

Section 1 - Vision

1.1. The vision for Curriculum for Excellence reflects what matters for the education of children and young people in Scotland.

Agree

1.2. What do you think should be retained/and or changed?

Education Scotland (ES) has confidence in the underpinning philosophy and values that Curriculum for Excellence (CfE) represents. CfE embodies a strong commitment to inclusion, equity and social justice – all significant features of provision for Scotland's children and young people. The vision for what the curriculum should mean for children and young people is encapsulated in the four capacities and should be retained along with an increased commitment to teacher autonomy and empowerment.

Challenges remain with the enactment, implementation and realisation of the vision with further changes required. There needs to be a renewed and shared understanding of how the lived curriculum experiences of children and young people supports the vision. Stronger stakeholder engagement, especially the involvement of children and young people and parents and carers, when designing the curriculum will ensure it is relevant to all learners, taking account of their local and national contexts and their needs as global citizens. The following changes would also improve the enactment, implementation and realisation of the curriculum.

- Review and strengthen the use of the four capacities with children and young people actively involved in the process. This will provide a renewed focus away from the over emphasis on successful learners which is particularly important for vulnerable children and those with additional support needs.
- Ensure all practitioners, in all sectors, have the skills, knowledge and autonomy/agency to design and implement the curriculum: through effective Professional Learning programmes; high-quality professional advice and support; networks and opportunities.
- Address the fragmentation in and around the curriculum, clarifying the inclusion of Getting it Right for Every Child (GIRFEC) and Developing the Young Workforce (DYW) and the legislation and guidance related to ASN. In so doing, considering alignment with the Scottish Attainment Challenge (SAC), the National Improvement Framework (NIF) and the Promise.
- Include more explicit reference to inclusion, equalities, mental health and equity within a reformed CfE and assessment strategy, underpinned by the values of social justice.
- Ensure real interdisciplinary learning underpinned by strong learning across all curriculum areas.
- Embed digital literacy and skills in the curriculum.
- Ensure the totality of children and young people's learning experiences and achievements are recognised, and valued, within the totality of the curriculum.

Additionally, we believe that the Experiences and Outcomes (Es and Os) should be reviewed in order to:

- revisit the flexibility initially intended when the Es and Os were constructed across the Broad General Education (BGE) to ensure this flexibility is still achievable in practice;
- engage practitioners regarding the totality of the Es and Os and how they can be used;
- consider the possibility of grouping the Es and Os under 'key concepts' to clarify the metacognition needed to underpin knowledge and understanding in cognate or disciplinary areas, e.g. science;
- ensure that Experiences are driven by sound and appropriate pedagogy and that Outcomes accurately reflect the Experiences, (the Experiences being 'how do we ensure development of and progress in learning' and the Outcomes being 'what can children and young people do/demonstrate as a result'); and
- build on the National Practice document for early years to create a National Practice document/resource for the BGE.

It is our view that, to ensure the changes required are fully implemented, understood and supported, the national organisations should have specific roles and responsibilities as outlined below.

Independent Inspectorate

An Inspectorate must operate independently and impartially. The Inspectorate could be set-up as a 'non-ministerial office' or an executive agency, with staff remaining civil servants and inspectors being appointed with approval by Her Majesty via the Privy Council. Consideration should be given to whom the Inspectorate reports: Ministers or the Scottish Parliament. An Independent Inspectorate must continue to place learners at the heart of inspection, with an emphasis on outcomes and impact.

The Independent Inspectorate will provide assurance and public accountability to stakeholders about the quality of education locally, nationally and at individual establishment/service level. It will play a crucial role in supporting improvement as well as providing assurance. Learners, the quality of their experiences and outcomes, will sit at the heart of inspection.

Importantly, the Independent Inspectorate must be responsible for inspection at all levels of the education system – from early years to adult learning. This will ensure there is a coherent picture of the totality of a learner's experience of Scottish education. Additionally, the Independent Inspectorate must continue to:

- build capacity, through identifying and sharing effective practice;
- inform the development of educational policy and practice by providing independent, professional evaluations from observing practice at first hand;
- provide independent external evaluation of quality and improvement in education, provided across all education sectors, from early years to adult learning;
- support the drive towards empowerment with a strong focus on self-evaluation and an establishment's capacity to improve;
- share information on what is working well and what needs to improve; and identify any barriers in the system;

- evaluate major changes and the implementation of new policies in the education system, including education reform, on the quality of children's and young people's experiences and impact on standards;
- ensure strong collaboration with other key national bodies (including the body for Assessment and Curriculum and ES); and
- ensure alignment with system level evaluation to ensure the Inspectorate adds value to the education system.

Improvement Agency (Education Scotland)

The Improvement Agency (a learner focused agency which embeds Children's Rights) will have responsibility for improvement across education from early years to adult learning. It will provide a supportive role to the system through Professional Learning, Advice and Support, working *for* Scotland's learners, *with* Scotland's educators strengthening autonomy and empowerment. Additionally, the Improvement Agency will:

- facilitate national professional learning networks and collaborative working at all levels of the system;
- provide support for the implementation and delivery of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners;
- provide direct support for schools, settings and learning communities at local and regional levels;
- provide direct support for local authorities, RIC's and establishments and have a clear understanding of local and national issues to enhance whole system improvement;
- lead leadership development nationally across the system and support collaborative improvement;
- provide digital services for the Education sector – including Glow - and build on the digital delivery model;
- provide universal, targeted and intensive support *for* and *with* Scotland's educators:
 - Universal: National professional learning and leadership programmes (incorporating curriculum, pedagogy, assessment, leadership development), co-ordination of Lead Teacher Programme.
 - Targeted: Attainment Advisor, improvement and leadership support and curriculum specialist support at RIC/LA level.
 - Intensive: School/LA support responding to outcomes of inspection and self-evaluation processes (from schools, LAs, Independent Inspectorate etc.): working alongside practitioners to support classroom delivery and school improvements.

Assessment and Curriculum body

It is our view that the Assessment and Curriculum body should have the following roles and responsibilities:

- national leadership on the development, implementation and content of curriculum design – embedding the curriculum envisaged by CfE, where assessment reflects pedagogy and learning experienced by children and young people;
- strategic direction and leadership of Curriculum for Excellence;
- ensure the curriculum reflects modern society, including skills development, with an increased emphasis on a broader range of qualifications;
- policy and review of assessment, qualifications and certification; and
- curriculum policy and review.

Maintaining ES as the national Improvement Agency, with clear functions as outlined above, will ensure stability during a period of significant change. This will provide an important opportunity to work more closely with the profession, providing the necessary support to develop, innovate and implement the curriculum. Clarity around the roles and responsibilities of these national organisations in the scope of this consultation, as well as other national organisations, Regional Improvement Collaboratives (RICs) and Local Authorities (LAs) will also ensure the system knows where to go for support, guidance and learning.

Section 2 – Curriculum and Assessment

2.1 Curriculum for Excellence provides a coherent progression in the journey of learners (3-18 and beyond) that gives them the best possible educational experience and enables them to realise their ambitions.

Disagree

2.2 Please share what you believe currently contributes to a coherent progression.

We recognise the findings of the OECD report identifying the break in coherence between the BGE and the senior phase as one area for attention. Moving from the BGE to the Senior Phase, the focus of success shifts to exam success. However, this is too narrow and the definition of success should be the holistic impact of education on the learner. This would align better with the aspirations of the refreshed Scottish Attainment Challenge and the national aspirations of equity and excellence for all learners.

Additionally, there is a continued need to improve transitions in learning and more careful consideration of the many transitions that occur throughout the learner journey. While evidence tells us that pastoral transitions are strong, arrangements to support continuity and progression in learning are variable across sectors.

Currently, the commitment to a 3-18 curriculum provides a strong foundation for a coherent progression, as does the strong focus on equity at all stages – to meet individual needs. Additionally, coherent progression is currently supported by:

- strong collaborative/partnership working between schools, clusters and across curriculum areas and at all levels;
- staff working collaboratively within and across schools to develop a shared understanding of standards;
- benchmarks, including early years milestones, and comprehensive Es and Os;
- effective and flexible progression pathways, although this is not yet consistent across all schools and settings;
- practitioner autonomy and having a learner focus, however practitioners need the skills, knowledge and confidence to deliver this, which is in turn linked to high quality professional learning;
- strong practitioner understanding and shared knowledge of what constitutes appropriate progression for individuals and groups of learners, supported by high quality professional learning;
- the quality of learning, teaching and assessment;
- the quality of leadership of curriculum cohesion, breadth and depth; and
- the quality of leadership for equity and inclusion, including a high-quality curriculum for those with additional support needs.

2.3 Please share ideas you may have to improve learner progression across stages and sectors.

Conversations need to take place with learners, practitioners, parents and carers about how we meet the needs of all learners to ensure a range of pathways exist for all. It is essential to recognise the importance of achievement and progression for all. We know that the needs of learners do not always drive progression, and that the system sometimes drives where our learners go. Dynamic curriculum leadership, which genuinely promotes and drives innovation at a local level, and has high aspirations for all learners, is required.

