

Document 1

**From:** Higgins K (Kate)  
**Sent:** 30 June 2017 12:27  
**To:** [redacted] Deputy First Minister and Cabinet Secretary for Education and Skills; [redacted]  
**Cc:** [redacted] McAllister C (Colin); FoI SpAds PO; [redacted] Communications DFM & Education; Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Hicks C (Clare); [redacted]  
**Subject:** RE: FOI/17/01247 – CORRESPONDENCE WITH TEACH FIRST - FOR DFM CLEARANCE

Am sure that's what we used last time

Kate Higgins  
Special Advisor to the First Minister  
Rural Economy and Connectivity  
Early Years, Further and Higher Education  
Support to the Head of Policy

Scottish Government  
St Andrew's House, 2 Regent Road, Edinburgh, EH1 3DG  
[redacted]

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**From:** [redacted]  
**Sent:** 30 June 2017 12:15  
**To:** Higgins K (Kate); Deputy First Minister and Cabinet Secretary for Education and Skills; [redacted]  
**Cc:** [redacted] McAllister C (Colin); FoI SpAds PO; [redacted] Communications DFM & Education; Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Hicks C (Clare); [redacted]  
**Subject:** RE: FOI/17/01247 – CORRESPONDENCE WITH TEACH FIRST - FOR DFM CLEARANCE

Thanks Kate. David is looking at it just now – think we can withhold under Section 41(a) – communications with Her Majesty, the Royal Family or the Royal Household.

[redacted]

[redacted] | People and Infrastructure Division | Learning Directorate | 2-A South | Victoria Quay | Edinburgh | EH6 6QQ  
Tel: [redacted] | Email [redacted]

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**From:** Higgins K (Kate)  
**Sent:** 30 June 2017 12:06  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills; [redacted]  
**Cc:** [redacted]; McAllister C (Colin); FoI SpAds PO; [redacted] Communications DFM & Education; Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Hicks C (Clare); [redacted]  
**Subject:** RE: FOI/17/01247 – CORRESPONDENCE WITH TEACH FIRST - FOR DFM CLEARANCE

We had FOIs around the same issue either early in 2016 or late in 2015 – is there anyway of checking back to what was released then? The same issue came up about HRH and [redacted] and I think we withheld then.

Kate Higgins  
Special Advisor to the First Minister  
Rural Economy and Connectivity  
Early Years, Further and Higher Education  
Support to the Head of Policy

Scottish Government  
St Andrew's House, 2 Regent Road, Edinburgh, EH1 3DG  
[redacted]

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**From:** [redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 30 June 2017 11:58  
**To:** [redacted] Deputy First Minister and Cabinet Secretary for Education and Skills  
**Cc:** [redacted] McAllister C (Colin); FoI SpAds PO; [redacted] Communications DFM & Education; Higgins K (Kate); Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Hicks C (Clare); [redacted]  
**Subject:** RE: FOI/17/01247 – CORRESPONDENCE WITH TEACH FIRST - FOR DFM CLEARANCE

[redacted]

DFM is content for this to go but thinks it would be better to see if we could not release the material relating to Prince Charles or his PS [redacted]. He specifically referenced documents 20, 24, 25, 26 as ones he'd prefer were not released.

Thanks

[redacted]

[redacted] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG |  
[redacted]

[redacted]

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**From:** [redacted]

**Sent:** 27 June 2017 18:01

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

**Cc:** [redacted] McAllister C (Colin); FoI SpAds PO; [redacted] Communications DFM & Education; Higgins K (Kate); Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Hicks C (Clare); [redacted]

**Subject:** FOI/17/01247 – CORRESPONDENCE WITH TEACH FIRST - FOR DFM CLEARANCE

PS/DFM,

Please find attached a submission and papers for FOI/17/01247. James McEnaney (a journalist) has requested:

- Records of any meetings between representatives of the Scottish government and representatives of Teach First
- Documentation associated with any meetings between representatives of the Scottish government and representatives of Teach First, including minutes (if no minutes or other documents exist please make this clear)
- Full details of any communication between representatives of the Scottish government and representatives of Teach First (including copies of written correspondence and records of telephone calls)
- Full details of, and associated documentation for, any Scottish government meetings or events to which Teach First representatives have been invited

SPADs have reviewed the documents for release. The FoI deadline for response is 30 June 2017.

