17 March 2017

Dear Convener

Performance and Role of Key Education and Skills Bodies report and the Scottish Government's Draft Budget 2017-18

Thank you for your letter dated 31 January in which you invite a response from Education Scotland on both reports, referenced above.

I am grateful for the opportunity to provide the Committee with more information about the work of Education Scotland in the attached response report.

Kind regards

Bill Maxwell
Chief Executive

Enc
Education and Skills Committee response

From Education Scotland

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1. Relationship with the Scottish Government

The Committee noted that the lines of accountability in relation to Education Scotland’s roles in advising the Scottish Government, driving policy and the inspection regime should be clearer.

Response

- Education Scotland was established by Scottish Ministers in 2011 as the national improvement agency for education.

- The purpose and functions of the Agency and its relationships and accountabilities to Scottish Ministers, Director-General Learning and Justice, and Director of Learning, are set out clearly in the Agency’s Framework Document.

- Education Scotland has been constituted with the same Executive Agency status as applied to HMIE before Education Scotland was formed. We have strong governance arrangements which ensure inspection activity is independent and that it can provide reliable and impartial evaluations of education practice and its impact. This includes a nominated Director of Inspection, who has a distinct and separate role to the Chief Executive.

- The Framework Document sets out the Chief Executive’s relationship with the Director-General Learning and Justice, who acts as the ‘Fraser Figure’, ensuring alignment of the Agency’s strategy and activities with Scottish Minister’s objectives and the broader expectations and requirements of the Scottish Government.

- The Chief Executive is responsible to Scottish Ministers for the outcomes delivered by the Agency and for planning its future development. Scottish Ministers approve Education Scotland’s plans and can direct Education Scotland to undertake specific activities.

- Education Scotland provides professional advice on education to inform policy. Scottish Ministers make policy decisions, with support from Scottish Government policy officials.
2. Dual role of Education Scotland

The Committee recommended that the Scottish Government, in its Governance Review, considers the views expressed by the Royal Society of Edinburgh (RSE), Reform Scotland and Professor Lindsay Patterson that there is a conflict of interest in Education Scotland’s roles as developer of the curriculum and independent evaluator through its inspectorate function.

Response

- Education Scotland has been constituted with the same Executive Agency status as HMIE. It is also the case that HMIE was involved closely in national curriculum developments, working very closely with Learning and Teaching Scotland during the development of the Curriculum for Excellence (CfE) framework, and in supporting schools to develop their local curriculum to reflect these new developments. HMIE was involved in previous curriculum and qualification developments such as the 5-14 curriculum framework and Standard Grade.

- Education Scotland’s status as an Executive Agency means that it operates independently and impartially in relation to its inspection and evaluation functions, whilst remaining directly accountable to Scottish Ministers for the standards of its work. This status safeguards the independence of its inspection and review function.

- Education Scotland firmly believes that there are clear benefits to us having the ability to co-ordinate our complementary functions of inspection and review with functions relating to the provision of curriculum and pedagogical advice and providing targeted professional leadership for key national improvement initiatives, such as the Scottish Attainment Challenge. Each of these functions contributes to driving an overall cycle of continuous improvement across the education system. This cycle of improvement is acknowledged widely as the Scottish approach to improvement.

- This integrated approach enables us to ensure that the findings of inspection influence directly improvements in curriculum development and improvement work, and vice-versa. To take an example, we undertook a national aspect review of the teaching of technology as a curriculum area in response to emerging concerns. As a result of this aspect review, we were able to identify strengths and weaknesses and specifically highlight areas where curriculum guidance needed to be updated. This led directly on to us leading the first revision of the experiences and outcomes for a curriculum area within CfE since CfE was created, drawing directly on our evidence but also engaging a broad range of relevant stakeholders in the process. The revised experiences and outcomes for the technologies are due to be published in the next few weeks.