We believe that the following ideas would improve learner progression across stages and sectors.

- Review the totality of learner progression across early years, ASN (the milestones), primary, secondary and beyond and view this within what we know about child development, pedagogy and individual need, so that every learner can be supported to make the best progress possible.
- Encourage greater collaboration and opportunities for shared dialogue between primary and secondary colleagues; and also through schools, clusters and with the wider learning community, exploiting other learning opportunities that may exist in the community.
- Adopt whole school curriculum approaches which are learner-led, embed high-quality inter-disciplinary learning and include a wide range of learning opportunities.
- Consider local area curriculum planning to provide greater coherence in the curriculum in learning communities.
- Ensure equity for all by taking into consideration, for example, the health and wellbeing and economic and social circumstances of children, young people and their families.
- Improve tracking and the use of pupil data, resulting in a better understanding of previous pupil achievement and experiences. There should also be an expectation of teachers that this will happen, with appropriate time, support and professional learning available.
- If changes to assessment progress, and there is a move away from point of exit examination, there could be a stronger focus on learning and teaching and ongoing assessment approaches which better reflect the vision of CfE and provides parity of esteem for learners engaged in different pathways.
- The use of the SCQF Framework to support progression in the senior phase (and the BGE) has still to be fully understood and exploited. Greater focus should be invested in normalising its use across all schools.

It is our view that ES should have a lead role in supporting educators to develop and enhance learner progression across stages and sectors. An education system without an improvement agency may lose focus on key improvement issues such as cohesive learner progression.

3.1 In practice, learning communities are empowered and use the autonomy provided by Curriculum for Excellence to design a curriculum that meets the needs of their learners.

Disagree

3.2 Please share ideas you may have on what is needed to enhance this in future.

There is a key difference between being 'given the freedom' to design a curriculum that meets the needs of learners and being empowered to do so. Educators who have the confidence, experience and skill in curriculum design have used the autonomy offered by CfE to deliver excellent learning experiences. This varies between individual educators and between different learning communities, and the challenges can be different in different sectors. There is a need for a strong driving force behind curriculum design in Scotland and a will to work with practitioners to deliver curriculum design skills and direction, rather than guidance or frameworks, to ensure autonomy is protected and empowerment is developed.

Educators should make full use of the new areas of flexibility presented by CfE to design a curriculum which is dynamic and customised to take account of the local context and to meet the needs and aspirations of children and young people.

To enhance the empowerment and autonomy provided by CfE, emphasis must be placed on clarity, ensuring clear and consistent expectations across the system. There is a need to develop the creativity of educators across all sectors to unlock adaptability, innovation and confidence in working autonomously. For some there may be a lack of confidence to be creative - a fear of judgement from internal and external stakeholders - and we need to give educators the knowledge, skills and confidence to act autonomously, with high quality professional learning and time protected to enable this to happen.

We need to ensure that empowerment does not become stifled. Leadership has to model a willingness to do what's right for learners, and act with a strong moral purpose. Further ideas to enhance this in future include:

- building on the collaboration between different services within learning communities;
- taking a more 'holistic' approach in learning communities with consideration being given to alternative learning opportunities and of the learner within the broader community;
- spending more time and support on curriculum design and development, with clear and simple guidance and best practice shared;
- ensuring Leadership programmes have a clear focus on leading curriculum design (including pedagogy, assessment and curriculum); and
- considering creative alternatives to timetabling: feedback from learners returning to school from the pandemic has highlighted the benefits of curriculum flexibility to enable them to plan how they learn.

4.1 The creation of a Curriculum and Assessment Agency will help to address the misalignment of curriculum and assessment.

Neither agree nor disagree

4.2 Please share your views of the potential advantages of establishing such an Agency.

It is difficult to speculate what the potential advantages of such an Agency are without sight of the proposed Agency's remit. However, the creation of an Assessment and Curriculum body may "address the misalignment of curriculum and assessment" as outlined in the OECD report. This body may result in a more cohesive and coherent approach to curriculum, with assessment being driven and fully informed by curriculum. This would be considered a progressive measure and provide an advantage over the current arrangement. The creation of an Assessment and Curriculum body must focus on learners and any changes to the system must bring about positive change for learners.

This reform provides the opportunity for greater clarity in terms of the roles and responsibilities in the system. This could include making it clear what is the responsibility of Scottish Government and what is the responsibility of the new Assessment and Curriculum body. The new body should provide clear national leadership on the development and implementation of curriculum design, highlighting and sharing good practice, and how practitioners, local authorities and other bodies can best utilise assessment data. It is essential that the new body should have responsibility for assessment and curriculum policy development and review.

There is currently too much emphasis placed on assessment, and the creation of one body which would have responsibility for both curriculum policy and assessment could mitigate that situation. It may provide greater clarity for the system and lead to greater coherence and clarity between curriculum, planning, learning and teaching and assessment.

The opportunity to review assessment is a considerable, potential advantage of establishing an Assessment and Curriculum body. In particular, a creative and innovative approach to assessment could be taken which meets the needs of the curriculum and is fit for purpose. A curriculum for all should have an assessment strategy for all. The combining of assessment and curriculum could lead to more creative forms of assessment and greater consideration of more continuous assessment approaches, considering how both formative and summative assessments are utilised and working with practitioners to ensure that such assessments support learning. The new body could also create an environment where assessment is better used to inform policy direction.

The current verification process should be viewed as a strength, which could be built on to create opportunities for increased teacher autonomy with improved centralised oversight.

It is our view that the Assessment and Curriculum body should have the following roles and responsibilities in order to ensure a positive impact on learners and the wider system:

- policy and review of assessment, qualifications and certification;
- all aspects of the qualifications portfolio, which should be given an equal platform in a reformed organisation, including:
 - both academic and vocational qualifications, accompanied by work to ensure that a wider range of vocational qualifications are available in every school and to build parity of esteem between academic and vocational qualifications and
 - qualifications offered outside Scotland to maintain the highly-regarded global reputation and to support SG's internationalisation agenda
- national leadership on the development, implementation and content of curriculum design – embedding curriculum envisaged by CfE where assessment reflects pedagogy and learning experienced by children and young people;
- strategic direction and leadership of Curriculum for Excellence;
- ensure the curriculum reflects modern society, including skills development; with an increased emphasis on a broader range of qualifications; and
- curriculum policy and review.

In summary, to best support the system, the Assessment and Curriculum body would work alongside the national Improvement Agency (ES) and the Independent Inspectorate with a shared vision of continuous improvement in education. Indeed, partnership working with the aim of collaborative improvement will be central to the new structure. Working with the Assessment and Curriculum body, ES (the national Improvement Agency) will provide support and professional learning for the implementation, delivery and development of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners.

4.3 Please share your views of the potential disadvantages of establishing such an Agency.

There would be a need to ensure that the 'assessment' element of the potential new Assessment and Curriculum body does not overshadow curriculum. Curriculum policy should be the focus of the new agency - what curriculum is and does comes first and this needs to be strengthened.

There is a risk that a new agency will lack confidence from parents/young people alongside a risk of systematic change to children and young people – nothing should change if it does not result in positive impacts on them.

There is a risk that, by creating new and separate organisations, that the links across inspection, assessment and curriculum, improvement and professional learning may not be as coherent, as well as there being a potential for duplication of work. It will be critical to ensure clear roles and responsibilities from the outset with strong and effective communication to the system. The new agencies must have a strong learner focus at the heart of all engagements, a shared vision of continuous improvement and partnership working, with the aim of collaborative improvement central to the new structure.

At the very least, practitioners, parents and other stakeholders will have to become accustomed to working with a new body and operating within a new structure. More likely, or at least as is hoped, the reform will ultimately lead to improved forms of assessment emerging from a renewed focus on the empowering of practitioners to develop and implement curricula which match learner needs in the context and now matured understanding of CfE.

Further disadvantages include the potential impact on accreditation which needs to be impartial and the risk of assessment being removed from learning and teaching.

5.1 The full breadth of existing SQA qualifications play an important part of the curriculum offered by secondary schools.

Disagree

5.2 Please identify the main factors, if any, that support a broader range of SQA qualifications being included in the curriculum in secondary schools.

Secondary schools are increasing their awareness and understanding of the range of courses, qualifications and awards that are available in the SQA catalogue. They increasingly use the Scottish Credit and Qualifications Framework (SCQF) to support their work in this area and to enable their discussions with parents, communities and employers. Many are now making good use of the SQA catalogue and the SCQF range to design a range of learning pathways for young people that meet their needs, extending options beyond the conventional options of National 4, National 5, Highers and Advanced Highers.