Thanks

David

<< File: Submission re Teach First FOI.doc >> [redacted]

<< File: Schedule of Information.doc >> [redacted]

<< File: FOISA - main response.docx >> Document 1A

[redacted]

Scottish Government

Learning Directorate: People and Leadership

Tel: [redacted]

[www.engageforeducation.org](http://www.engageforeducation.org)

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 2 June 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### Your request

You asked for

1. Records of any meetings between representatives of the Scottish government and representatives of Teach First
2. Documentation associated with any meetings between representatives of the Scottish government and representatives of Teach First, including minutes (if no minutes or other documents exist please make this clear)
3. Full details of any communication between representatives of the Scottish government and representatives of Teach First (including copies of written correspondence and records of telephone calls)
4. Full details of, and associated documentation for, any Scottish government meetings or events to which Teach First representatives have been invited

### Response to your request

I enclose a copy of some of the information you requested.

While our aim is to provide information whenever possible, in this instance we are unable to provide some the information you have requested because exemptions under sections 30 (b) (i) & (ii), 33 (1) (b) and 40 (a) of FOISA applies to that information. The reasons why these exemptions apply are explained in the Annex to this letter.

### Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to the, Head of FOI Unit, 2W, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or by emailing [foi@gov.scot](mailto:foi@gov.scot) . Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

## REASONS FOR NOT PROVIDING INFORMATION

### An exemption applies

An exemption(s) under section(s) 40 (a) of FOISA applies to some the information you have requested. This exemption relates to communications with her Majesty, other members of the Royal family, or Royal Household. This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is some public interest in release as part of open and transparent government. However, this is outweighed by the greater public interest in maintaining the long-standing constitutional Convention that correspondence between The Sovereign and the government is confidential in nature. This Convention is an adjunct of the right of The Sovereign to be consulted by her Government, and to advise, encourage and to warn as the circumstances require. The rights of The Sovereign could not be exercised effectively without this expectation of confidentiality and, if the content of these consultations became known, it may serve to undermine the appearance of the political neutrality of The Sovereign.

### An exemption applies, subject to the public interest test

An exemption under section 30 (b) (i) and (ii) of FOISA (free and frank exchange of views) applies to a small amount of the information you have requested, which has been redacted. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank exchange of views for the purposes of deliberation. This exemption recognises the need for Ministers and officials to have a private space within which to discuss and explore options before the Scottish Government reaches a settled public view.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is some public interest in release to promote openness and transparency. However, this is outweighed by the public interest in ensuring that officials are able to consider the merits of proposals thoroughly so the Government can adopt decisions that are sound and likely to be effective. Premature disclosure is likely to undermine the full and frank discussion of issues between officials, which in turn will undermine the quality of the policy and decision making process and would not be in the public interest.

### An exemption applies, subject to the public interest test

An exemption under section 33(1)(b) of FOISA (commercial interests) applies to all the information requested. This exemption applies because disclosure of this particular information would, or would be likely to, prejudice substantially the commercial interests of Teach First. Disclosing this information would be likely to give Teach First's competitors an advantage in a tendering exercises and so could significantly harm their commercial business.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open and transparent government, and to help account for the expenditure of public money. However, there is a greater public interest in protecting the commercial interests of companies which tender for Scottish Government contracts, to ensure that we are always able to obtain the best value for public money.