- This combination of expertise and functionality in the Agency has also allowed us to identify common issues arising within a local authority area and work with the local authority to organise development activities for their schools to drive improvement. In some local authority areas, where issues have been identified, we have been able to quickly organise bespoke programmes of support to assist the authority in addressing specific issues, responding directly to the findings of inspections in their area. For example, we have supported improvement in primary education in Aberdeenshire Council. This is a key aspect of our work which focuses on and brings about improvement in areas of the school or local authority where improvement is most needed.
3. Development and delivery of Curriculum for Excellence

The Committee requested clarity as to who is the decision taker or the clear lead in the different areas of the development and delivery of CfE. It suggested that Education Scotland should be proactive at challenging and contributing constructively to the broad development of CfE.

Response

- It is clear that overall accountability for CfE policy lies with Scottish Ministers. It achieves this accountability principally through the CfE Management Board.

- Education Scotland is represented on the CfE Management Board by the Chief Executive and as such has been, and continues to play, a key role in challenging and contributing to the broad development of CfE.

- We gather evidence on what practice looks like first hand as the curriculum develops, and report back to CfE Management Board and others on emerging practice. If policy or strategy needs to be reconsidered in light of this evidence, then that is for CfE Management Board to debate and decide what advice it offers to Ministers. If the guidance and advice Education Scotland provides for schools needs changed, that will be identified and carried out.

- The CfE Implementation Group was formed in 2011, reporting to the CfE Management Board. The Chief Executive of Education Scotland has chaired the Implementation Group since its inception and provides a regular update to the Management Board at each of its meetings. The Implementation Group was designed to bring together key national bodies that have responsibilities for providing programmes of operational support and advice to frontline service providers as they seek to implement CfE. It provides a mechanism for identifying and jointly addressing key issues, with a view to resolving them and so achieving successful outcomes.

- CfE Implementation Group membership includes Education Scotland, the Scottish Qualifications Authority (SQA), the Association of Directors of Education Scotland (ADES), the Scottish Government, the Scottish Funding Council (SFC), Skills Development Scotland (SDS) and the Colleges Development Network (CDN).

- CfE Implementation Group provides assurance to CfE Management Board on the extent to which key aspects of the implementation of CfE are on track and how risks and issues are being successfully managed.
4. Evaluation of Curriculum for Excellence

The Committee, drawing on submissions, suggests that the impact of CfE cannot be validly done as baseline data was not collected prior to the introduction of the new curriculum approach. The Committee recommends this lesson is learnt for future reform and recommends Education Scotland and SG consider what can be done to address the consequences of this omission. The Committee is also interested in the forthcoming analysis of inspection trends and particularly how that document will evaluate the curriculum.

Response

- Education Scotland undertook inspections of schools throughout the CfE implementation period and provided analysis of our findings regularly to the CfE Management Board. Evidence from inspection highlighted changes that were taking place in schools as CfE was being implemented. This evidence complemented statistical data, such as the continuous annual series of data on achievement and attainment from SQA.

- We adapted our approach to evaluating the curriculum each year to align closely with the CfE National Implementation Plan so that we could provide feedback on how implementation was proceeding and help promote further progress and action where it was required.

- Education Scotland occasionally publishes a summary report of our inspection and review findings, looking across all the sectors in which we inspect, based on a three to four year period. We will be publishing the next edition in this series of reports in the next few weeks, covering the period 2012 to 2016. The report provides an analysis of patterns and trends which have emerged from inspection and review findings across the range of sectors where we have routine inspection and review programmes. The report provides information related to the strengths and development needs in each sector. This includes, where appropriate, evidence on progress with and the impact of CfE.

- Education Scotland will continue to focus on the impact of CfE through its inspection and review programme, support and challenge activities and engagement with practitioners.

- The National Improvement Framework (NIF) developed by the Scottish Government, with support from Education Scotland, has established a new framework for accountability at all levels in the system.