Inspection evidence shows that the focus of professional debate needs to be less about the number of subjects/courses and more about *how* to deliver the senior phase entitlement in creative ways. These need to meet the range of young people's needs and develop their skills, attributes and capabilities as well as opportunities to attain qualifications that support positive destinations, taking account of the school's unique context.

Any innovation in curriculum should be learner led and involve parents, carers, and skills agencies to ensure awareness and embedding of the skills required in modern society. Educators need to be upskilled to meet this demand through professional learning in what qualifications are required for the workplace and society of today and the future. There needs to be staff willingness to embrace opportunities to learn and develop their skills and knowledge to deliver. This could include more innovative approaches to teacher development such as introducing a sabbatical model or incentives for practitioners to extend their repertoire. There is also scope to further build on the new approaches to entering the profession from industry. Additionally, enhanced leadership and more teacher development is required, e.g. being empowered to innovate by trying new options, as well as being supported to develop courses and build capacity.

Across Scotland, there needs to be a significant cultural and political shift from the focus on the dominant conventional routes through N4/N5 to Higher only. Work has been ongoing since 2015 as a result of the focus from the Developing the Young Workforce (DYW) programme to develop and consolidate working partnerships with, for example, colleges, employers, the third sector and CLD, to enable greater choice in curriculum and pathway design. This work should be intensified and strengthened. There should be more effective and meaningful collaboration with a wide range of partners in the learning community and consideration given to qualifications based on local need. There should be increased use of the SCQF framework with training to support a broader range of choices in awards and qualifications being included for those who engage with it. Widening opportunities benefits all learners but we must embed a parity of esteem throughout assessment and curriculum with the needs of vulnerable learners and ASN fully supported by the system.

There is also a need to focus on the development of skills and the capacity of leadership in curriculum and pathways design building on, for example, the sharing of ongoing stories at the recent ES 'Routes to Success' webinars.

5.3 Please share any ideas you may have on what is needed to enhance the role of a broader variety of qualifications in the curriculum in secondary schools.

To enhance the role of a broader variety of qualifications in the curriculum, schools need to be innovative in how best to use the broad range of courses and awards provided by SQA and other awarding bodies so they can best meet the needs of all learners. There needs to be an approach where the curriculum is designed with a specific learner in mind rather than making the learner fit the curriculum or qualification framework on offer. There is a need for radical transformation away from a subject driven curriculum, to one envisaged by CfE where assessment reflects the pedagogy and learning experienced by children and young people and the skills they have developed. This would benefit all learners, and would put inclusion at the heart of the curriculum in Scotland.

Any innovation in curriculum should be learner led and involve parents and carers as they are equally aware of the skills required to achieve aspirations. In recognition that society, and in particular employment, moves on at a pace, educators need opportunities to engage with continuous professional learning in what qualifications are required for the workplace and society of today and the future. This must happen alongside a national awareness raising campaign across wider society - families, communities, elected members, media, etc - on how newer and different offers are valuable and can contribute to a portfolio of qualifications.

Young people do not always have a good understanding of the range of pathways and courses available to them, particularly vocational courses. Staff need to improve young people's understanding of the pathways through and beyond school from an earlier stage. This includes the need to support young people's understanding of labour market intelligence and careers options.

Further ideas to enhance the role of a broader variety of qualifications in the curriculum in secondary schools include:

- greater promotion of the existing flexibility which is available within the SCQF framework;
- greater understanding across the system, including amongst employers and Higher Education institutions of the role, and value of vocational qualifications;
- increased partnership working across the system, with an enhanced focus on wider achievement and consideration of the learner journey;
- more continuous assessment with greater correlation between how young people are taught and how they are assessed;
- recognition of the legal Youth Work requirement;
- support and time for practitioners to be able to effectively plan and deliver a broader curriculum; and
- tying together SQA core skills, SDS meta skills and the four capacities in the senior phase.

6.1 Technologies are fully and appropriately utilised as a support for curriculum and assessments.

Disagree

6.2 Please share any comments you may have on the use of technologies to support curriculum and assessments, and what could be done to deliver improvements.

There is no doubt that digital technology can support assessment and curriculum now and in the future. Pre-pandemic, digital technology had started to be used more effectively but for a long time digital has not been seen as a priority and a viable support to learning, teaching and assessment and therefore has been under-developed across the system. There is a need to refresh the current model.

The response to the pandemic drew much of the education system in relation to our use of digital technologies, making significant progress out of necessity. The momentum of this must be maintained. There is evidence, in the shape of Glow data, to show that the system moved online and have, in large numbers, remained online when learners and practitioners have returned to school buildings. We must ensure that the return to shared physical spaces does not switch priorities away from the advantages of using digital technology as part of learning, teaching and assessment. Whilst face to face and pastoral experiences are crucial, digital technologies can deepen, support, and enable a wider range of teaching and learning approaches, assessment and curriculum.

The system has acknowledged the importance of digital through its continued use and its desire to find more solutions to support learning, teaching and assessment. Scottish Government have backed this up with a commitment to digital infrastructure and 1:1 device for all school aged children. This should also reflect a more standardised infrastructure expectation where Glow provides single sign on to more core tools and services that everyone in education has access to and have practical knowledge of the uses and potential applications of them. Equity of access for children and young people is critical; technology must not be, or become, a barrier to learning.

'Good digital' is always over-promised and under-delivered. We need to ensure we get this right for Scotland. It is the time to set an expectation that the use of digital tools and technology is essential in highly effective learning, teaching and assessment across the curriculum. Any development in the use of digital technology in schools must be supported by appropriate approaches to safeguarding and professional learning for both technical and pedagogical support. It is critical that teachers have the skills and confidence to deliver.

Opportunities include:

- consideration, redefinition and exemplification of what teaching and learning can look like with the use of digital technology;
- understanding how digital can be used to support assessment and how assessment can be changed due to the use of technology;
- exploring innovative ways to support, or enhance the learning experience of a greater range of children and young people, e.g. children with additional support needs;
- creating immersive experiences for learners;
- accessing all online educational tools via Glow;
- accessing learning that happens when and where a learner needs and wants it;
- having greater options for learners: online self-directed learning, virtual lessons etc; and
- giving learners the option of a hybrid model for learning.

Challenges include:

- ensuring equity of access, with varied offers across LAs and other parts of the system;
- the need for practitioner development and support; and
- the need for learner development and support.

7. Please share any additional comments you have on curriculum and assessment.

This reform presents a real opportunity to realign assessment and curriculum in Scotland. A new Assessment and Curriculum body has the opportunity to take a really radical approach - moving away from a subject driven curriculum, to one envisaged by CfE where assessment reflects the pedagogy and learning experienced by children and young people and the skills they have developed. There is also an opportunity to move towards more continuous assessment with greater correlation between how young people are taught and how they are assessed.

To enhance the role of a broader variety of qualifications in the curriculum, schools need to be innovative in how best to use the broad range of courses and awards provided by SQA and other awarding bodies so they can best meet the needs of all learners. There needs to be an approach where the curriculum is designed with a specific learner in mind rather than making the learner fit the curriculum or qualification framework on offer.

Now is the time to set an expectation that the use of digital tools/technology is essential in highly effective learning, teaching and assessment across the curriculum. We must also explore how assessment can be improved through the use of digital tools and technology.

If we are genuinely going to seize this reform as an opportunity for transformation, now is the time to reflect on whether existing structures contribute to barriers in achieving the outcomes of the four capacities for all learners.

Section 3 – Roles and Responsibilities

8.1 There is clarity on where the responsibilities for the strategic direction, review and updates for Curriculum for Excellence lie.

Disagree

8.2 Please indicate where you think the responsibilities for the strategic direction, review and updates for Curriculum for Excellence should lie.

For the areas within the scope of the consultation, we propose that three separate bodies provide the support the system needs. With regards the strategic direction and leadership of CfE, this should be the responsibility of a single, Assessment and Curriculum body. The body responsible for this strategic direction should have a clear, specific role and remit which must be effectively communicated to the education system. It is our opinion that the body should also include responsibility for:

- curriculum policy and review,
- assessment policy and review,
- the development and review of qualifications, and
- the awarding of qualifications.

There is a significant opportunity to increase stakeholder engagement in guiding and informing the strategic direction of CfE, but this will rely on trust and genuine efforts to empower, consult and engage in a meaningful way. A strong focus by the new body on inclusion, health and wellbeing and equalities will be required if an assessment and curriculum strategy for all learners is to be achieved.

Reviews of progress and updates of CfE should be driven by the profession, with any changes reviewed and designed by practitioners and learners. An empowered system would support this and ensure a bottom up, rather than top down, approach.

There is a clear need to embed planned and robust reviews of progress into the overall strategic planning. However any timetable for review must be adhered to and be uninterrupted by politics.

The role of a reformed ES as the national Improvement Agency, a learner focused agency which embeds Children's Rights, is, therefore to drive improvement across education from early years to adult learning; provide a supportive role to the system through Professional Learning, Advice and Support; and work *for* Scotland's learners *with* Scotland's educators, strengthening autonomy and empowerment.

