

## OFFICIAL-SENSITIVE: ADVICE TO MINISTERS

From: Karen Reid & Graeme Logan  
Education Scotland  
27 September 2017

**Deputy First Minister and Cabinet Secretary for Education and Skills**

### **FMQ BRIEFING - SCHOOL INSPECTIONS – RETENTION OF INSPECTION DATES**

#### **Purpose**

1. [Redacted – out of scope]

#### **Priority**

2. Urgent.

#### **Background**

3. [Redacted – out of scope]

4. [Redacted – out of scope]

5. [Redacted – out of scope]

6. [Redacted – out of scope]

TESS are likely to run an article on this basis on Friday 29 September 2017 including quotes secured from Iain Gray MSP and Liz Smith MSP.

7. Education Scotland has not deleted all records and continues to hold copies of the most recent inspection report for individual schools inspected on file.

8. In response to the journalist we also stated that the interim leadership team are reviewing approaches to inspection and review, including the focus and frequency of inspection. This will include updating our retention policy as part of our approach to data management.

9. We have begun to implement a new policy to remove inspection reports from our external website after 5 years as it would not be fair for schools to be judged on reports which are out of date. This was discussed by our external reference group, which includes teacher unions.

10. [Redacted – out of scope]

11. We have also had sight of the quotes obtained by TESS. These are

Iain Gray said:

"This is simply astonishing, irresponsible behaviour by the key public body responsible for Scotland's school system. Education Scotland have been under fire before for acting in the interests of Scottish Ministers rather than Scottish schools and pupils, but to destroy records so that we cannot judge progress or otherwise in schools is breathtaking.

## OFFICIAL-SENSITIVE: ADVICE TO MINISTERS

Not only does it show contempt for the historical context of developments in Scottish schools, it looks like nothing less than a willful attempt to frustrate transparency and freedom of information legislation.

The SNP government's record on freedom of information is a disgrace, and now Education Scotland appear complicit too. The Information Commissioner should have something to say about this."

Liz Smith said:

"This is an utterly disgraceful situation about which parents have every right to be very angry. The revelation comes on top of existing concerns about the infrequency of school inspections and the overall decline in the number of inspectors.

Yet again, it calls into question the decision of the Scottish Government to allow Education Scotland to carry out inspections at the same time as undertaking curriculum development. It should not be judge and jury at the same time and it is very clear that this dual role is having a detrimental impact on the administration of the inspection process. It is surely now urgent that HMIE becomes a separate body from Education Scotland."

Keir Bloomer said:

"What I am concerned about is the lack of clarity - what is it they are trying to do. Is there any serious intention of using inspection as a means of presenting information to parents about schools? If there is then the rate of inspection has got to be increased; if there's no intention then fine, let's abandon the pretence that's what we are doing."

Lindsey Paterson said:

"Imagine if by way of analogy that the public accounts committee did not know which government departments had submitted their accounts every year. It's part of the business of regulating; it is in the public interest that there should be a record of what has been done – that principle was established 200 years ago. Frankly it's irresponsible that they do not hold this information."

### Recommendation

4. **The Deputy First Minister is invited to note the issue [redacted out of scope].**

**Karen Reid & Graeme Logan**  
Education Scotland

27 September 2017

**OFFICIAL-SENSITIVE: ADVICE TO MINISTERS**

[redacted – out of scope]

**OFFICIAL-SENSITIVE: ADVICE TO MINISTERS**

**Annex A [redacted out of scope]**