

(informal/formal education)

3. Where is the recognition for Adult Learning in the Education Governance 'Next Steps' in
4. Where is the reference to Family Learning and ESOL?
5. What is meant by Youth Work in the Next Steps document?
6. The Next Steps document shows a naivety and lack of understanding of communities to identify their own needs – this is clearly taking a top down approach.
7. not assisting in closing attainment gap when focus is on education only

Functions and Features

Discussion event participants were given information and context on the current features and functions of CLD Standards Council. They were then asked to consider which of these were important to maintain, which should be enhanced or developed and which were of less importance in the new Education Workforce Council.

This was done by small group discussion and decision. The overall results (number of groups) are as follows:

FEATURE/FUNCTION	MAINTAIN	ENHANCE/DEVELOP	LESSER IMPORTANCE
Registration	33	5	0
Approvals	33	5	1
Professional Learning	34	13	1
Raising the profile of CLD	10	2	0
Membership Led	34	2	1
i-develop	26	5	10
Advocacy Role	11	1	0
Input to Policy Development	25	12	0
Workforce skills/information development and employer engagement	35	2	1
Ethics, Values, Competences	35	3	1
JETS	14	4	3

Governance Structure

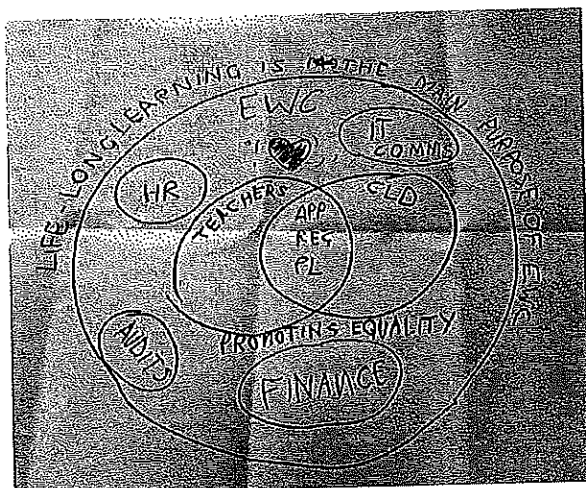
A variety of governance model examples were available to participants to browse. Participants were also encouraged to consider some key questions regarding governance including:

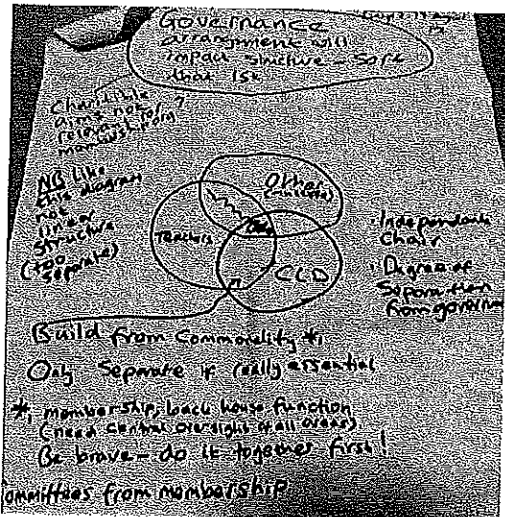
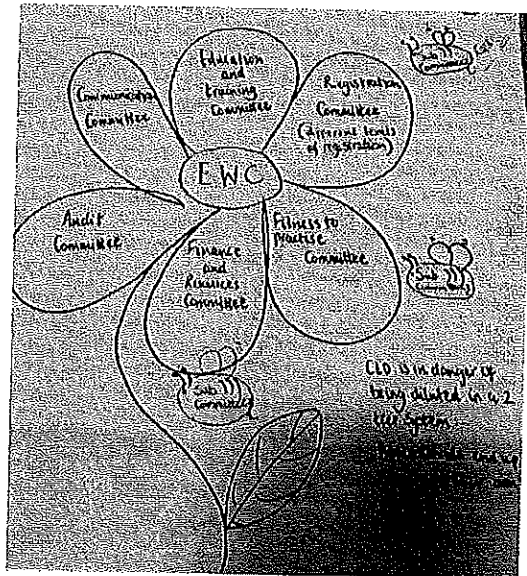
- Legal status
- Equitable representation of Education Workforce Council membership
- Committee structure and membership
- Accountabilities

Feedback from participants on the governance topic included:

- *In the next steps paper, compulsory and voluntary registration is under consideration. Community work is just as important as working within schools, hence as we are to come under the same body, I think that we should adhere to the same frameworks, the same rules for all, same voice for all*
- *interesting in that we all felt that we were being pushed into a situation over which we have little or no control*
- *Again it really got us talking about how the proposals affect us and the CLD profession. It highlighted our concern that our profession could get lost in this structure. if this body is to speak for us and to guide CLD CPD and development to some extent, then we have to be confident that there is a will, plus CLD skills and experience to lead this. Frankly at this point we are unconvinced that this is being considered (by Scottish Gov, not CLD Standards Council)*

Participants created a variety of possible structures. Examples below:





What's in a name?

