EDUCATION (SCOTLAND) BILL
WRITTEN SUBMISSION FROM
THE SCOTTISH COUNCIL OF INDEPENDENT SCHOOLS

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

SCIS as a body was not involved in the consultation exercise although a number of individual SCIS schools and non-SCIS independent schools submitted evidence for the Business and Regulatory Impact Assessment which asked about the financial impact on the operation of the school.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

The Financial Memorandum identifies the financial consequences for smaller special schools but does not acknowledge the financial implications for mainstream schools, large and small, where there are a number of unregistered teachers and where, particularly in the case of schools offering an international curriculum, the requirement to be registered with the General Teaching Council for Scotland (GTCS) will have a significant impact on their ability to offer their current curriculum and recruit teachers.

3. Did you have sufficient time to contribute to the consultation exercise?

SCIS as a body was not invited to submit evidence on behalf of member schools.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

SCIS as an organisation may not be directly affected financially and therefore the comments we provide are on behalf of the independent school members which we represent. Table 7 in the Explanatory Notes outlines the estimated cost of the registration of all teachers with the GTCS on other bodies, individuals and businesses. The costs outlined only take into account the initial registration charge with GTCS and thereafter the annual registration fee. The estimated costs do not take into account the costs to schools/individual teachers of undertaking additional qualifications if required in order to meet GTCS registration requirements. (See details in response to Question 5)

The Business and Regulatory Impact Assessment refers to 732 teachers in independent schools who were not registered with GTCS, as of September 2013, and anticipates that 240 will face greater difficulties meeting the criteria of GTCS. Potentially, these greater difficulties could mean greater costs and this issue is not expanded on in this document or elsewhere. It would be helpful to have greater clarity around the difficulties anticipated and to know what support (including financial) would be offered to these individuals/schools if GTCS registration becomes mandatory.
5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

As highlighted in question 4, the costs outlined only take into account the initial registration charge with GTCS and thereafter the annual registration fee. The estimated costs do not take into account the costs to schools/individual teachers of undertaking additional qualifications if required in order to meet GTCS registration requirements.

Examples of possible courses which teachers in post might have to undertake in order to meet GTCS requirements: University of Buckingham Independent PGCE £3995 per person. University of Buckingham Assessment only Route £2490. Graduate Teacher Programme top-up qualification offered by University of Northampton: £950 per person. These additional qualifications, if required by GTCS, would put a significant financial burden on individual teachers and schools. In addition to the time and cost implications for those staff undertaking these qualifications, whose time out of school to attend university days will also have to be covered, the time and cost in time of staff supporting colleagues through these qualifications must be factored in – mentor support is an integral part, particularly of the University of Buckingham Independent PGCE.

This Assessment also mentions the ‘annual collection of data relating to teachers in independent schools’. It would be helpful to provide clarification as to whose responsibility this is expected to be. SCIS does not believe that it would be appropriate for ourselves to undertake this task as we are not a regulatory body. The Scottish Government no longer collects data on the independent school sector through an annual census.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

The response to this will vary between schools depending on the number of staff affected and the arrangements for funding. In some cases, individual teachers will have to cover this significant financial cost themselves, in other cases the school might support/make a contribution to the funding. Either way, the costs of undertaking further qualifications are significant as outlined in question 5.

The level of financial cost is also dependent on the GTCS’ approach to supporting teachers with registration. If GTCS continue to apply rigid registration requirements without taking account of other qualifications and the level of experience of some currently unregistered teachers, then the financial implications will be greater as the number of teachers required to undertake further qualifications will be higher. If on the other hand GTCS is willing to accept a broader range of qualifications (e.g. TeachFirst, Graduate Teacher Programme) and to recognise service in lieu of a shortfall in academic credits/teaching qualification, the number of people required to undertake further qualifications and the costs incurred through this will be smaller.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

As outlined in response to questions 4-6, there are significant financial implications which the Financial Memorandum does not take into account. Until further detailed
discussions with GTCS have taken place and it has become clearer if and how they intend to support the registration of teachers through a more flexible approach to registration, there is a high margin of uncertainty around the additional training costs which teachers and schools might incur. If in time the requirement to be GTCS registered puts the provision of specialist subjects at risk, this would be a significant cost to a school in terms of loss of provision and expertise.

Given that detailed discussion is still to take place with GTCS and the level of uncertainty around the best options for unregistered teachers to take in order to meet registration requirements, and the time commitment involved in undertaking further qualifications which, on the whole, have an annual start date in August, a 2 year transitional period would be a very tight timeframe.

**Wider Issues**

8. **Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?**

   See answers to questions 4, 5 and 6.

9. **Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?**

   There will be possible future costs to schools or individual teachers depending on the flexibility of GTCS in the future with regards to registration. This cost may be financial in supporting a newly recruited teacher through a required qualification, or non-financial, for instance through the loss of provision if a school is unable to recruit a GTCS registered teacher of high calibre in a specific subject. In a competitive market for teaching staff, and particularly for schools teaching an international curriculum, it is important that independent schools remain able to recruit highly skilled teaching staff.