Document 2

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**From:** McAllister C (Colin)  
**Sent:** 27 June 2017 17:32  
**To:** [redacted]  
**Cc:** [redacted] FoI SpAds PO  
**Subject:** RE: FOI - Teach First

Happy

Regards

**Colin McAllister**

[redacted]



---

**From:** [redacted]  
**Sent:** 23 June 2017 12:49  
**To:** McAllister C (Colin)  
**Cc:** [redacted]  
**Subject:** FOI - Teach First

Colin,

You spoke to [redacted] earlier in the week about the FOI from James McEnaney which requests:

Records of any meetings between representatives of the Scottish government and representatives of Teach First

1. Documentation associated with any meetings between representatives of the Scottish government and representatives of Teach First, including minutes (if no minutes or other documents exist please make this clear)
2. Full details of any communication between representatives of the Scottish government and representatives of Teach First (including copies of written correspondence and records of telephone calls)
3. Full details of, and associated documentation for, any Scottish government meetings or events to which Teach First representatives have been invited

We have now removed docs 2, 3 and 4 from the schedule on the basis that they are exempt under section 33(1)(b) (commercial interests).

Are you content we put the draft response to DFM?

Thanks

[redacted]

[redacted]

Scottish Government

Learning Directorate: People and Leadership

Tel: [redacted]

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Document 3

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**From:** [redacted]  
**Sent:** 16 June 2017 16:26  
**To:** [redacted] FoI SpAds PO  
**Subject:** RE: FOI/17/01247 - Teach First

[redacted]

Thanks for this and to confirm Colin has now spoken with [redacted].

[redacted]

Private Secretary  
Special Advisers' Office  
[redacted]

[redacted ]

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**From:** [redacted]  
**Sent:** 15 June 2017 10:17  
**To:** [redacted]  
**Subject:** RE: FOI/17/01247 - Teach First

[redacted]

I know that [redacted] is still trying to speak with Colin on this. However, re document 13 there is no note of the meeting.

*[redacted]  
Learning Directorate  
Scottish Government  
2-A South  
Victoria Quay  
Edinburgh EH6 6QQ  
[redacted]*

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**From:** [redacted]  
**Sent:** 12 June 2017 17:35  
**To:** [redacted] FoI SpAds PO; [redacted]  
**Cc:** Comms Admin Hub; Communications DFM & Education; [redacted]  
**Subject:** FOI/17/01247 - Teach First

[redacted]

Initial comments from Colin – who will speak directly to [redacted] about documents 2, 3 and 4

General point – the email forwarding on the email to be published should be removed as per attached.

<< File: u002362\_12-06-2017\_17-19-28.pdf >>

Docs 7, 9 and 18 – not all of these documents should be redacted – for example Annex C of document 7 appears to be factual information.

Document 13 – Clare asks if there is a note of the meeting – Colin has asked what is the answer ?

Document 32 a – track changes should be removed

[redacted]  
Private Secretary  
Special Advisers' Office  
[redacted]

[redacted]

---

**From:** [redacted]  
**Sent:** 12 June 2017 10:07  
**To:** [redacted] FoI SpAds PO  
**Cc:** Comms Admin Hub; Communications DFM & Education; [redacted]  
**Subject:** RE: Schedule of Information

[redacted]

Draft response now added as final document.

<< File: Schedule of Information.doc >> [redacted]

[redacted]  
*Learning Directorate*  
*Scottish Government*  
*2-A South*  
*Victoria Quay*  
*Edinburgh EH6 6QQ*

[redacted]  
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**From:** [redacted]  
**Sent:** 09 June 2017 18:18  
**To:** [redacted] FoI SpAds PO  
**Cc:** Comms Admin Hub; Communications DFM & Education; [redacted]  
**Subject:** RE: Schedule of Information

[redacted]

Is there a response letter?

[redacted]

Private Secretary  
Special Advisers' Office  
[redacted]

[redacted]

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**From:** [redacted]  
**Sent:** 09 June 2017 13:28  
**To:** FoI SpAds PO  
**Cc:** Comms Admin Hub; Communications DFM & Education; [redacted]  
**Subject:** FW: Schedule of Information

Please find attached the Schedule of Information/Documents in respect of FoI Case Number FoI/17/01247. This was requested by James McEnaney and relates to SG and Teach First communications. I would be grateful for comments.