Participants were asked to submit suggestions for the name of the Education Workforce Council if they were dissatisfied with the original proposal.

Suggestion	Number of times suggested
Education & Communities Workforce Council	7
Learning & Development Council for Scotland	6
Learning Workforce Council	4
Lifelong Community Learning Council	2
Learning & Development Council (where is the word development? Give Community Development its place)	1
Learning for Life Council	1

Scottish Communities & Education Council	1
Learning Communities Workforce Council	1
Lifelong Learning Workforce Council	2
Empowering Communities	1
Scottish Lifelong Learning Council	1
Council for Learning Communities in Scotland	1
Communities & Education Professionals Council	1
CLD & Education Council	1
Scotland's Learning Standards Council	1
Formal & Informal Learning in Local Communities Council	1
Communities & Education Workforce	1
Communities & Education Council	1
Education & Community Learning Standards Council	1
Learning & Communities Council	1
Community Learning Council	1
Council for Education and Community Services	1
Council for Education and Community Service Providers	1
Council for Education and Community Learning Standards	1
Scottish Learning Workforce Council	1
Learning & Skills Workforce	1
School & Community Learning & Teaching Council	1
Teaching, Learning & Development Council	1
Education & Empowerment Council	1
Responses from Survey Monkey Questionnaire	
Professional Education Council for Scotland	1
Learning Professions Council	1
Life-wide Learning Workforce Council	1

General comments on Name

- Use the word Learning not Education
- I like EDUCATION. Compared to youth work as part of community safety and diverting people from crime.
- EWC – not keen on name.
- Should contain the word communities to emphasise the 'out of school' element of young people development
- Do not like 'workforce'
- I like the STANDARDS
- Please don't use the words EDUCATION or Workforce or Council
- Keep as CLD Standards Council as our own professional body who governs CLD workers.
- Don't use the word 'workforce'

- Not Workforce. Not including Council.
- Take out 'workforce'. Sounds aggressive.
- Include 'Communities' in organisation title

3. Feedback from Online Media

Both the Survey Monkey version of the professional discussion event and the i-develop online discussion forum have been slow to gather comment and momentum. However, there have been inputs and these were primarily established as alternative means of participation for those unable to attend a discussion event (any CLD practitioner can comment, however, regardless of whether they have attended an event or not).

Survey monkey has received 6 submissions to date. Analysis as follows:

From the options of *Important, Not Important, Not Applicable*, all 6 respondents rated the following as *Important* functions which should be carried out by Education Workforce Council:

- Approval of courses
- Registration
- Professional Learning
- Ethics and Competences
- Identification of workforce sector skills/needs
- Input to policy development

Benefits of membership should include:

- Access to a peer network
- Regular publications
- Resources
- Employer recognition of qualification
- Professional status and recognition

The *i-develop* discussions can be viewed [here](#).

4. Common themes

The themes identified in the 'What it means for my CLD practice' session during the Discussion Events are common throughout the range of participant responses. General comments on these themes were noted throughout the events by participant and are listed below.

Theme	Participant comments
CLD identity/practice	<ol style="list-style-type: none"> 1. How do we ensure strong CLD practice is recognised? Community Empowerment Act etc 2. Not everyone has children but still has a right to receive help to improve/build their own capacity/employability prospects etc 3. CLD would find it more difficult to put a coherent view across/within committees than education. CLD is a broad church with public, private and public sector orgs. They also have competing priorities due to funder demands 4. Concern over CLD losing its identity 5. Concern over fragmentation of CLD e.g. Youth Work, Adult Learning and Community Development being viewed as separate and not part of broad CLD definition
Status/Parity	<ol style="list-style-type: none"> 1. The need to ensure that those 'non-teachers' are not just put into a CLD column. 2. HNC Working In Communities just an opportunity for employers to lower wages
Registration/Regulation	<ol style="list-style-type: none"> 1. Will there be different levels of registration depending on qualifications and/or experience? 2. Will the registration scheme allow skills and qualifications to be transferable? 3. Registration – what's benefits to CLD? 4. Is there scope for associate members to work towards full membership after taking into account their confirmed practice and experience? 5. Will the list of registered members be accessible to the public? 6. What would happen if anyone had dual teacher and CLD registration?
Membership	<ol style="list-style-type: none"> 1. Expand teaching membership to include other formal education workers 2. Expand the CLD workers membership to include other people working in the sector 3. Is there scope for associate members to work towards full membership after taking into account their confirmed