Additionally, the Improvement Agency will:

- provide direct support for schools, settings and learning communities at local and regional levels;
- provide direct support for local authorities, RIC's and establishments and have a clear understanding of local and national issues to enhance whole system improvement;
- facilitate national professional learning networks and collaborative working at all levels of the system;
- provide support for the implementation, delivery and development of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners;
- lead leadership development nationally across the system and support collaborative improvement;
- provide digital services for the Education sector - including Glow - and build on the digital delivery model;
- provide universal, targeted and intensive support *for* and *with* Scotland's educators:
 - Universal: National professional learning and leadership programmes (incorporating curriculum, pedagogy, assessment, leadership development), co-ordination of Lead Teacher Programme.
 - Targeted: Attainment Advisor, improvement and leadership support and curriculum specialist support at RIC/LA level.
 - Intensive: School/LA support responding to outcomes of inspection and self-evaluation processes (from schools, LAs, Independent Inspectorate etc.): working alongside practitioners to support classroom delivery and school improvements.

9.1 There is clarity on the roles played by national agencies and other providers for responding to needs for support with curriculum and assessment issues.

Disagree

9.2 Please share which aspects of the support currently provided by national agencies and other providers is working well.

National agencies and other providers deliver varied and wide reaching support to the system. However, there remains uncertainty of the specific roles and responsibilities of the agencies and providers in the system, with practitioners not always knowing who to turn to for support. For example, Scottish Government hold responsibilities that are perceived to be held by agencies. It will be necessary to provide clarity and communication to stakeholders regarding respective roles. In an empowered system some roles currently held by SG should be devolved to agencies and other partners.

Focusing on ES specifically, some examples of current areas of success are provided below.

- The support provided by ES Regional Teams has been well received and has added considerable value to the system. This includes collaborative work and professional advice and support with RICs, LAs and practitioner networks. The Regional Teams work with all sectors from early learning and childcare, primary, secondary, CLD and third sector partners. The teams provide bespoke support for schools to bring improvements in leadership, learning, teaching and assessment, curriculum, best use of evidence and equality, equity, wellbeing and inclusion across all stages from 3-18. This is often undertaken in partnership with HM Inspectors and, where appropriate, other colleagues. Teams also work directly with local authority colleagues to provide additional capacity and ensure there is a coordinated approach in how schools are supported. This support is usually planned between Senior Regional Advisors and Local Authority staff as a bespoke service to take account of local contexts. The regional approach is working but there is scope to strengthen this further and ensure more consistency across the country.
- Local authorities and other stakeholders have benefited from the (ES) cross-directorate expertise within locality teams (Regional and HMIE) as well as from the agile and flexible way in which this support has been provided. The locality approach during the pandemic was well received within the system, with the support strongly evaluated by recent external research, building on the positive benefits of locality work, partnership working with the aim of collaborative improvement, will be central to the new structure, with the Independent Inspectorate working alongside a national Improvement Agency (ES) and Assessment and Curriculum body with a shared vision of continuous improvement in education.
- Inspection and reviews lead to improvement and provide a solid evidence base to inform strategic planning at a national level as well as continuous improvement at a local level. Evidence gathered by HMIE 9-12 months after schools inspections show the positive direct impact inspection has on the establishment's improvement journey.
- HMIE carry out inspection of the quality of education in: early learning and childcare settings, including nursery classes in schools; primary and secondary schools; Gaelic Education; independent schools, special and residential special schools; community learning and development services; education functions of local authorities; educational psychology services; publicly funded colleges; community learning; career information, advice and guidance services; work-based learning provision; and initial teacher education.
- ES takes a key role in the strategic leadership of professional learning and leadership (PLL) programmes in Scotland, strengthening understanding of effective PLL to support improvement including embedding the National Model of Professional Learning in schools, local authorities and Regional Improvement Collaboratives (RICs). ES works with partners to support capacity building at all professional levels and continued access to professional learning to increase participation including nurturing aspiring head teachers from an earlier stage in their career. ES delivers innovative, high-quality leadership programmes which help to ensure that education professionals have the right learning and development opportunities to make a real difference to the outcomes for children and young people. The programmes are aimed at education professionals at all career stages across early years, primary and secondary settings,

and cover teacher leadership, middle leadership, school leadership and system leadership.

- Nationally, ES works to strengthen curriculum design and innovation at organisation and system level from early years through to the senior phase. ES works with individual teachers, establishments and across local authorities and RICs, to support the development, design, innovation and the implementation of curricula across Scotland, using the Refreshed Narrative for Scotland's Curriculum as the driver for innovation. We have also worked with partners to develop, implement and consolidate the National e-Learning Offer (NeLO). NeLO is a partnership between ES, the Scottish Government, the Association of Directors of Education (ADES) and eSgoil to support remote learning while school buildings were closed as part of lockdown and to support delivery as part of a blended model thereafter.
- ES, in collaboration with partners, provided highly effective digital support to practitioners during the pandemic, thereby building capacity in the system to use technology to enhance learning and teaching. The use of technology continues to be developed by ES as part of the pandemic recovery programme. ES delivers Glow, the national on-line platform for learning and teaching, which was used by more than 656,735 users during the academic year to June 2021, in more than 80 million sessions. Additionally, ES supports Digital Learning and Teaching, including professional learning and leadership for education professionals via [digilearn.scot](https://www.digilearn.scot) and supporting activity around cyber security, internet safety and responsible use. It is also responsible for the implementation of the National Digital Learning and Teaching Strategy for Scotland.

9.3 Please indicate where you think greater clarity is needed in relation to the roles played by national agencies and other providers for responding to needs/ requests for support with curriculum and assessment issues.

There is a need for greater clarity on the roles and responsibilities in the system. Currently there are issues with the understanding of where responsibilities lie. For example, there is a perception that ES sets education related policy when this is, in fact, the responsibility of the Learning Directorate (SG). Alongside this, there is also an element of confusion around where educators should go to access support.

There is a need for greater clarity in relation to education policy and who is responsible for this. This reform provides the opportunity to review, clarify and share the function of RICs, Education Authorities and the Learning Directorate to ensure the system, and all stakeholders, clearly understands the purpose of each. Clarity across and within Government Directorates for specific areas of work such as health and learning, GIRFEC and ASN would also be a positive development as currently there is too much duplication and not enough joined up working, leading to confusion.

Three national bodies with succinct remits and clear roles and responsibilities would ensure much needed clarity in the system. Building on the work of ES, an Improvement Agency (Education Scotland) would focus on the design, development and delivery of professional learning, advice and support to drive improvement across the system. However, the system must be fully informed and engaged if it is to be fully empowered, and professional learning is central to that. An improvement agency would build on the expertise of ES and ensure there is provision of professional learning related to curriculum,

pedagogy and leadership at establishment, local and national level which is accessible and consistent. The agency would also be responsible for leading teacher and practitioner networks and would be a conduit for a professional voice to support the system and other practitioners.

There must remain a single Inspectorate which focuses on quality and improvement in education. The Inspectorate would lead external evaluation of education across the system, providing a robust, independent evidence base to support continuous improvement. The Inspectorate must be independent and have a set of governance principles designed to ensure independence and be publically available to address any perceptions. It is possible that the Inspectorate would benefit from being set-up as a 'non-ministerial office' or an executive agency, with staff remaining civil servants and inspectors being appointed with approval by Her Majesty via the Privy Council. Consideration should be given whom the Inspectorate reports: Ministers or the Scottish Parliament. The Inspectorate must have a clear mandate for inspecting education provision across all sectors and have independence to ensure it can provide assurance of high quality learning across the curriculum and must have responsibility for the inspection and review of all education sectors from early years through to adult learning. Independent evidence from the Inspectorate will continue to have an important role in informing the work of other agencies, therefore transparent and timely sharing of information will be essential to ensure consistency of advice and approaches when providing support to the system.

The Assessment and Curriculum body should have the responsibility for assessment and curriculum policy and review and the development and awarding of qualifications. It should also be responsible for the strategic direction and leadership of CfE and provide national leadership on the development and implementation of curriculum design.

10.1 There is clarity on where high quality support for leadership and professional learning can be accessed to support practitioners.

Agree

10.2 Please share any comments you may have on support for leadership and professional learning.

Ensuring understanding of the key role of leadership, in both the reform process and continuous development and improvement in education in Scotland, is crucial.

ES is well-known for leading on the national PL offer, building on the work of the Scottish College of Educational Leadership (SCEL). The national offer is planned and developed in response to, and anticipation of, expressed needs in the system. There are leadership learning pathways, and developmental support from probationer and early career teachers through to supports for established teachers, middle, school and system leaders. There is evidence that RICs and LAs are building on the national offer within their areas to support and embed learning at a local level. Close working relationships with RICs and LAs helps to ensure learning is suited to the local context and can help bridge gaps in provision. The PLL offer from ES includes bespoke versions of leadership programmes at both LA and RIC levels and can also support developments with individual schools. Development opportunities are also provided for those who lead career long professional learning

(CLPL) within LAs and RICs bringing coherence and understanding on a range of aspects related to professional learning and development. The national model of professional learning provides a framework to support the development of effective professional learning for all education professionals.

