

Education, Children and Young People Committee

9th Meeting, 2022 (Session 6), Wednesday 23 March 2022

Education Reform

Introduction

1. The Committee is scrutinising the ongoing issue of education reform in Scotland.
2. As part of this work, the Committee has taken evidence from the team who produced the [OECD review of Curriculum for Excellence, which was published on 21 June 2021](#).
3. At its meeting on [8 September 2021](#), the Committee took evidence from Dr Beatriz Pont, Senior Analyst, Education Policy, and Romane Viennet, Policy Analyst, both of the Organisation for Economic Cooperation and Development (OECD).
4. At its meeting on [10 November 2021](#), the Committee also took evidence from Professor Gordon Stobart, Emeritus Professor of Education, University College London. The focus of the session was a report Professor Stobart had completed for the [OECD on 'Upper-secondary education assessment in Scotland: a comparative assessment'](#).
5. Following the publication of the OECD review of the Curriculum for Excellence, the Scottish Government stated that it would—
 - Move the role of inspection out of Education Scotland in a way that maximizes impact and helps to balance the dual need for local flexibility of provision alongside national consistency in outcomes; and
 - Consider replacing the SQA with a new, specialist agency responsible for both curriculum and assessment to ensure alignment in these functions.
6. The Scottish Government appointed Professor Muir as an Independent Advisor to Scottish Government, to take forward these actions.
7. Professor Muir was supported in his work by an [Expert Panel](#) and a [Practitioner and Stakeholder Advisory Group](#). He published his report [Putting](#)

[Learners at the Centre: Towards a Future Vision for Scottish Education](#) on 9 March 2022.

Committee meeting

8. At this meeting, the Committee will take evidence from—
 - Professor Kenneth Muir, Honorary Professor at the University of the West of Scotland, and former Chief Executive and Registrar of the General Teaching Council for Scotland; and
 - Professor Graham Donaldson, Honorary Professor, School of Education, University of Glasgow.
9. A SPICe briefing on the issues being considered at this evidence session, is provided at **Annexe A**.

**Education, Children and Young People Committee Clerks
18 March 2022**

Annexe A



SPICe The Information Centre
An t-Ionad Fiosrachaidh

Education, Children and Young People Committee

23 March 2022

Education Reform

Introduction

The Committee will be taking evidence from Professor Ken Muir on his report *Putting Learners at the Centre: Towards a Future Vision for Scottish Education* (“the report”) which was published on 9 March 2022.

The report was commissioned by the Scottish Government following the publication of the [OECD review of CfE was published on 21 June 2021](#). The [Government's initial response](#) included the following actions—

- Move the role of inspection out of Education Scotland in a way that maximizes impact and helps to balance the dual need for local flexibility of provision alongside national consistency in outcomes.
- Consider replacing the SQA with a new, specialist agency responsible for both curriculum and assessment to ensure alignment in these functions.

Professor Muir was appointed an Independent Advisor to Scottish Government to take forward these actions. [The news release suggested](#) that Professor Muir would “lead work to replace the Scottish Qualifications Authority (SQA) with a new specialist agency for both curriculum and assessment.”

Professor Muir’s remit set out the scope of his work. It stated—

“In his role as the Advisor, he will provide advice to the Scottish Government and the Cabinet Secretary for Education and Skills on aspects of education reform. This will include designing the implementation of the OECD’s recommendations for structural and functional change of SQA and Education Scotland.

“It will also include the delivery of the national curriculum, assessment, qualification and inspection functions, recognising the wider functions of both these bodies. The Advisor will consider the proposal and resultant implications of creating a new, specialist agency responsible for both curriculum and assessment. In addition, he will outline the rationale and purpose for reform as set out by Scottish Ministers and ensure that any reform is designed to achieve this. All aspects of the work will be undertaken with as much openness and transparency as is possible.”

Professor Muir was supported in his work by an [Expert Panel](#) and a [Practitioner and Stakeholder Advisory Group](#). Professor Muir [undertook a consultation on](#) “the replacement of the Scottish Qualifications Authority and the reform of Education Scotland” which was launched on 30 September 2021 and closed on 26 November 2021.

On 9 March, the Scottish Government published (all links to pdf files)—

- [Professor Muir’s report](#);
- [An analysis of the consultation](#); and
- [a report of the consultation undertaken with children and young people](#).