<< File: Schedule of Information.doc >> [redacted]

[redacted]  
*Learning Directorate*  
*Scottish Government*

2-A South  
Victoria Quay  
Edinburgh EH6 6QQ

[redacted]

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## Document 4

**From:** Hicks C (Clare)  
**Sent:** 28 June 2017 11:14  
**To:** [redacted]  
**Subject:** Re: Foi

Content thanks

**From:** [redacted]  
**Sent:** Wednesday, 28 June 2017 11:02  
**To:** Hicks C (Clare); [redacted]  
**Subject:** RE: Foi

Morning Clare – unfortunately [redacted] is off unwell – [redacted] and I have discussed and provided a redraft on point 2 (attached) - grateful if you can confirm if you are content for it to go to spads.

Thanks

[redacted]

**From:** Hicks C (Clare)  
**Sent:** 27 June 2017 13:54  
**To:** [redacted]  
**Subject:** Foi

[redacted]

We spoke on Friday, i'm not entirely comfortable with us not answering and using an exemption on the q which we do on the draft response. You said you would revise giving me the details of all consultation events and I would add some text re the policy process. Happy for [redacted] or [redacted] to consider this while I'm out of office this pm but I would like our agreed response to go to spads today or tomorrow.

Thanks

Clare

Document 5

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**From:** [redacted]  
**Sent:** 30 June 2017 18:52  
**To:** [redacted] FoI SpAds PO; McAllister C (Colin)  
**Cc:** [redacted] Hicks C (Clare)  
**Subject:** RE: FOI/17/01337 - Governance Review - FAO Colin McAllister

[redacted]

Colin is content with the response and as DFM is now on leave is content to clear on DFM's behalf. You might want to send the response to DFM for info on his return.

[redacted]

Private Secretary  
Special Advisers' Office  
[redacted]

[redacted]

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**From:** [redacted]  
**Sent:** 30 June 2017 16:41  
**To:** FoI SpAds PO; McAllister C (Colin)  
**Cc:** [redacted] Hicks C (Clare)  
**Subject:** RE: FOI/17/01337 - Governance Review - FAO Colin McAllister

Hi Colin – we discussed this response over the phone yesterday and I hope I've addressed the points you've made.

Grateful if you can consider the amendments and let me know.

<< File: DRAFT FOI\_17\_01337.docx >> [Document 5a]

Thanks

[redacted]

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**From:** [redacted]  
**Sent:** 28 June 2017 14:48  
**To:** FoI SpAds PO; McAllister C (Colin)  
**Cc:** [redacted] Hicks C (Clare)  
**Subject:** FOI/17/01337 - Governance Review - FAO Colin McAllister

Colin - please find attached FOI for clearance.

James McEnaney asked a number of questions following the launch of the Next Steps paper.

To allow us to comply with timings a response by Thursday 6 July is required.

<< File: DRAFT FOI\_17\_01337.docx >> [Document 5a]

Many thanks

[redacted]

[redacted]

**Senior Policy Advisor**

Empowering Schools Unit | People and Infrastructure | Learning Directorate | 2A South | Victoria Quay | EH6 6QQ

Aonad Cumhachdachadh Sgoiltean | Daoine agus Bun-structair | Buidheann-Stiùiridh an Ionnsachaidh | Raon 2A Deas | Cidhe Bhictòria | EH6 6QQ

[redacted]

Document 5a

Buidheann-Stiùiridh an Ionnsachaidh  
Learning Directorate



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

F/T: 0131-244 0998  
E: Daniel.waddell@gov.scot



---

Our ref: FOI/17/01337  
June 2017

Dear 

Thank you for your request dated 16 June 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for:-