ES's approach to professional learning is characterised by strong collaboration and partnership working with a wide group of stakeholders, including universities, local authorities and RICs, supporting the co-design of meaningful and relevant learning.

We understand PL happens in all contexts and settings and takes place in dialogue. Professional Learning colleagues in ES support professional learning across ES to support strategic improvement at a national level and further develop coherent approaches to professional learning and leadership across the education system. The planned introduction of ES's Professional Learning Catalogue will provide greater scope for signposting to professional learning programmes and opportunities available locally, regionally and from other providers of professional learning.

The move to online delivery as a response to COVID-19, as well as increased locality working, has supported the delivery of PL in a greater number of locations which has increased equity of access for those in rural areas.

Having an agreed national strategy and approach to professional learning and leadership, led by a national team, supports equity of access, opportunity and experience and a shared understanding of effective professional learning based on the national model. A national professional learning team has a vital role in both system convening, bringing partners and stakeholders together to deliver on the national strategy and ensuring a broad and relevant range of professional learning opportunities which impact on educators and on outcomes for learners.

It is the opinion of ES that continued strategic responsibility for Professional Learning must sit with the national Improvement Agency (Education Scotland). A national approach to professional learning embedded within an Improvement Agency (Education Scotland) ensures learning provision is in place to support the ongoing evolution of the system and educators. This approach would help ensure equitable access to the Improvement Agency, and remove any ambiguity around where to access high quality, accredited PL.

It is our opinion that a future Improvement Agency (Education Scotland) should be the go-to place for Professional Learning across the system. This would provide an opportunity to build on the extensive work started by SCEL, and continued by ES, including work on accreditation, the development of the PLL Online Resource and bringing the specialist expertise of Attainment Advisors and curriculum staff to enhance and extend the professional learning offer.

This would also allow the continued development of the Lead Teacher role which aims to enhance the current support offered to the system. Importantly, the role of a Lead Teacher will be distinct from other positions within ES, while complementing and supporting the work of colleagues in civil service roles.

As determined by the SNCT role descriptor, Lead Teachers must be GTCS registered teachers and their role may include the following in a national capacity:

- provide strategic leadership in the development of an area of specialism;
- lead career-long professional learning opportunities on their area of focus;
- share, demonstrate and model effective practice in collaborative enquiry and the area of focus; and
- provide support for the professional needs of colleagues, including school and system leaders, on their area of specialism.

Such activity would provide opportunities to:

- increase ES's presence and connectivity across the system, and strengthen partnership working with GTCS and Universities;
- undertake focused and specific 'deep dive' research on an area of interest to ES and the system;
- link research to strategic thinking, direction and priority planning, for example, through representation, contribution and delivery at seminars and conference inputs, acting as a conduit between academia and ES; and
- support the work of local authority and regional colleagues to focus specifically on capacity building through enabling collaborative enquiry and collaborative research networks.

The Improvement Agency being the go-to place for Professional Learning Programmes, signposting, advice and support across the system will also provide an opportunity to ensure professional learning is valued in the education system, strengthening expectations around supporting engagement with professional learning at every level and ensuring appropriate time and resource is dedicated to it.

With the possibility of increased clarity of roles and responsibilities across the system, there is an opportunity to enhance the support for leadership and PL for those in the early years sector who are currently supported by three different agencies. ELC must be fully rooted within the education system with support for the sector on leadership and professional learning coming from the national Improvement Agency (ES).

It is our opinion that this reform provides opportunity for further growth in professional learning provided by ES in light of demand from the system, evidenced in growing numbers engaging. Professional learning should be at the heart of the system, supporting system leadership and system evolution through the approaches demonstrated by ES. For continued development in the system it is important that relevant professional learning and leadership supports are available in a coherent and accessible way for educators at every stage of their career, making connections locally, regionally and nationally and supporting both national imperatives and local contexts.

Without a national approach and dedicated team within an Improvement Agency, there is a significant risk of fragmentation, piecemeal approaches and ad hoc provision impacting negatively on the system. This will severely dilute the work and progress that those in the system have supported and developed, working against the national priorities of empowerment and agency.

11.1 There is sufficient trust with all stakeholders including young people, parents, carers, so they are genuinely involved in decision making.

Strongly Disagree

11.2 Please share any ideas you may have on how trust and decision making can be further improved.

There is an inconsistent approach to engagement with the system, and a longer term approach is needed. Appropriate and accurate feedback is key to developing trust, with the improvement of robust and dynamic feedback loops supporting this. Meaningful and transparent communication is a vital element in this aspect.

Currently, there is not enough involvement of children and young people, parents or carers in decision making. Consultation with these groups must be authentic to support the development of shared ownership in relation to decision making. Learning communities should be made more effective, with the utilisation of collaborative working with a collection of community partners that supports a valued and wider range of learning pathways.

Three national agencies with clear roles and responsibilities and an overarching aim of national improvement would support enhanced engagement with the system and improve trust and decision making. An Improvement Agency (ES) would continue to support collaborative improvement and embed a culture of transparency and openness towards improvement. A clear understanding of local and national issues would support active and meaningful engagement in change and improvement matters. There needs to be participative activities, along with the co-design of materials and resources and there is a need to invest in service design capability across the system at all levels.

More specifically, learners tell us they do not feel connected with decision making and improvements must be made to change this. Moving forward, we must focus on Children's Rights and continue to develop the UNCRC engagement strategies and practice with children and young people. ES recognises the need to reimagine engagement with children and young people – not imposing adult structures but offering a real breadth of authentic engagement. Engagement must also be continuous, and young people must have the opportunity to really personalise their own learning. Attention must also be placed on the practitioners and efforts made to build confidence and trust.

12.1 Independent inspection has an important role to play in scrutiny and evaluation, enhancing improvement and building capacity.

Agree

12.2 Please give examples of how you would like to see scrutiny and evaluation being carried out in future.

Moving forward, the role of the Independent Inspectorate must continue to be to provide assurance and public accountability to stakeholders about the quality of education locally, nationally and at individual establishment/service level. It must continue to play a crucial role in supporting improvement as well as providing assurance. Learners, the quality of their experiences and outcomes, should continue sit at the heart of inspection. An independent Inspectorate must operate independently and impartially. It is possible that the Inspectorate would benefit from being set-up as a 'non-ministerial office' or an executive agency, with staff remaining civil servants and inspectors being appointed with approval by Her Majesty via the Privy Council. Consideration should be given to whom the Inspectorate reports: Ministers or the Scottish Parliament. An Independent Inspectorate must continue to place learners at the heart of inspection with an emphasis on outcomes and impact.

Additionally, the independent inspectorate must continue to:

- build capacity through identifying and sharing effective practice;
- inform the development of educational policy and practice by providing independent, professional evaluations from observing practice at first hand; and
- provide independent external evaluation of quality and improvement in the education provision provided across all education sectors from early years to adult learning. This will also include independent external evaluation of those responsible for ensuring the quality of education provision.

To best support the system, the Inspectorate must work alongside a national Improvement Agency (Education Scotland) and Assessment and Curriculum body with a shared vision of continuous improvement in education. It will provide independent evidence and professional advice to support quality and delivery of education.

Partnership working with the aim of collaborative improvement will be central to the new structure. The Inspectorate will provide independent external evaluation and ES, as an improvement agency, would continue to focus on directly supporting local authorities, RICs and establishments to enhance whole system improvement.

The Inspectorate must continue to evolve and develop its approaches to ensure it adds value to the education system, building on what is already known about successful approaches to inspection. Currently, 9-12 months after inspection the headteacher/head of establishment is invited to provide feedback on the impact of the inspection on the establishment's improvement journey. The results point to significant positive impact as the result of inspection, as summarised below:

- ninety eight percent of headteachers who responded said they had made changes as a direct result of inspection;
- ninety nine percent of respondents agreed or strongly agreed that the feedback from inspection had prompted the school to reflect on its strengths/areas for improvement;
- ninety percent said that the professional dialogue during inspection had helped the school to make improvements; and
- ninety six percent of respondents said they had used inspection findings to inform their self-evaluation and improvement planning.

The Inspectorate will ensure sufficient flow of independent external evidence to help understand what is working well, where there are challenges and suggestions for how to improve. It will also strengthen how evidence is used to guide local self-evaluation and improvement work; and share examples of highly effective practice. It will be necessary to ensure that inspection continues to fulfil the three purposes as set out above whilst reflecting the changing strategic and operational context of the education system. The Inspectorate will take forward work already started by ES to re-imagine inspection. This will include exploring approaches openly and collaboratively with stakeholders and learners before improvements are decided.