The Cabinet Secretary delivered a [statement to Parliament on 9 March](#). It also [published its response](#) to the report that day. The government accepted all of the recommendations, some were “fully” accepted, some “broadly” accepted, and some accepted “in principal”.

The report made recommendations under the following areas—

- A renewed vision
- A qualifications and assessment body
- A national agency for Scottish education
- Inspection
- Wider implications
- Transitions

The summarised recommendations are reproduced in Annexe A to this paper.

Consultation

A public consultation on the proposed reforms was held to seek views and support and inform Professor Muir in his role as Independent Advisor. This ran from 30 September to 26 November 2021. 764 responses and notes from 87 meetings and webinars were independently analysed.

Children and young people were also consulted. The Children's Parliament, Scottish Youth Parliament and Together (Scottish Alliance for Children's Rights) designed a toolkit for children from primary school up to the age of 18 to discuss their views about school, learning and changes they would like to see. A survey for 12-18 year olds was also carried out. In total, 1,210 primary school aged children and 394 secondary school-aged children and young people engaged with the toolkits or took part in conversations as part of the consultation process. 3,889 12-18 year olds responded to the online survey.

Public consultation

An [independent analysis of consultation responses](#) found:

- Overall support for Curriculum for Excellence (CfE). At Broad General Education (BGE) level it was felt to work well, but this does not transfer into Senior Phase.
- Senior Phase teaching was considered to be constrained by the focus on exams. Many respondents felt the Senior Phase needs reform to provide balance between academic qualifications, recognising other achievements and providing parity between academic and vocational routes.
- Respondents reported that the educational landscape in Scotland is cluttered with a lack of clarity around where responsibilities for various elements of CfE lie.
- Respondents were generally supportive of the four reform proposals to remove the inspection function from Education Scotland; further reform of Education Scotland; to replace SQA (although many felt this should be reformed); and to consider the creation of a new Curriculum and Assessment Agency.
- Many respondents felt inspection functions should be moved to a separate agency, independent of the Scottish Government and any other education/policy agency in order to be impartial.
- It was suggested that Education Scotland could support and develop teaching and curricular change.
- The purpose of Education Scotland with inspection functions removed was questioned, as many felt all other aspects of its work duplicate other agencies.
- On the replacement/reform of SQA, most agreed some form of change was required. This was also felt to be an opportunity to reform current exam and assessment arrangements. The potential impact of changes to SQA on colleges was highlighted by a number of respondents.
- The creation of a Curriculum and Assessment Agency was seen by many as an opportunity to realign BGE and Senior Phase. The importance of clarity around roles and responsibilities of the new agency was stressed.

- The need to involve those with recent experience of teaching in the planned reforms was highlighted. Many respondents felt teachers should be more involved in the design and implementation process.
- Many respondents suggested the reforms should not be rushed through and other educational sectors such as early learning and childcare and Gaelic Medium Education (GME) needed to be considered and involved.
- Some respondents expressed concern that the proposed reforms may rebrand the current system, rather than bring about meaningful change.

Consultation with children and young people

[This consultation](#) asked children and young people about: the **vision for education**; how **curriculum and assessment** can provide the best possible experience; the **use of technologies in learning and teaching**; **involvement of children and young people in decision making**; and learner engagement with **inspection**.

Online toolkits for facilitating discussions with children of primary school age and for children aged 12-18 asked questions based on the above themes. These toolkits were designed and promoted by the Children’s Parliament, Scottish Youth Parliament and Together. A summary of discussions was produced by facilitators, who were adults known to the children. The conclusions of this consultation were fed into the main report.

Links to the OECD Review

Professor Muir’s work arise from the recommendations of the OECD review into CfE. Particularly in relation to recommendations to “simplify policies and institutions for clarity and coherence”.

Professor Muir’s foreword to his consultation stated—

“This consultation is **not** an attempt to survey all of the areas covered by the two OECD reports. Its main focus is on the ownership of Curriculum for Excellence; how we address the issues around roles and responsibilities for curriculum and assessment; and how we address the "misalignment" between the Broad General Education^[4] and the Senior Phase^[5] identified by the OECD. It also gives you the opportunity to make suggestions from your particular perspective on the changes you think are necessary to enhance the experiences and outcomes of current and future learners.”