1. What has been the total cost of the governance review from its commencement to the publication of materials on the 15th of June? (NB This figure should include all costs - preferably with breakdowns - such as the production of the consultation, events which took place during the consultation, analysis of the responses and production of documents made available on 15th June 2017.
2. What meetings took place to discuss the design of the consultation, the responses received, and the final decisions around future changes to educational governance and structures? Were these meetings minuted?
3. What are the projected costs of implementing the proposed changes announced on the 15th of June 2017 (i.e. how much does the government estimate it will cost, in total, to establish the new system being proposed)?
4. How much does the government expect Regional Improvement Collaboratives to cost annually? Can the government provide a breakdown of this estimate including staffing costs?

5. Will the government make any additional funding, over and above that announced prior to the 15th of June 2017, available to facilitate the wide-ranging changes outlined.

6. How will teachers be affected by plans to have councils remain their employers while Headteachers are made responsible for staffing. For example, will the changes proposed make it easier for HTs to remove staff? If a Headteacher decides that they want to get rid of a weak member of staff, would that individual still have a contract with the local authority?

7. The documents make reference to Headteachers being able to "reward" good teachers. What form will this take? Will the government rule out financial rewards for teachers deemed to have performed well by Headteachers?

8. The documents state that Headteachers will decide "curriculum content and offer." Does this mean that HTs will be able to decide which subjects are available in their school or how many subjects a student can study (for example, the number of subjects available to students in S4)? If so, is the government comfortable with the inevitable local, regional and national disparities that this will create?

9. The Next Steps document suggests this will be transferred from Local Authorities to schools, which will be "working with partners to meet learners' additional support needs at school level." The only mention of ASN I can see for councils is that they will be responsible for placing students with ASN in an appropriate school. Does this mean that responsibility for ASN provision will be transferred to schools?

#### Response to your request

1. The total cost of the Education Governance Review is £100,230.72. A breakdown of this total can be found in Annex A.

2. Officials met regularly with internal colleagues, independent contractors and Ministers during the process of designing the consultation document, analysing the responses and identifying emerging themes from the consultation responses and the development of policy proposals. Our aim is to provide information whenever possible, however, I am unable to provide an exact breakdown of those meetings and can confirm that no minutes were taken.

3. A full financial memorandum will be produced for any legislative changes and will be published alongside the legislative changes. Other changes will be considered as part of the Government's Draft Budget if the proposed expenditure is in 2018-19.

4. The Regional Improvement Collaboratives will build on existing capacity within the system. The current support within the system will most likely be expanded, with the cost of this considered through the Government's Draft Budget.

5. Any additional funding required will be considered through the Scottish Government's Draft Budget.



6. Local authorities will remain the employer and individuals will retain their employment rights. However, the policy intention as set out in the Next Steps paper is that headteachers will be able to select the staff in their school.

7. Our next steps paper makes no reference to headteachers being able to reward good teachers. Local authorities will continue to be the employer of teachers. Teachers' pay and conditions of service remain a matter for the Scottish Negotiating Committee for Teachers.

8. Curriculum for Excellence (CfE) already provides a flexible framework which encourages teachers to develop the learning opportunities that best meet the needs of individual learners. The creation of the Headteachers' Charter will clearly define school leadership responsibilities with headteachers being the leaders of learning in their schools. As such, headteachers will be empowered to decide which subjects are available in their schools in order to improve learning and teaching and make the best decisions for the children and young people in their schools within the CfE framework.

9. The Education (Additional Support for Learning) Scotland Act 2004 gives education authorities key responsibilities in relation to the identification, provision for and review of additional support for learning. There are no plans to change the legal position of the provision of additional support for learning. Schools currently provide a range of support to pupils with additional support needs within the framework of additional support for learning and this will continue also.

#### Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Fiona Robertson, Director of Learning, and 2C South, Victoria Quay or by emailing [fiona.robertson@gov.scot](mailto:fiona.robertson@gov.scot). Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Daniel Waddell', written in a cursive style with a long horizontal stroke at the end.