Inspections need to be undertaken in a way that takes account of and supports curriculum developments. Sharing effective practice is key, and the role of the Inspectorate could be strengthened significantly by using their evidence more to influence and inform educational policy and practice. With an enhanced role, an independent inspectorate should also carry out its own research to drive forward improvement.

There is the opportunity to provide clarity of roles and responsibilities of scrutiny bodies involved in inspecting the same service. This is particularly pertinent in early learning and childcare. The quality of education in early learning and childcare should be the responsibility of the Inspectorate for education.

Parents and carers value the evidence and assurance on the quality of education that inspection activity provides, and making more effective use of the data gathered by inspection activities would further support improvements in the system.

13. Please share any additional comments on roles and responsibilities in Scotland's education system.

This reform presents considerable opportunity to rethink the roles and responsibilities within Scotland's education system and there is a need for the new structure to be visible and credible across the system. There is an opportunity to utilise connections across the whole of the education system to effectively support the learner journey, and ensure that there is a shared vision centred around learners and their families. A wide range of views are important, and greater engagement regarding decision making would be beneficial.

Building on, and using ES's collective strengths and abilities, would create a system that enables national organisations, as outlined in this response, to move forward collegiately. Additionally, there is an opportunity to strengthen and further embed regional collaboration across the system through clarifying and increasing the responsibilities of RICs as part of the improvement agenda. RICs are now well established and the forthcoming RIC review should provide key messages of learning and achievements, as well as lessons learned that can be built on going forward.

Professional Learning is key to supporting new and revised roles and responsibilities across the education system. There is now an opportunity to implement a developmental system change programme to support engagement with an inclusive future reform, led and supported by Education Scotland as the national Improvement Agency. Working together, this provides a significant opportunity to build upon the vision for Curriculum for Excellence, with a collective commitment to system wide collaboration, working for Scotland's learners, with Scotland's educators, in the service of Scotland.

Section 4 – Replacing the Scottish Qualifications Authority and reforming Education Scotland

14. Please share any comments or suggestions you have on this proposed reform below.

a) The approach this reform should take (for example what form should this agency take).

As stated previously, we believe that this agency should have the following roles and responsibilities:

- responsibility for policy and review of assessment, qualifications and certification;
- responsibility for curriculum policy and review;
- provide national leadership on the development and implementation of curriculum design – embedding curriculum envisaged by CfE where assessment reflects pedagogy and learning experienced by learners;
- responsibility for the strategic direction and leadership of Curriculum for Excellence; and
- ensures the curriculum reflects modern society, including skills development; with an increased emphasis on a broader range of qualifications.

In addition, we propose the following roles and responsibilities for an Independent Inspectorate and for Education Scotland, as the national Improvement Agency:

Independent Inspectorate

The Independent Inspectorate will provide assurance and public accountability to stakeholders about the quality of education locally, nationally and at individual establishment/service level. It will play a crucial role in supporting improvement as well as providing assurance. Learners, the quality of their experiences and outcomes, will sit at the heart of inspection.

Importantly, the Independent Inspectorate must be responsible for inspection at all levels of the education system – from early years to adult learning. Additionally, the Independent Inspectorate must continue to:

- build capacity, through identifying and sharing effective practice;
- inform the development of educational policy and practice by providing independent, professional evaluations from observing practice at first hand;
- provide independent external evaluation of quality and improvement in the education provision, provided across all education sectors, from early years to adult learning. This will also include independent external evaluation of those responsible for ensuring the quality of education provision;
- support the drive towards empowerment with a strong focus on self-evaluation and an establishment's capacity to improve;
- share information on what is working well and what needs to improve; and identify any barriers in the system;
- evaluate major changes in the education system, including education reform, on the quality of children's and young people's experiences and impact on standards;

- ensure robust collaboration with other key national bodies (including the body for Assessment and Curriculum and ES) to ensure any new Inspectorate adds value to the education system; and
- ensure alignment with system level evaluation.

Improvement Agency (Education Scotland)

The Improvement Agency (a learner focused agency which embeds Children's Rights) will have responsibility for improvement across education from early years to adult learning. It will provide a supportive role to the system through Professional Learning, Advice and Support, working *for* Scotland's learners, *with* Scotland's educators strengthening autonomy and empowerment. Additionally, the Improvement Agency will:

- provide direct support for schools, settings and learning communities at local and regional levels;
- provide direct support for local authorities, RIC's and establishments and have a clear understanding of local and national issues to enhance whole system improvement;
- facilitate national professional learning networks and collaborative working at all levels of the system;
- provide support for the implementation, delivery and development of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners;
- lead leadership development nationally across the system and support collaborative improvement;
- provide digital services for the Education sector - including Glow - and build on the digital delivery model;
- provide universal, targeted and intensive support *for* and *with* Scotland's educators:
 - Universal: National professional learning and leadership programmes (incorporating curriculum, pedagogy, assessment, leadership development), co-ordination of Lead Teacher Programme.
 - Targeted: Attainment Advisor, improvement and leadership support and curriculum specialist support at RIC/LA level.
 - Intensive: School/LA support responding to outcomes of inspection and self-evaluation processes (from schools, LAs, Independent Inspectorate etc.): working alongside practitioners to support classroom delivery and school improvements.

b) The opportunities these reforms could present (for example the development of a new national approach to inspection including alignment with other scrutiny functions).

The reform presents the opportunity to clarify the roles and responsibilities of national agencies and government and communicate this to the system. There is the opportunity with this reform to ensure responsibility for the inspection of all education provision - from early learning through to adult learners, sits with the Independent Inspectorate bringing coherence across the system.

The collaboration of scrutiny bodies, including the new Inspectorate body on areas of shared interest should continue and where appropriate be enhanced. For example scrutiny activity carried out by Audit Scotland with a particular focus on education and outcomes for learners would benefit from involvement of the Inspectorate for education.

There is the opportunity to provide clarity of roles and responsibilities of scrutiny bodies involved in inspecting the same service. This is particularly pertinent in early learning and childcare. The quality of education in early learning and childcare should be the responsibility of the Inspectorate for education.

The reform presents an opportunity for improved engagement and professional dialogue with stakeholders. Learner voice must be central to developing the future inspection strategy.

There is an opportunity to refocus an Improvement Agency (Education Scotland) on working closely with practitioners in schools/settings – delivering bespoke support closest to the learner. It is essential that access to specific support is available to drive system improvement and deliver reform. The ability and capacity to support practitioners, and through them Scotland's learners, must be enhanced and built upon in this reform and roles and remit clearly developed to ensure equity of access to national support for all.

Regular visits and strong communication could form safer spaces for reflection and evaluation as well as identification of improvement areas.

The Inspectorate should have a renewed opportunity to build capacity in the education system to ensure that educational establishments and services have a high capacity to self-evaluate and drive their own improvement.

The provision of smoother transitions across sectors and learning stages is another potential opportunity. This could be achieved through establishing clearer ways of tracking and monitoring learners across their education journey so that timely support and interventions can be put in place.

There is an opportunity for a more standardised infrastructure expectation where Glow provides single sign on to more core tools and services that everyone in education has access to and have practical knowledge of the uses and potential applications of them. Equity of access for children and young people is critical; technology must not be, or become, a barrier to learning. It is the time to set an expectation that the use of digital tools and technology is essential in highly effective learning, teaching and assessment across the curriculum. Any development in the use of digital technology in schools must be supported by appropriate approaches to safeguarding and professional learning for both technical and pedagogical support.

There is an opportunity for further growth in professional learning in light of demand from the system, evidenced in growing numbers engaging with Education Scotland. Professional learning should be at the heart of the system, supporting system leadership and system evolution through the approaches demonstrated by ES. For continued development in the system it is important that relevant professional learning and leadership supports are available in a coherent and accessible way for educators at every stage of their career, making connections locally, regionally and nationally and supporting both national imperatives and local contexts.

c) The risks associated with any reform (for example whether the independence of the inspectorate could be jeopardised by change).

There is a significant risk that the process, uncertainties and complexities of reform will distract national agencies and other organisations. This could have a serious and detrimental impact on outcomes for learners.

There is a risk that during this period of uncertainty, recruitment and retention of staff in new and reformed organisations could become an issue, particularly in the transition stages of reform. This could lead to a loss of expertise from organisations affected by the reform. This would pose a risk to having sufficient staff with the appropriate skills and expertise to carry out the functions of the organisation.

If the Independent Inspectorate is not set up with appropriate governance arrangements, a there is a risk that the independence of the inspectorate could be compromised.

Additionally, there is a risk that the reform could create long-term disjointedness and confusion across the system – rather than adding clarity.

There is a risk that developments and progress already made within the system are lost or delayed during a significant period of organisational reform. There is particular concern that the value added to the system from locality working (Regional and Inspection colleagues working to support particular areas) will be lost and we step back in terms of collaboration across the system.