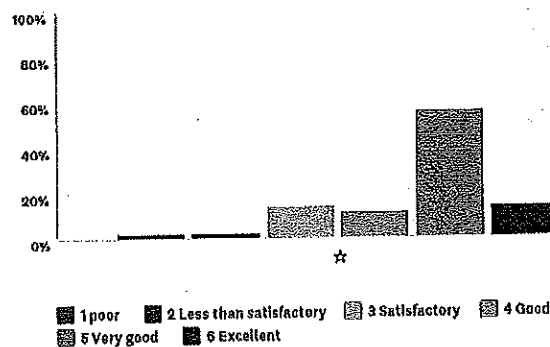
	<p>practice and experience?</p> <ol style="list-style-type: none"> 4. Activists and volunteers as associate members – where do they fit? 5. What happens to those GLD staff who are not employed in “Education” School setting?
Governance	<ol style="list-style-type: none"> 1. The main board to have even numbers of representatives from each profession 2. How can we maximise the voice? 3. How do we ensure rural voice GLD/YW is heard? 4. How do we ensure there is power and influence across Scotland – ie not only Central belt? 5. How are the ‘other support workers’ to be recognised and their voice held in EWC? So that everyone has a say and not ‘over powered’ by GTC members purely because of numbers? 6. Scrutiny of EWC – what will this consist of?
Professional Learning	<ol style="list-style-type: none"> 1. Training Pathway. Credits -> qualifications for volunteers etc 2. Need to look at qualifications and access to courses for practitioners. 3. Benefits of joint training 4. potentially more training and CPD opportunities 5. Career long prof learning modules and CLD training. Share across and between sectors
Partnership and Joint Opportunities	<ol style="list-style-type: none"> 1. Link into community planning partnerships 2. What’s the role of the SSSC in this? (Scottish Social Services Council) (Childcare – afterschools Clients/nursery staff) 3. Want to invite 3rd sector – get in touch with TSIs. Use their bulletins/circulation. Send out a message/invite 4. Target a message to 3rd sector orgs. Use TSIs and their networks 5. What is the core purpose & Objectives of the Education Workforce Council? What are Education Scotland (or new version if changing) going to be responsible for? Their purpose? How do/will they link? 6. How will EWC connect with Regional Collaboratives? 7. Will teachers and CLD be educated on the merits and characteristics of each other’s role? Eg CLD often have voluntary clients, schools don’t. 8. Could provide possibilities for joint working and GLD being recognised as equal partners. 9. The situation presents a threat, but it also presents more opportunities to develop a far more professional

	qualified workforce
Funding	<ol style="list-style-type: none"> 1. where will funding come from? 2. concern over future funding for CLD given reduced emphasis. 3. What are the financial implications for CLD workers?
Community	<ol style="list-style-type: none"> 1. What about the parents/members of the community that do not have the capacity to 'deliver excellence and equality'? Surely this is a massive assumption that everyone will be able to do this? 2. Not everyone has children but still has a right to receive help to improve/build their own capacity/employability prospects etc 3. Children spend 15% of any year at school (17% in high school). Surely then if the focus is supporting people who educate our children, we should be supporting communities/families/parents in addition to supporting teachers?
Next Steps document comments	<ol style="list-style-type: none"> 1. Feel that EWC is being imposed on Standards Council and its members 2. CLD has always been assessed as part of HMIE inspections so how come out role is, apparently, so low profile/an afterthought? 3. Scot Govt need to acquire a proper understanding of Adult Learning in its broadest sense 4. wider impact than is stated in paper

5. Discussion Event Participant Feedback

After each professional discussion event, participants were asked to complete an evaluation. To date, 44 evaluations have been submitted. Analysis as follows:

Q9 What overall rating would you give to the Professional Discussion Event? (please tick the appropriate box)



Feedback from participants:

- It was great getting the opportunity to have proper a proper discussion and listening to each CLD workers perspective. Were things I hadn't thought about but at the same time the document was quite an eye opener what the change could mean for CLD Practice
- Were things I didn't realise that we did already with regards to membership so it shows that should keep up and keep involved with the standards council.
- Enlightening about a subject I was aware of but, prior to the event, had not fully realised the background and potential implications for our profession.
- I heard some comments from participants that they had expected more information on the changes ahead and the chance to get up to speed with this
- I like the opportunity to network and it reminds me of the CLD values which underpin our work - I work in the voluntary sector and mostly my colleagues have no CLD training but come from a variety of back grounds so I enjoy the opportunity
- It was good to have the thoughts of a variety of people included in the discussions.
- It was really good to have the opportunity to put this issue in context and explore with colleagues - lots of questions were raised and was very thought provoking. It was excellent that the opportunity was provided to attend a local event and to have a voice in terms of the situation presented.
- Good to raise awareness about CLDSC and the Governance Review Thought it was also fab that staff from CLDSC were out on tour - this contact has not happened for a long time and should continue :-)

- The lack of clarity on the Autumn consultation process also made the goals of the day a bit more vague.
- The potential impact of proposed changes on our work, our values and our support was not shied away from. Good, open discussion.