- Our evaluative activity is focused on the priorities within the NIF and we have re-designed early learning and childcare and school inspections to align with the key drivers identified in the NIF. We will provide evidence for the annual National Improvement Framework Evidence Report, on the quality of learning, teaching and assessment, progress in raising attainment and achievement, and the leadership of change through evidence from our school inspection programme.
5. Volume and accessibility of Curriculum for Excellence documentation

The Committee welcomes the review and reduction of the level of documentation on Curriculum for Excellence but suggests that there will be more work to be done to ensure that the guidance is accessible, clear and is easily usable.

Response

- Over time, Education Scotland has produced a range of documentation and guidance to support the implementation of CfE. These materials have typically been produced in response to requests or commissions from the CfE Management Board, or generated as a result of other specific requests from stakeholder groups such as the professional associations. At every stage, we have aimed to meet the needs of teachers at a given point of CfE implementation.

- As the Committee is aware, we have recognised the need to streamline the range of documentation and guidance that has built up over several years and have been taking steps to address this.

- Education Scotland published Progression from the BGE to the Senior Phase - updated guidance in May 2016. This was in direct response to the recommendation in the Assessment and Qualifications Group report for Education Scotland to produce a clear, specific and succinct statement of expectations and advice based on experiences and lessons learned from implementing CfE in secondary schools. This guidance was very well received, for example by the ADES Curriculum, Assessment and Qualification Group as clarifying a range of key issues to improve learning and secure reductions in workload for teachers.

- Education Scotland published clear, practical advice for teachers and practitioners on planning learning, teaching and assessment on 29 August 2016. This streamlined approach includes a definitive statement on CfE from HM Chief Inspector of Education and benchmarks to support assessment in literacy and numeracy.

- In publishing the CfE Benchmarks for literacy and numeracy in August 2016, and those for curriculum areas in the near future, we will be emphasising that Benchmarks, along with the August Statement and the CfE experiences and outcomes, represent the definitive guidance for teachers on planning learning, teaching and assessment. As the Benchmarks are published, we are making explicit that a range of previous documentation and guidance is being removed, including Progression Frameworks, National Assessment Resource and Annotated Exemplification.

- Education Scotland carried out a focused review of the workload demands placed on schools by local authorities in relation to CfE, in August 2016. The report published in September 2016 makes a set of recommendations for local authorities and also highlights some actions that Education Scotland will take. Following publication of the report, Education Scotland has monitored the actions taken by local authorities relating to the review’s findings. We have identified examples of good practice in tackling unnecessary bureaucracy and addressing undue workload in a number of local authorities. These examples will be published on the National Improvement Hub.
• Education Scotland has also significantly streamlined the amount of national guidance on its website. We are also deleting a significant number of resources, including those that have not been accessed regularly or were out of date. We have also refreshed our online presence.

• On release of our new corporate website in December 2016, almost half our content was reconfigured for the National Improvement Hub, the refreshed Education Scotland corporate website and the National Qualifications site. The remainder has been archived, or moved to partner organisations. A small number of items have been moved to Glow.

• The process of transferring some previous content to partner organisations is currently underway and not all transfers are finalised. In the meantime, we are holding a range of content in a temporary archive.

6. Inspection and review

The Committee welcomes Education Scotland developing a broader suite of inspections. The Committee is concerned that the number of inspections appeared to be reducing. It urges Education Scotland to ensure that it is carrying out this core function regularly to support schools, local authorities and the national bodies in delivering Curriculum for Excellence.

Response

• Education Scotland is committed to increasing the number of school inspections. We will work with the Scottish Government to develop a new standards and evaluation framework as specified within the National Improvement Framework and Improvement Plan. This framework will set out clear expectations for schools and the focus and frequency of school inspection.

• As part of the suite of inspections, the new shorter visit inspection model started in February 2017. This approach is being piloted in a small number of primary school inspections through to Easter 2017. This shorter visit inspection model will allow inspectors to visit more schools across a year.
7. Misconceptions about inspection and review

The Committee welcomes Education Scotland’s plans to correct misconceptions about what inspections entail and urges Education Scotland to work with local authorities and directly with schools to challenge these misconceptions.