Daniel Waddell

**ANNEX A****BREAKDOWN OF TOTAL COST OF THE GOVERNANCE REVIEW**

<b>Item</b>	<b>Cost (£) inc.VAT</b>
Promotional flyers	371.60
Education Governance Review consultation document	3358.31
Education Governance Review consultation document web conversion and web publishing	613.23
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Summary	509.75
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Summary - Web	213.36
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities document	2349.10
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Web and Print	2865.54
Education Governance: Empowering Teachers, Parents and Communities - Analysis of Consultation Responses – Web	990.41
Education Governance: Fair Funding - A Consultation web and print	2427.06
External analysis	15507.80
Children and young people artwork	576
Young Scot engagement with children and young people	61,202
Children's Parliament engagement with children and wider work	1460
Events	6319.20
Travel and accomodation	1467.36
<b>TOTAL</b>	<b>100,230.72</b>

## Document 6

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**From:** Hicks C (Clare)  
**Sent:** 22 June 2017 16:50  
**To:** [redacted]  
**Subject:** RE: FOI

Thanks [redacted]

A couple of minor things – why did you use the term financial impact statement is that something different to a financial memorandum for a bill – can we be absolutely sure on the terminology.

On question 2 – did we get advice that this exemption can really be used. Should we not be saying something in response – happy to be told no!

Can I see it again when you get [redacted] lines, it would be good to get this up tomorrow.

Thanks

Clare

---

**From:** [redacted]  
**Sent:** 22 June 2017 16:27  
**To:** Hicks C (Clare)  
**Subject:** FOI

Hi [redacted]

Please find attached my draft response to the FOI. I am only waiting on input from Stuart on question 7.

<< File: DRAFT FOI\_17\_01337.docx >> [Document 6a]

Thanks

[redacted]

**[redacted]**

Empowering Schools Unit | People and Infrastructure | Learning Directorate | 2A South | Victoria Quay | EH6 6QQ

Aonad Cumhachdachadh Sgoiltean | Daoine agus Bun-structair | Buidheann-Stiùiridh an Ionnsachaidh | Raon 2A Deas | Cidhe Bhictòria | EH6 6QQ

[redacted]

<< OLE Object: Picture (Device Independent Bitmap) >>

**#edgovrev**

Document 6a

Buidheann-Stiùiridh an Ionnsachaidh  
Learning Directorate



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

F/T: 0131-244 0998  
E: Daniel.waddell@gov.scot



---

Our ref: FOI/17/01337  
June 2017

Dear 

Thank you for your request dated 16 June 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for:-

1. What has been the total cost of the governance review from its commencement to the publication of materials on the 15th of June? (NB This figure should include all costs - preferably with breakdowns - such as the production of the consultation, events which took place during the consultation, analysis of the responses and production of documents made available on 15th June 2017.
2. What meetings took place to discuss the design of the consultation, the responses received, and the final decisions around future changes to educational governance and structures? Were these meetings minuted?
3. What are the projected costs of implementing the proposed changes announced on the 15th of June 2017 (i.e. how much does the government estimate it will cost, in total, to establish the new system being proposed)?
4. How much does the government expect Regional Improvement Collaboratives to cost annually? Can the government provide a breakdown of this estimate including staffing costs?

5. Will the government make any additional funding, over and above that announced prior to the 15th of June 2017, available to facilitate the wide-ranging changes outlined.

6. How will teachers be affected by plans to have councils remain their employers while Headteachers are made responsible for staffing. For example, will the changes proposed make it easier for HTs to remove staff? If a Headteacher decides that they want to get rid of a weak member of staff, would that individual still have a contract with the local authority?

7. The documents make reference to Headteachers being able to "reward" good teachers. What form will this take? Will the government rule out financial rewards for teachers deemed to have performed well by Headteachers?