6. Unexpected Outcomes

- Particularly in rural areas, e.g. Galashiels/Elgin, practitioners expressed their gratitude that CLDSC took time to visit the area and present opportunities to discuss topical CLD issues.
- Whilst the opportunity to promote CLDSC activities and resources had been recognised in advance of the sessions, the level of awareness was lower than anticipated.

7. Recommendations

1. CLDSC should continue to offer Professional Discussion Events until the close of Scottish Government consultation.
2. CLDSC should continue to promote participation in Survey Monkey until the close of Scottish Government consultation.
3. CLDSC should keep open the i-develop discussion forum beyond the close of the Scottish Government consultation
4. CLDSC should devise a programme of outreach events (with a focus and reach beyond the Education Governance Review) to ensure members have visible and tangible support from and access to CDLSC staff and services in localities.
5. CLDSC should undertake specific engagement with TSIs to ensure their awareness of Next Steps, its impact on their work and the broader support available to the Third Sector from CLDSC.

EDUCATION WORKFORCE COUNCIL STRATEGIC WORKING GROUP

MEMBERSHIP:

REDACTED (Chief Executive, CLDSCS)

REDACTED (Director of Business and Finance, GTCS)

REDACTED (Director of Regulation and Legal Services, GTCS)

REDACTED (Senior Policy Officer, SG)

Ken Muir (Chief Executive and Registrar, GTCS)

REDACTED (Director of Communications and Business Development, GTCS)

Additional representatives will be considered per meeting in line with the work being taken forward.

PURPOSE:

By reviewing and providing evidence-based information, together with implications, the Group will develop key strategies to inform the establishment of the proposed Education Workforce Council for Scotland.

REMIT:

Consider risks and mitigating actions, specifically:

- Establish cost implications including:
 - baseline costs (pre-implementation)
 - transition costs (implementation)
 - ongoing operational costs (post-implementation)
- Development of joint communications strategy
- Establish legal implications
- Timeline for implementation

FUTURE MEETING DATES:

7 December, 9 January

EDUCATION WORKFORCE COUNCIL Q&A

What problem are you trying to solve?

The education workforce in Scotland has changed significantly in recent years. There are a number of professionals working within education currently not required to register. The Education Workforce Council offers an opportunity to have a national system to ensure the full range of practitioners have the skills and expertise required to do their job effectively. Offering a common goal and single register for all.

What do you mean by wider education professionals?

The consultation sets out our thinking on the range of professions we would consider within scope of the Education Workforce Council including classroom assistants/ASL support workers, early years practitioners, college lecturers and relevant support staff, school librarians and business managers.

This is just a dilution of teacher professionalism?

The quality of teaching is the most important in-school factor that affects student learning and achievement. While there has been a clear acceptance of the importance of teacher professionalism and that of early years practitioners, this has not been replicated across the wider education workforce.

Does this mean GTCS will be closed or is it a mere expansion of that body?

It is my intention to establish a new body through the education bill. The mechanism for delivering this change will be considered fully and carefully. However, we are aware that this cannot be done single handily. A strategic working group has been established with relevant stakeholders from GTCS and CLDSC to consider the full implications.

SG have only just asked College Development Network to review standards for college lectures and changes are being made already to this workforce?

It is not my intention to duplicate any work currently underway. It is important that timing is consider for all practitioners and professions involved. The Strategic Working Group will consider this fully.

How much will it cost me to register?

There will be no immediate change to registration fees. The consultation asks if the new body should consult specifically on fees which will rightly offer members/future members an opportunity to express their views on this specific mater.

As an early years practitioner I am already going through so much change with the expansion, why more change?

It is important that timing of implementation is considered for all practitioners and professions involved. The Strategic Working Group will consider this fully. It is my

intention to seek a phased implementation ensuring the new body has the right amount of time required to plan for each professional group.

From: REDACTED
Sent: 20 December 2017 14:17
To: REDACTED
Cc: REDACTED
Subject: FW: Briefing request - DFM meeting Scottish Council of Deans of Education - 9 January 2018

Tracking:	Recipient	Read
	REDACTED	Read: 20/12/2017 14:20
	REDACTED	Read: 20/12/2017 14:39

Hi REDACTED

Background:

The legislation that made GTCS an independent body, *The Public Services Reform (General Teaching Council for Scotland) Order 2011*, included sections on the registration of other education professionals. Although the GTCS have the power to register other educational professionals they cannot mandate for that registration.