Response

- Education Scotland launched a media campaign on 6 February 2017 to correct any misconceptions about inspections. The campaign includes an online discussion with the Director of Inspection via Glow. The discussion will enable leaders and practitioners to hear about the new models of inspection and provide an opportunity for them to ask questions about inspection.

- We are also using some of the feedback received about inspection to address many of the misconceptions and myths that have built up around inspections through a mythbusters campaign via social media. Some of the myths we will address include: you need to set aside weeks to prepare for an inspection; inspectors don’t know what it is like to work in a school; and inspections are not a true reflection of the work of the school.

- Education Scotland has set up an inspection blog designed to explain how the new models of inspection are being introduced and carried out as well as outlining the benefits of the new approaches.

- We regularly meet with the teacher professional associations and will gather feedback on the campaign from them. We are arranging the next meeting of the inspection External Reference Group for early April where issues will be discussed.

8. Financial planning

The Committee invites Education Scotland to set out more clearly the specifics of its financial planning processes to enable the Committee to give this more forensic scrutiny in future years. Clear and transparent financial planning will become increasingly important given it has a more limited budget in the coming financial year.

Response

- Three quarters of Education Scotland’s budget is taken up by staff costs, with most of the remainder made up of fixed overheads and contractual commitments.

- We operate an annual business planning cycle which sees each programme start from a zero base. Each programme identifies, bids and justifies the staffing resource it requires to deliver its outcomes in the specific year ahead. The bidding is detailed as the percentage of available time at individual staff member level.

- Using programmes as the organiser allows much greater flexibility to respond to in-year pressures, where planned outcomes can be adjusted and resources subsequently re-profiled as might be necessary.
For the year 2017-18, Education Scotland is planning to deliver largely the same programmes as were taken forward in 2016-17 as all remain relevant. This has meant that, although still essentially a zero-based budget approach, the business planning exercise will be built around the same programmes, but with the amount of resource allocated to each varying, reflecting the shifting emphasis and priority within and between programmes in the year ahead.

More generally, the business planning cycle allows an approach to resource planning that starts by identifying the highest priority deliverables that the Agency must meet, such as major public or Ministerial commitments. These are resourced first, with any remaining resources being available for other work.

In light of the significant budget reduction Education Scotland is committed to meeting following the Budget 2017 exercise, our financial planning has also been focused strongly on how we can make the required efficiencies, without adverse impact on the quality of the external services that we provide.

9. Outcomes

The Committee welcomes the focus on outcomes in the strategies and planning documents of Education Scotland. The Committee requires Education Scotland to identify indicators for the outcomes they seek to contribute to and to report on progress on those indicators.

Response

Education Scotland's Corporate Plan sets out the strategic priorities for the agency over a three-year period. This plan identifies the outcomes the organisation strives to achieve via its strategic objectives.

Education Scotland publishes an Annual Review. This report provides comprehensive information on the progress made towards achieving our strategic objectives.

In recognising the need for an improved approach to developing and measuring outcomes, in 2016, we introduced an outcome-based approach to business planning for our priority programmes and core areas of work. We will report against these new, more tightly defined outcomes in our next Annual Review.

Every programme and core area of work in Education Scotland has now developed a set of outcomes with measures. These are aligned to our strategic objectives. This approach is being partially implemented in the final quarter of 2016-17 and fully implemented for 2017-18.

Previously, we have planned our activity and assessed our impact around our strategic objectives, which in turn support the National Performance Framework. With publication of the National Improvement Framework and Improvement Plan, Education Scotland will align its priorities to this plan in future.
Education Scotland is in the process of revising our strategy for identifying and measuring impact. This will be incorporated into the development of our next Corporate Plan, due to be published later in 2017. Our Corporate Plan will include key indicators of progress to support delivery of our strategic objectives.
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