a position of being forced out of their employment and for establishments to be at risk of being unable to operate. Additionally, teachers should not be in financial detriment as a result of this requirement being introduced; for example, in obtaining qualifications which were not necessary to secure the posts
which they are already operating in. Funding should therefore be allocated at national level to cover the costs involved in pursuing this objective.

5.2 Given that the proportion of Scotland’s Teachers who are potentially affected will likely be small, an initial assessment of the position of those affected would be beneficial. This will help to identify what is in fact required within this group of Teachers to secure GTCS registration as appropriate. For example, consideration should be given to the position of those potentially intending to retire in the not too distant future; it would certainly seem unfair to require a Teacher to embark upon a further qualification when they intend to retire before or by the time of its completion. A reasonable time period to secure registration should be provided, taking into account any potential impact on equalities.

5.3 A staged introduction, with new categories of registration in the short to medium term, might be an appropriate means of supporting affected Teachers during the transitional phase.