There is a risk that the scope of the consultation is too narrow, reduced to only focus on two agencies rather than the wider recommendations from the OECD around the review of the system architecture in Scotland. This could result in disruption with no significant long term gain.

d) How any risks might be mitigated.

Practical risk mitigation can be put in place including: effective project management and governance structures and a robust communications plan. Employment Law must be carefully considered and affected staff and trade unions consulted and engaged at all stages.

There must be sufficient finance available to make the necessary changes. In particular, all bodies must be sufficiently staffed to reduce the risk of being unable to fulfil their roles and full potential.

Clarity of roles and responsibilities of agencies must be outlined and communicated. There must be alignment across all areas of reform.

e) The timescales over which these reforms should take place.

Crucially, the timescale for reform must ensure that children and young people are not adversely affected by any structural changes.

It has already been communicated to the system that Inspection is to be removed from the functions of ES. Timescales must be sufficient to ensure the reform is properly implemented yet quick enough to communicate to the general public that change is coming in response to the OECD recommendations. Regardless of timescales adopted, it is important that ES staff remain active and visible in carrying out critical functions to continue to support educators during the pandemic as well as supporting improvement; providing assurance; and influence national policy.

15. Please share any comments or suggestions you have on how the functions currently housed in Education Scotland could be reformed.

a) the approach this reform should take (for example which functions should continue to sit within a reformed Education Scotland and are there any functions which could be carried out elsewhere).

It is our view that ES should continue to exist as an Improvement Agency for the system (from early years to adult learning). The role of the Improvement Agency would therefore be to drive improvement within an empowered system based on collaboration and trust. Building on what is already working well, the agency would use local and national data and intelligence to develop 'bespoke' support where it is required to drive forward improvement. Localised, direct support for practitioners, closest to the learner will support professional agency and drive improvement.

The Improvement Agency (a learner focused agency which embeds Children's Rights) will have responsibility for improvement across education from early years to adult learning. It will provide a supportive role to the system through Professional Learning, Advice and Support, working *for* Scotland's learners, *with* Scotland's educators strengthening autonomy and empowerment. Additionally, the Improvement Agency will:

- facilitate national professional learning networks and collaborative working at all levels of the system;
- provide support for the implementation and delivery of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners;
- provide direct support for schools, settings and learning communities at local and regional levels;
- provide direct support for local authorities, RIC's and establishments and have a clear understanding of local and national issues to enhance whole system improvement;
- lead leadership development nationally across the system and support collaborative improvement;
- provide digital services for the Education sector – including Glow - and build on the digital delivery model;

- provide universal, targeted and intensive support *for* and *with* Scotland's educators:
 - Universal: National professional learning and leadership programmes (incorporating curriculum, pedagogy, assessment, leadership development), co-ordination of Lead Teacher Programme.
 - Targeted: Attainment Advisor, improvement and leadership support and curriculum specialist support at RIC/LA level.
 - Intensive: School/LA support responding to outcomes of inspection and self-evaluation processes (from schools, LAs, Independent Inspectorate etc.): working alongside practitioners to support classroom delivery and school improvements.

While assessment and curriculum policy and review should be the responsibility of the Assessment and Curriculum body, the Improvement Agency (Education Scotland), should maintain curriculum support through professional learning for all subjects, contexts and learning and teaching. The Improvement Agency will play a supportive rather than judgemental role and this must be communicated to all stakeholders. Establishments should be encouraged to engage with the Improvement Agency for professional learning, professional advice and support. It is expected that professional learning will be a key focus of the reformed organisation.

To minimise disruption during any transition period, Corporate Service teams and functions may be able to provide a shared service for the three new and reformed organisations however in the longer term corporate functions should be designed to specifically meet the needs of each separate agency with dedicated corporate service teams within each of the three agencies. It is important that corporate services are responsive, agile and able to meet the needs of specific organisations.

Similarly, Digital Services may need to be a shared service during any transition period but should ultimately belong to one organisation. Our view is that ES's Digital Services, based on the current offering which focuses on improving and supporting digital learning and teaching through services such as Glow, should remain as part of the national Improvement Agency. This would ensure relevant digital expertise stays together and serves the system most effectively. Moving forward, it is critical to build on the digital delivery model developed over the last 18 months, enabling an inclusive approach and allowing stakeholders across the country to access services. An enhanced digital environment would also facilitate improved and clear communications which will be important when introducing the new structure. While a shared service is an unfavourable option, further consideration should be given to shared digital systems across any new agencies to help join up services, improve user experience and remove unnecessary bureaucracy for service users and staff.

Functions that involve directly supporting learning communities at local and regional levels, offering a wide range of professional learning and leadership development programmes and opportunities and Community Learning and Development should also remain within the remit of the national Improvement Agency (ES). The Community Learning and Development Standards Council (CLDSC) should continue to be hosted within the national improvement agency (Education Scotland) this would ensure the successes of the partnership between ES and CLDSC continue and are further enhanced in a reformed ES. The current framework agreement approach between ES and CLDSC should be continued.

The Improvement Agency also has a role in bringing stakeholders together at national level, through sharing effective practice. The new structure must include governance and leadership structures to facilitate effective collaboration and professional relationships which put children and young people at the heart of decision making.

b) The opportunities reform could present (for example should more prominence be given to aspects of Education Scotland's role)

There is an opportunity to build on and enhance the locality approach used by ES to support the system during the pandemic. A national Improvement Agency should provide support, challenge and professional advice to schools, local authorities and other partners as part of an empowered system. The level of support provided would be based on requirements (this would be determined in partnership taking into account local and national data and intelligence). In broad terms the following levels of support would be available:

- Universal
- Targeted
- Intensive

An important part of the process would be dialogue with partners to co-design actions/interventions. As outlined above, the use of relevant data (encompassing more than qualifications data) and intelligence would be important. This will include direct feedback from practitioners on the effectiveness of support already provided, and in this context adopting the use of systemic improvement methodology. The level of support would also be informed by local factors e.g. capacity within LA to improve. Staff in schools and localities would have opportunities to directly influence the package of support. It is important to emphasise that consideration would be given to wider issues in communities including early years, post school dynamics, community concerns and alignment with wider local plans, not least in terms of tackling issues being experienced as a result of poverty.

ES has a track record of delivering and is in a unique position of understanding the entire system, with strong links with partners. This will enable bespoke support to be provided directly and in partnership, ensuring alignment with the wider policy landscape, not least tackling poverty within our communities

A reformed ES should have a role, through the support available, to reduce the disconnect between BGE and Senior Phase – and to make better links between assessment and curriculum. Given the continued importance of literacy, numeracy and health and wellbeing, ES should increase capacity in these areas, working with experts across and beyond the system to support improvements for these specific areas.

Given the learning from the last year there is a need to build on the national leadership for digital learning and teaching (including emerging technologies for learning), with a pivot from the technical use of digital tools and services to the pedagogical use of tools and services. ES should have a role in providing national leadership of the 1:1 devices and infrastructure project to ensure it is coordinated and delivers impact.

The reform may also provide the opportunity to realise the benefits of the work of ES's Transformation Programme, through Professional Advice and Support for example. It provides the opportunity to put users at the forefront of design of new services.

There is potential for ES to formalise its relationship with the Scottish Futures Trust and provide curriculum and digital expertise as part of the modernising school building programme.

c) The risks associated with any reform (for example disruption of service to education establishments and settings).

There is a significant risk that the process, uncertainties and complexities of reform will distract national agencies and other organisations. This could have a serious and detrimental impact on outcomes for learners.

There is a risk that without strong communication regarding roles and responsibilities, there will be confusion around the new and reformed agencies with the system not clearly understanding their different roles. Additionally there may be duplication of services provided across the system and conflicting messages issued to the system.

The time taken for the reformed ES to establish itself in terms of building relationships and collective efficacy, could result in disruption to services being delivered.

Disruptions to Glow during a pandemic would have a massive impact on learners.

Additionally, there may be a negative impact on collaboration across the system as new organisations seek to establish their corporate identity and role in the system. There is a concern that the collaborative approach developed over the years within ES and the relationships established across the system as a result of the regional working approach could be lost as a result of the reform.

There is a risk that the potential benefits from the digital Transformation Programme currently underway within ES will not be fully met as a result of the reform. It is our view that the digital services involved must remain within ES to ensure the benefits of the programme are met.

There is a risk that there could be a loss of staff and expertise, and a difficulty in recruiting new staff as the reform progresses. The ongoing uncertainty will also have an impact on staff wellbeing and morale.

d) How any risks might be mitigated.

Utilising a public service design process to help drive the reform would ensure that the process was clearly mapped out, effectively implemented and that there was clarity in terms of vision, roles and responsibilities. This would help stakeholders to be confident in the reform.