The focus of the consultation was on the structure and roles of national institutions. The first substantive question of the consultation was on whether the current vision for CfE “reflects what matters for the education of children and young people in Scotland”. This question was framed as an introduction to the main part of the consultation, and it reflected the first recommendation of the OECD – to “re-assess CfE’s aspirational vision against emerging trends in education to take account of evolutions in education and society”.

The recommendations and themes of Professor Muir's report cover similar ground to the OECD's report. However, the roles and functions of the national bodies go beyond school education and CfE and while there is synergy, in some ways reform of those bodies includes considerations beyond the remit of the OECD review. Professor Muir stated in the Report—

“In considering this commission which focused on two major national bodies in Scottish education, it was apparent to me that the scope and functions of both bodies extended across a much wider sphere of influence than CfE and the school sector which were at the centre of the OECD's report ... Many of these organisations and individuals with whom I have spoken were not directly within the school sector, but are likely to be impacted by the Scottish Government's decisions to replace SQA and reform Education Scotland.”

One of the recommendations of the OECD's review was—

“Adopt a structured and long-term approach to implementation: Building on the system's existing strengths, Scotland should consider how to take on board the recommendations in this report as a coherent package rather than individual policy actions for the next steps.”

The Government published an [implementation framework In October 2021](#). The implementation framework was intended to “sit alongside” Professor Muir's work.

Principles of reform

Within the section entitled, “Case for change” the Report reflects some of the strengths and concerns highlighted by respondents. These themes are again reflective of the discussions in the OECD's review.

The Report highlighted the views of respondents around the high quality of teachers and school leaders working in Scotland. It also said there is “clear evidence of some innovative and creative approaches being taken to the curriculum which are meeting the needs of all learners well and which are enhancing and maximising their learning journey”. However, the Report suggested these practices were not consistently offered to learners.

The Report identified a number of factors that contributed to this inconsistency. These were—

“... a perception that the system is driven too much by SQA and its 'high stakes' examinations and overbearing pressures on practitioners and leaders, to variable resource and variable support from Education Scotland and Regional Improvement Collaboratives (RICs) that did not always respond directly and in a timely manner to the professional needs of teachers, practitioners and schools supporting learners.”

The Report reflects that there has been a number of policy initiatives in the recent past, as well as the demands of responding to the pandemic. The Report stated that school leaders had been drawn into greater levels bureaucracy as a result of the busy policy landscape.

Nonetheless, the Report stated there is appetite for reform. The report stated—

“It was generally agreed an important next step was the establishment of a co-constructed and shared vision which would embrace any revised vision for CfE itself. This would also require a cultural and mindset shift and the need for generating a commonly-held paradigm or set of assumptions that are championed and enacted by all who are involved in supporting learners and teachers.”

The Report also set out sixteen ‘key principles’ on which changes to Scottish education should be based. These are wide-ranging and are set out in Annexe B to this paper.

Discussion underpinning recommendations

The following section explores the narrative in the Report which led to the recommendations.

A renewed vision

The Report discussed some of the comments around the strengths of CfE and areas for improvements. 58% of respondents agreed that “the vision for CfE reflects what matters for the education of children and young people in Scotland”, while 24% disagreed. Professor Muir also noted that there are “a wide variety of interpretations and understandings of CfE”.

Professor Muir reported on aspects of CfE that respondents thought should be retained, and those that respondents thought should change.

Retained:

- Increased empowerment and autonomy to schools and practitioners to provide a curriculum that best suits their local context and the needs of all their learners.
- The importance of promoting the development of skills alongside knowledge and understanding.
- The increasing focus being given to outdoor learning and to active, play-based, relationship-centred learning in the early years and early primary.
- The increasing engagement of youth work, CLD, industry and third sector bodies in offering wider curricular and learning opportunities.