8. The documents state that Headteachers will decide "curriculum content and offer." Does this mean that HTs will be able to decide which subjects are available in their school or how many subjects a student can study (for example, the number of subjects available to students in S4)? If so, is the government comfortable with the inevitable local, regional and national disparities that this will create?

9. The Next Steps document suggests this will be transferred from Local Authorities to schools, which will be "working with partners to meet learners' additional support needs at school level." The only mention of ASN I can see for councils is that they will be responsible for placing students with ASN in an appropriate school. Does this mean that responsibility for ASN provision will be transferred to schools?

#### Response to your request

1. The total cost of the Education Governance Review is £100,230.72. A breakdown of this total can be found in Annex A.

2. While our aim is to provide information whenever possible, in this instance the Scottish Government are unable to provide the information due to exemption section 29(1)(a). This is explained in Annex B.

3. A full financial memorandum will be produced for any legislative changes and will be published alongside the legislative changes. Other changes will be considered as part of the Government's Draft Budget if the proposed expenditure is in 2018-19.

4. The Regional Improvement Collaboratives will build on existing capacity within the system. The current support within the system will most likely be expanded, with the cost of this considered through the Government's Draft Budget.

5. Any additional funding required will be considered through the Scottish Government's Draft Budget.

6. Local authorities will remain the employer and individuals will retain their employment rights. However, the policy intention as set out in the Next Steps paper is that headteachers will be able to select the staff in their school.

## 7. STUART PROVIDING LINES

8. Curriculum for Excellence (CfE) already provides a flexible framework which encourages teachers to develop the learning opportunities that best meet the needs of individual learners. The creation of the Headteachers' Charter will clearly define school leadership responsibilities with headteachers being the leaders of learning in their schools. As such, headteachers will be empowered to decide which subjects are available in their schools in order to improve learning and teaching and make the best decisions for the children and young people in their schools within the CfE framework.

9. The Education (Additional Support for Learning) Scotland Act 2004 gives education authorities key responsibilities in relation to the identification, provision for and review of additional support for learning. There are no plans to change the legal position of the provision of additional support for learning. Schools currently provide a range of support to pupils with additional support needs within the framework of additional support for learning and this will continue also.

### Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Fiona Robertson, Director of Learning, and 2C South, Victoria Quay or by emailing [fiona.robertson@gov.scot](mailto:fiona.robertson@gov.scot). Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Daniel Waddell', with a long horizontal flourish extending to the right.

Daniel Waddell

**ANNEX A****BREAKDOWN OF TOTAL COST OF THE GOVERNANCE REVIEW**

<b>Item</b>	<b>Cost (£) inc.VAT</b>
Promotional flyers	371.60
Education Governance Review consultation document	3358.31
Education Governance Review consultation document web conversion and web publishing	613.23
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Summary	509.75
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Summary - Web	213.36
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities document	2349.10
Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities - Web and Print	2865.54
Education Governance: Empowering Teachers, Parents and Communities - Analysis of Consultation Responses – Web	990.41
Education Governance: Fair Funding - A Consultation web and print	2427.06
External analysis	15507.80
Children and young people artwork	576
Young Scot engagement with children and young people	61,202
Children's Parliament engagement with children and wider work	1460
Events	6319.20
Travel and accomodation	1467.36
<b>TOTAL</b>	<b>100,230.72</b>

**REASONS FOR NOT PROVIDING INFORMATION**

**Section 29(1)(a) – formulation or development of government policy**

An exemption under section 29(1)(a) of FOISA (formulation or development of government policy) applies to some of the information requested because it relates to the development of the Scottish Government's policy on the Education Governance Review.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in high quality policy and decision-making, and in the properly considered implementation and development of policies and decisions. This means that Ministers and officials need to be able to consider all available options and to debate those rigorously, to fully understand their possible implications. Their candour in doing so will be affected by their assessment of whether the discussions on the Education Governance Review will be disclosed in the near future, when it may undermine or constrain the Government's view on that policy while it is still under discussion and development.