Effective and transparent stakeholder engagement throughout the process, including seeking the views of learners, would further help to mitigate any risks involved in the reform. Engagement should ensure a wide range of opinions are included.

Collective leadership needs to be more visible to the system and demonstrate the value of each organisation in relation to shaping, developing and supporting implementation of national policy.

Committing to a 'business as usual' approach, perhaps with prioritisation of the services considered most essential, could help to mitigate any disruption in the system.

Additionally, governance of ES should remain unchanged as it provides consistency and links to the next stage of reform, quality improvement and working with other agencies in this field.

e) The timescales over which these reforms should take place.

There must be a realistic timescale which has the support of the system. This needs to be set out in the wider context and an order of process agreed.

The pace and nature of the reform will impact on the support which is available to the system. Timescales must be realistic and take into account the circumstances and needs of the education system. ES needs to be able to support the system rather than have attention diverted away from this role as a result of the reform.

It needs to be acknowledged that change can take time – while change to the structure may be able to be implemented more quickly, transformational change will take much longer to embed in the system and may take several years. Employment law must be considered at all times.

16. Please share any comments or suggestions you have on this proposed reform below.

a) The approach this reform should take (for example could a function be carried out elsewhere)

It is our view that 3 agencies are required in the system, with the roles and responsibilities as outlined below.

Independent Inspectorate

Moving forward, the role of the Independent Inspectorate must continue to be to provide assurance and public accountability to stakeholders about the quality of education locally, nationally and at individual establishment/service level. It will play a crucial role in supporting improvement as well as providing assurance. The Independent Inspectorate will place learners, the quality of their experiences and outcomes for learners, at the heart of inspection.

Importantly, the Independent Inspectorate must be responsible for inspection at all levels of the education system – from early years to adult learning. Additionally, the independent inspectorate must continue to:

- build capacity through identifying and sharing effective practice.
- inform the development of educational policy and practice by providing independent, professional evaluations from observing practice at first hand.
- Provide independent external evaluation of quality and improvement in the education provision provided across all education sectors from early years to adult learning. This will also include independent external evaluation of those responsible for ensuring the quality of education provision.
- Supports the drive towards empowerment with a strong focus on self-evaluation and an establishment's capacity to improve.
- Shares information on what is working well and what needs to improve and identifies any barriers in the system.
- Evaluate major changes in education system, including education reform on the quality of children's and young people's experiences and impact on standards.
- Robust collaboration with other key national bodies (including the body for Assessment and Curriculum and ES) to ensure any new Inspectorate adds value to the education system.
- Alignment with system level evaluation

Improvement Agency (Education Scotland)

- facilitate national professional learning networks and collaborative working at all levels of the system;
- provide support for the implementation and delivery of the Curriculum - empowering practitioners to design a curriculum that meets the needs of learners;
- provide direct support for schools, settings and learning communities at local and regional levels;
- provide direct support for local authorities, RIC's and establishments and have a clear understanding of local and national issues to enhance whole system improvement;
- lead leadership development nationally across the system and support collaborative improvement;
- provide digital services for the Education sector – including Glow - and build on the digital delivery model;
- provide universal, targeted and intensive support *for* and *with* Scotland's educators:
 - Universal: National professional learning and leadership programmes (incorporating curriculum, pedagogy, assessment, leadership development), co-ordination of Lead Teacher Programme.
 - Targeted: Attainment Advisor, improvement and leadership support and curriculum specialist support at RIC/LA level.
 - Intensive: School/LA support responding to outcomes of inspection and self-evaluation processes (from schools, LAs, Independent Inspectorate etc.): working alongside practitioners to support classroom delivery and school improvements.

Assessment and Curriculum body

- Responsibility for policy and review of assessment/qualifications and certification.
- Responsibility for curriculum policy and review.
- Responsibility for the strategic direction and leadership of Curriculum for Excellence.
- Takes a learner-led approach and embeds Children's Rights.
- Provides national leadership on the development and implementation of curriculum design – embedding curriculum envisaged by CfE where assessment reflects pedagogy and learning experienced by learners.
- Ensures curriculum reflects modern society, including skills development; Increased emphasis on broader range of qualifications including vocational qualifications.
- Leading concept, design and review.

Following the recommendations from the Muir review, further consideration should be given to wider reform of the education system. Further reform of the education system could offer opportunities to better meet learners' needs and secure equity through academic or vocational routes. The strength of flexibility in the senior phase should be emphasised, with potentially an increased, equitable emphasis on vocational qualifications.

b) The opportunities these reforms could present (for example should more prominence be given to an aspect of SQA's role)

The reforms present a clear opportunity to take a creative and innovative approach to assessment and remove the over reliance on exams. We should consider whether current assessments continue to be fit for purpose, as opposed to focusing simply on replacing the 'body' of the SQA. Whilst examinations may be regarded as an easy process to administer, consideration should be given to how the new structure could include assessment more as part of the learning process. Additionally, our proposal of three agencies with clearly defined roles and responsibilities presents an opportunity to ensure better alignment and links between assessment and curriculum.

There are opportunities to look at the design of assessment and qualifications, and move away from a 'one size fits all' approach. More holistic assessment approaches and continuous assessment could be used with consideration given to what summative and ongoing assessment could look like. This reform must take account of the needs of all learners currently moving through the system. There is an opportunity to consider how to increase the value given to the range of qualifications that SQA provides and ensure a wider range of qualifications which are contextualised, fit for purpose and more relevant for both society and learners, are evident in the system.

c) The risks associated with any reform (for example loss of income, confusion as to system of awards in Scotland).

There is a risk that there will be more confusion in the system which will also link to reduced stakeholder confidence. SQA staff morale may be adversely affected which may result in a loss of staff and subsequent logistical expertise.

It is possible that there will be continued misalignment of Assessment and Curriculum, BGE and Senior Phase. There may be risks for children and young people during the change period. There will be times when changes to scrutiny arrangements and assessment will happen at the same time. There will be a group of young people going through the system whose attainment and progress might be unclear due to changes in tracking and monitoring, verification and assessment.

d) How any risks might be mitigated.

Risks could be mitigated by formulating and publishing a clear strategy for reform, taking a service design approach, informing and engaging all stakeholders regularly, communicating proposed changes and ensuring understanding – including children, young people, parents and employers.

Incremental change may also mitigate risk.

e) The timescales over which these reforms should take place.

Again, there must be a realistic timescale which has the support of the system. This needs to be set out in the wider context and an order of process agreed. There must be due regard for employment law.

Assessment should be prioritised given the prominence and direct impact on children and young people.

17. Please share any comments or suggestions you have on this proposed reform below.

a) The approach to the proposed reform – establishment of a new Assessment and Curriculum Agency.

It is our view that the reform of ES and replacement of SQA should result in three agencies within the system with clear roles and responsibilities. A new Assessment and Curriculum body should be more joined-up than the current model and assessment and curriculum policy should sit with the new Assessment and Curriculum body. Importantly, support for curriculum delivery and support would be within the remit of the national Improvement Agency (ES).

To best support the system, these three agencies in the system must work together, sharing a vision of continuous improvement in education. Learner centred approaches and partnership working with the aim of collaborative improvement will be central to the new structure.

b) The opportunities that the proposed reform – establishment of a new Curriculum and Assessment Agency - could present.

The establishment of a new Assessment and Curriculum body, could result in greater clarity between assessment and curriculum. The opportunity to clarify roles and remits may also result in a shared understanding and alignment between the new agencies, leading to better support being provided for the education system.

Refocusing the system may also help to keep learning and teaching at the heart of the system. Additionally, there is an opportunity to embed inclusion and expand the range of qualifications available to learners.

c) The risks that the proposed reform – establishment of a new Curriculum and Assessment Agency - could present.

There is a need to manage the reputational risk around the impact of the reform, the costs involved and political priorities.

Although there is an opportunity for inclusion to be at the centre within a new agency there is also a risk that a holistic approach to education will not be sufficiently emphasised and that the current focus on passing exams could be reinforced by the connecting of assessment and curriculum. There may also be a perception that the curriculum was being driven by assessment. There could be a disconnect between what is taught in the classroom and qualifications available. There is a risk that combining assessment and curriculum will not alleviate the criticisms of the current model.

d) How any risks could be mitigated.

- Maintaining a 'business as usual' approach during the period of implementing and embedding change could help to minimise the disruption to the education system.
- Close partnership working both within and between the new agencies could help to avoid mixed messages around the roles and responsibilities of the new agencies. There is a need for clear, simple communication in terms of the roles and responsibilities within the new structure.
- The new agency could be structured to focus on assessment throughout the learner journey.
- A clear governance structure could also help to mitigate some of the identified risks.

e) The timescales over which the proposed reform – establishment of a new Assessment and Curriculum Agency – should take place

Again, there must be a realistic timescale which has the support of the system. This needs to be set out in the wider context and an order of process agreed. There must be due regard for employment law.

Assessment should be prioritised given the prominence and direct impact on children and young people.