The GTCS is currently developing a process to allow the registration of Instrumental Music Instructors (IMIs). This registration process is being developed by a working group including representatives of unions, local authorities, parents, music education providers and instrumental music instructors.

Registration for IMIs is currently being trailed on a pilot basis. Registration is voluntary (due to the fact GTCS cannot mandate for registration) therefore there is no requirement to register. However, through the establishment of the Education Workforce Council for Scotland (EWCS) there is an opportunity to mandate for registration to ensure all IMIs employed within learning environments are registered with the EWCS.

Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill is currently seeking views on which education professionals and practitioners should be included within scope of the EWCS and does not specifically list IMIs, however, this is very much open to consideration.

Lines to Take:

- *Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill* is currently seeking views on which education professionals and practitioners should be included within scope of the Education Workforce Council.
- Given the opportunity which the Education Bill provides it is essential that we consider the education workforce as broadly as possible and we will carefully consider the consultation responses on this issue.

From: REDACTED
Sent: 20 December 2017 11:29
To: REDACTED
Cc: REDACTED; Hicks C (Clare)
Subject: Briefing request - DFM meeting Scottish Council of Deans of Education - 9 January 2018

All,

DFM is meeting the Council of Deans of Education on 9 January. Morag Redford is suggesting the following in terms of agenda items and I'd be grateful for briefing by close on 4th January.

- **NOT IN SCOPE**
- EWC - music instructors not included (key issue for the conservatoire). **REDACTED.**
- NOT IN SCOPE
- **NOT IN SCOPE**

- **NOT IN SCOPE**

NOT IN SCOPE

Thanks

REDACTED

From: REDACTED
Sent: 12 December 2017 22:38
To: REDACTED
RE: EIS next meeting with Mr Swinney - 19 December - 13.15 - 14.00
Subject: Education Reform - 2 Page Brief - 12 December 2017.docx
Attachments:

REDACTED

Apologies for missing your deadline. I think the scope of the 2 page briefing is fine for the purposes of this meeting but I've added a couple of boxes to highlight EIS's position on the key elements which they will criticise viz. the Headteachers' Charter and the Education Workforce Council.

REDACTED

REDACTED | Education Bill Team | Learning Directorate | Scottish Government | Victoria Quay | Edinburgh | EH6 6QQ

Tel. 0131 244 REDACTED

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From: REDACTED
Sent: 11 December 2017 13:09
To: REDACTED
Subject: FW: EIS next meeting with Mr Swinney - 19 December - 13.15 - 14.00
Importance: High

REDACTED

REDACTED

REDACTED

Cheers
REDACTED

REDACTED
Learning Directorate
2B North
Victoria Quay
Edinburgh
EH6 6QQ

Tel 0131 244 REDACTED
EMail REDACTED@gov.scot

From: REDACTED
Sent: 11 December 2017 10:00
To: REDACTED
Cc: REDACTED
Subject: FW: EIS next meeting with Mr Swinney - 19 December - 13.15 - 14.00
Importance: High

Hi Folks

Re REDACTED briefing request below, grateful if you can get back to me on this by close of play today – briefing is due up tomorrow.

Thanks
REDACTED

REDACTED
Learning Directorate
2B North
Victoria Quay
Edinburgh
EH6 6QQ
Tel 0 131 244 REDACTED
EMail REDACTED@gov.scot

From: REDACTED
Sent: 05 December 2017 17:19
To: REDACTED
Cc: REDACTED; Hicks C (Clare)
Subject: FW: EIS next meeting with Mr Swinney - 19 December - 13.15 - 14.00

EIS are meeting with DFM on 19 December. They have just submitted their agenda and as REDACTED is now off until Monday grateful if you could send her any relevant briefing for the items listed below.

I have annotated beside each item who I think should be in the lead but please forward to anyone else you think should be included.

REDACTED

REDACTED

LD: Education Workforce Unit
2B North Victoria Quay
Edinburgh
EH6 6QQ
Tel:0131 244 REDACTED
Mob: REDACTED

From: REDACTED [mailto:REDACTED@eis.org.uk]
Sent: 05 December 2017 16:50
To: REDACTED
Cc: REDACTED
Subject: RE: EIS next meeting with Mr Swinney - 19 December - 13.15 - 14.00

HI REDACTED

Our agenda items are:

1. School Reforms & Consultation on the Provisions of the Education (Scotland) Bill - REDACTED
2. NOT IN SCOPE

The President (Nicola Fisher), Vice President (Alison Thornton), Assistant Secretary REDACTED and the General Secretary will be attending on behalf of the EIS.

Best wishes

REDACTED

EDUCATION REFORM BRIEFING

Background

1. NOT IN SCOPE

Education Bill

- NOT IN SCOPE

NOT IN SCOPE

- NOT IN SCOPE

•

(c) NOT IN SCOPE

(ci) Education Workforce Council - Establishing an Education Workforce Council. Key points include:

- Scottish Government proposes to establish an Education Workforce Council which will take on the responsibilities of the General Teaching Council for Scotland (GTCS), the Community Learning and Development Standards Council for Scotland (CLDSCS) and register other education professionals.
- A short life working group has been established to develop proposals on the purpose, aims and functions of the Council.

REDACTED

Education Bill Consultation

3. Consultation on Education Bill provisions was launched on Tuesday 7 November. It will run for 12 weeks, closing on the 30th January. Responses will inform the drafting of the forthcoming Education Bill which will be introduced before the end of the current parliamentary year (i.e. by June 2018).

Non-legislative Reforms

4. A number of non-legislative reforms are being developed alongside the Bill to improve teacher recruitment, ensure the consistency and quality of Initial Teacher Education and to build capacity in the education workforce.

5. Scottish Government will continue to develop a national approach to support recruitment of teachers: through new and ambitious routes into teaching for high quality graduates; and through a Communications and Marketing Strategy (Teaching Makes People) to recruit teachers from outside Scotland.
6. The Scottish Government and Education Scotland will take steps to ensure initial teacher education prepares students to enter the profession with consistently well-developed skills to teach key areas such as literacy, numeracy and health and wellbeing.
7. The Government will also continue to develop new career pathways for teachers allowing greater opportunities for development and progression into leadership, specialist or improvement roles.

Deputy First Minister and Cabinet Secretary for
Education and Skills
John Swinney MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

32

F/T: 0300 244 4000
E: dfmcse@gov.scot

[redacted]
Convenor
General Teaching Council for Scotland

Sent by Email:
[\[redacted\]@aberdeenshire.gov.uk](mailto:[redacted]@aberdeenshire.gov.uk)

15 June 2017

Dear Mr [redacted],

In September last year, I launched the Governance Review to consider the organising system of early learning and childcare and school education. The scope of the review covered the role and functions of national government, local government and national bodies which govern, lead and support the delivery of education. As such, the role and functions of the General Teaching Council for Scotland were carefully considered.

Today, I published *Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities to Deliver Excellence and Equity for Our Children* and set out my plans in parliament to reform education governance.

The primary focus of this reform is to create a school and teacher-led system. Decisions that shape the education of our children and young people will be made in classrooms, schools and establishments by people working directly with them. Power will be devolved from a national level to a regional level and from a local level to a school level. Our teachers will be empowered to drive improvement in our schools based on what they think is best for the children they work with. All other parts of the education system will have a collective and shared responsibility to support schools.

While there are many strengths in Scottish education, and much to celebrate, it is also clear that we can, and must, achieve more. The results from PISA and SSLN have provided a clear message and despite improvement there is still a gap in attainment between children from more deprived and less deprived backgrounds.

The Governance Review public consultation gathered a range of opinions and I have reflected on all of that. Advice from the International Council of Education Advisers and wider academic research has been clear – to improve our education system we must tackle culture, capacity and structure. The reforms I set out in parliament today will address all three aspects and are based on the best evidence of what will work.

A full version of the Next Steps paper and accompanying reports can be found here:
<http://www.gov.scot/Topics/Education/thegovernancereview>

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www.gov.scot

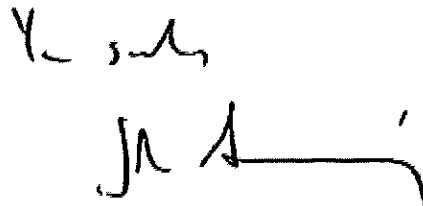


As you will see, I am determined that we provide clear and coherent support at a national level for our teachers, headteachers and the wider education workforce. One of the strengths of our current system is that we have national teacher professional standards underpinned by a national registration scheme which ensures the high quality of our teachers. I recognise the important work the GTCS does in maintaining the register, setting professional standards and accrediting Initial Teacher Education. However, concerns have also been expressed to me about the length of time that some of your processes take and a perception that these can be overly bureaucratic. I am aware that you have been exploring ways to address these concerns.

Supporting our workforce at all levels of the system is a key message set out in my statement to parliament today. I am committed to the importance of teacher professionalism but recognise that the wider education workforce including education support staff and Community Learning and Development (CLD) professionals, play a key role in education and support our teachers. Having looked carefully at the Education Workforce Council model in Wales I have proposed that workforce registration and professional standards are extended to other categories of the education workforce and will take steps to establish an Education Workforce Council for Scotland.

Clearly the GTCS has existing infrastructure which we will wish to build on, but the creation of a new Council cannot simply be about extending the functions of your organisation. We will therefore consult on establishing an Education Workforce Council for Scotland which will cover the current responsibilities of the GTCS, the Community Learning and Development Standards Council and register other categories of the education workforce. The full scope of the functions to be undertaken by this body will be included in our consultation on an Education Governance Bill in Autumn 2017.

Registration, professional standards and accreditation of the teaching profession remain critically important. However I appreciate this will be an unsettling time for you and your staff. I can assure you that the Scottish Government will work closely with you and your Chief Executive to minimise any disruption and ensure continuity of service in any interim period. I also intend to work closely with you, and others, in the coming months to deliver the collaborative, teacher-led system which will improve attainment at every level and close the attainment gap so that every child in Scotland realises their potential. I look forward to discussing our reforms with you in more detail.



JOHN SWINNEY

33

OFFICIAL - SENSITIVE

From: [redacted]
Empowering Schools Unit
People and Infrastructure Division
Learning Directorate
24 May 2017

Deputy First Minister and Cabinet Secretary for Education and Skills

EDUCATION GOVERNANCE REVIEW – COLLECTIVE RESPONSIBILITY

Purpose

1. You have agreed that the broad direction of governance reform is to move towards a school and teacher-led system. This paper provides advice and options on the changes required to capacity, culture and governance to the national organisations which fall within scope of the Education Governance Review. The Education Governance Review consultation is clear that the following organisations fall within scope:

- Scottish Government (SG)
- Education Scotland (ES)
- Care Inspectorate (in relation to early years and childcare provision) (CI)
- Scottish Social Services Council (in relation to education, early years and childcare provision) (SSSC)
- Scottish Qualifications Authority (SQA)
- General Teaching Council for Scotland (GTCS)
- Scottish College for Educational Leadership (SCEL)
- Universities providing Initial Teacher Education.

2. Out of scope

Out of scope

Professional standards and registration including registration of school learning support staff.

56. Responsibility for the registration of teachers rests with GTCS with SSSC having responsibility for the registration of social work staff. If you are minded to extend registration to support staff within schools this would mean a significant change to the structure and functions of GTCS. REDACT.

57. REDACT. A new or revised organisation would provide an opportunity to establish

a smaller Board reflecting new registration criteria and possibly with lay members in the majority.

58. If we were to propose this level of change then this would increase the risk of making additional change to GTCS functions in relation to leadership and professional learning. If you were not minded to change registration arrangements that we would probably be looking at a restatement of the roles and responsibilities of the two registration bodies.

59. As outlined in the submission of 05 May from REDACT, Community Learning and Development (CLD) is a key way to engage families in their children's learning with the dual aim of raising attainment for the child and providing learning for adults. Accreditation of CLD professionals by the CLD Standards Council, which sits within Education Scotland, is currently voluntary. You indicated that you would like to consult on moving the CLD Standards Council into GTCS and make CLD accreditation mandatory.

REDACT

How Change Could Be Delivered

60. REDACT any change to GTCS would require legislation. Depending on the level of change required this could either be delivered through secondary legislation under the Public Sector Reform (Scotland) Act 2010 or primary legislation.

General Teaching Council for Scotland ("GTCS")	
Status	<p>-established originally in 1965 under the Teaching Council (Scotland) Act 1965 but did not become fully independent until April 2012 when the GTCS was given a statutory footing in secondary, rather than primary, legislation through the Public Services Reform (General Teaching Council for Scotland) Order 2011</p> <p>-37 Council members</p> <p>-fully funded by registration fees, spending 37% on professional learning, 33% on fitness to teach, 17% on teacher education and 13% on registration</p> <p>-at May 2016: 73,306 registered teachers; 2,606 of whom have been awarded professional recognition</p>
Statutory underpinning (or other establishing document)	<p>The Public Services Reform (General Teaching Council for Scotland) Order 2011:</p> <p>Made under section 14 of the Public Services Reform (Scotland) Act 2010.</p>
Relevant functions	<ul style="list-style-type: none"> • maintain a register of teachers which the GTCS can organise as it thinks fit (a person must be registered with the GTCS to teach in local authority schools and, from 1 October 2017 new teachers in independent and grant-aided schools will also have to be registered; existing teachers in these settings will only have to be registered from 1 October 2020); • establish and review the standards of education and training appropriate to school teachers; • establish and review the standards of conduct and professional competence expected of a registered teacher; • investigate the fitness to teach of applicants or current registered teachers; • consider and make recommendations to Scottish Ministers about matters relating to teachers' education, training, career development and fitness to teach as well as the supply of teachers (Ministers are then under a duty to have regard to these recommendations when performing their education functions); • keep such registers of other individuals working in educational settings as it thinks fit.
Existing powers to alter status / functions	<p>To amend the 2011 Order, Ministers would have to adhere to the "super-affirmative" procedure in making the amending Order which would mean laying the proposed draft order before Parliament for 60 days and sending copies to the persons listed in section 26 of the 2010 Act i.e.</p> <p>(a)...such organisations as appear to them to be representative of interests substantially affected by the proposals,</p> <p>(b) where the proposals relate to the functions of one or more persons, bodies or office-holders,...those persons, bodies or office-holders, or persons appearing to them to be representative of those persons, bodies or office-holders,</p> <p>(c) in such cases as they consider appropriate, ...the Scottish Law Commission, and</p> <p>(d) ...such other persons as they consider appropriate.</p> <p>Clearly this would involve wide consultation with teaching bodies and</p>

Ministers would then have to have regard to any representations made within that 60 days before laying a further draft order before Parliament for approval by affirmative resolution accompanied by a further explanatory document which gives details of the consultation which has been undertaken, any representation received and any changes made as a result of those representations.

Ministers would also have to comply with the preconditions stated in **section 16 of the 2010 Act**. These are that:

- (a) the effect of the provision is proportionate to the policy objective,
- (b) the provision does not remove any necessary protection [like human rights, health and safety, independence of the judiciary],
- (c) any public function which is to be modified will, as modified, be broadly consistent with the general objects or purpose of the person, body or office-holder concerned,
- (d) any function which is conferred on a person, body or office-holder listed in schedule 5 (other than a function being transferred without substantial modification from another such person, body or office-holder) is broadly consistent with the general objects or purpose of the person, body or office-holder concerned,
- (e) any function which is conferred on a person, body or office-holder created by virtue of section 14 is broadly consistent with—
 - (i) the general objects or purpose of a person, body or office-holder listed in schedule 5 which is abolished, or whose functions are modified, by virtue of section 14 or otherwise, or
 - (ii) public functions abolished or modified by virtue of that section or otherwise.

Under article 26 of the 2011 Order (Register of other education professionals):

- (1) The GTCS may keep such other registers of other individuals working in educational settings as it thinks fit.
- (2) The GTCS must make and publish a scheme governing the operation of any such register.
- (3) Such a scheme may make such provision about any such register as the GTCS thinks fit and may, in particular, include provisions equivalent to provisions made by or under this Order in relation to the register of teachers.

This power would allow the GTCS to, for example, take over the registration of CLD professionals from the CLD Council.

Official Sensitive

From: [redacted]
People and Infrastructure Division
Learning Directorate
5 May 2017

Deputy First Minister and Cabinet Secretary for Education and Skills

EDUCATION GOVERNANCE REVIEW – FAMILIES, COMMUNITIES AND WIDER PUBLIC SERVICES

Purpose

1. This paper provides advice and options on governance changes required to support parental and community engagement with schools. It then goes on to identify the non-governance capacity building actions which evidence suggests could drive attainment by improving parental engagement in children's education.

2. We have committed to providing detailed papers using the National Improvement Framework drivers recognising that outcomes for children can be improved by improving practice at different levels of the system and ensuring that everyone involved has the capacity to play their part effectively. This includes the local community, especially parents and teachers, who should be key decision makers in the life of schools. This paper focuses on the role of families, communities and wider public services and sets out options for wider support and engagement in children's learning journey.

Out of scope

Out of scope

Conclusion

33. The options set out in the following Annexes provide both strengthening of the governance structure at parent council level and the opportunities for building capacity to reach and involve all parents in their child's learning. For ease, I have included below a summary of the specific policy questions which are asked throughout the document for your consideration.

Annex A	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
Annex B	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE

Official Sensitive

NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
Annex C	The role of teachers and other professionals in parental and community engagement
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
P17	Q12. Would you like to consult on moving the CLD Standards Council into GTCS and make CLD accreditation mandatory?
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE
NOT IN SCOPE	NOT IN SCOPE

[redacted]
 People and Infrastructure Division

Out of scope

Stakeholder Reaction

64. The national parent organisations would welcome many of the proposals to improve ITE and CLPL for teachers as this would be endorsing, and actually going beyond, the recommendations from the NPFS's review of the 2006 Act.

65. Responses from CLD organisations, in particular youth work, to the governance review suggest that there is a willingness to work with teachers towards CfE and that they are well placed to contribute to the holistic learning of the child, engagement with local communities and CLPL for teachers. While consultation on moving the CLD Standards Council would be required it is likely that the youth work sector would welcome this approach.

66. Given the changes to teacher training and responsibilities further consultation with unions would be required.

67. The NPFS have recommended that schools should provide support for parents who are less comfortable in engaging with schools, as a home to school link worker will go further than this they are likely to support it.