Changes suggested:

- Greater structure and clarity on what should be taught across disciplines to improve consistency.
- Improved focus and clarity in guidance documents on key requirements

- Greater focus and support on curriculum learning and teaching and on how CfE's four capacities can provide progression from BGE into the Senior Phase.
- Improved guidance and exemplars on how BGE in secondary schools and the transition to the Senior Phase can be managed to the benefit of all learners.
- A continuing focus on literacy and numeracy in primary schools but with greater recognition of the importance of health and wellbeing and the contribution made by all areas of the formal and informal curriculum and interdisciplinary learning.
- Greater clarity on the roles of assessment, standardised testing, the use of professional judgement and the place and nature of examinations.
- Clearer metrics around those capacities beyond a narrow interpretation of successful learners.
- A wider range of alternative pathways and opportunities for learners making subject choices and entering the Senior Phase.
- Greater recognition of prior learning and acknowledgement of the value of wider achievements, especially by the tertiary sector, beyond the traditional academic qualifications.
- A wider range of quality learning and teaching materials produced centrally to reduce workload on teachers and practitioners.

The report also discussed young people's views which had a particular focus around certification.

Like the OECD review, Professor Muir argued that the vision for CfE ought to be renewed. Professor Muir recommended that this renewal should be through a "national discussion" which included a wide range of voices.

Scottish Government response

The Scottish Government 'fully accepted' recommendations under this section.

The Government's response indicated that it would "facilitate a national discussion on the vision for the future of Scottish education, and will appoint an independent facilitator to assist with the delivery of this work". It said that it would, "use the opportunity of a national discussion to align with the work being undertaken to explore the values, vision and principles for the future of colleges, universities, and research following the commitment in our response to the SFC's Review of Coherence and Sustainability published last October."

A qualifications and assessment body

The Report discussed respondents' views on the performance of the SQA. The themes covered familiar criticisms, such as: communication, leadership and

governance, and “a failure to acknowledge the lived experiences of Scotland’s diverse learners”. The Report noted that the past few years had been challenging for examination and assessment bodies elsewhere in the UK.

Professor Muir highlighted the two main aspects of the SQA’s role: awarding and accreditation. He recommends that these functions be separated, with the awarding function being held by a newly established body. Awarding functions here means, “responsibility for the design and delivering of qualifications, the operation and certification of examinations, and the awarding of certificates”. Professor Muir recommended that the accreditation and regulation functions should be held by the national Education Agency.

The Report stated—

“SQA’s dual function of awarding and accrediting/regulating attracted criticism from some respondents and stakeholders who felt that it was not appropriate for both functions to be carried out by a single body. When taken together with what many saw as the organisation’s poor record of communication and ineffective engagement with the teaching profession, it was suggested that allowing SQA to ‘mark its own homework’ in this way further called into question its credibility. ...

It was argued by some that in such a small education system as we have in Scotland, there are advantages of integration and cost benefits in having SQA’s current awarding and accrediting/regulating functions within a single body. However, it is my view that these advantages are significantly outweighed by the need to restore the trust and confidence of the public, practitioners and learners in a revitalised single qualifications, examination and awarding body for Scotland. Separating the SQA’s functions will help ensure that the proposed qualifications, examination and awarding body is able to give increased attention to those functions.”

Professor Muir argued that the establishment of a new awarding body would allow for a reset of the “culture and engagement arrangements with all stakeholders” of the awarding body in Scotland.

Scottish Government response

The Scottish Government ‘fully accepted’ recommendations under this section.

Its response said that it would ensure that the “new body has the investment and resources it needs to transform the operating models, qualifications and services alongside those in the wider education and skills system”.

It also stated—

“The new body ... will reflect the culture and values we want to see embedded throughout our education and skills system, one that puts learners at the centre, supports our teachers and practitioners, and instils integrity, fairness and accountability throughout our approach to recognising achievements in education. The principle that assessment, including examinations, should

follow from the purposes of the curriculum, and not be seen to lead them, will be embedded in its work.

“For this new organisation, we will develop a governance structure that delivers on those values and gives learners and service users throughout the education and skills system clear roles in how qualifications are devised, delivered, supported, awarded and recognised.”

A national agency for Scottish education

The OECD recommended that policies and institutions be simplified for greater clarity and coherence. The review stated, “consideration should be given to a specialist stand-alone agency responsible for curriculum (and perhaps assessment) in the future.” The review was equivocal whether the agency should contribute to or lead “the next stage of the development of national assessment in Scotland, aligned with CfE.” It was clear, however, that the OECD’s view was that HMIE should become a stand-alone body.

Professor Muir’s consultation asked if respondents agreed that “the creation of a curriculum and assessment agency will help to address the misalignment of curriculum and assessment”. He reported that “a large proportion (41%) neither agreed or disagreed, most often citing their lack of awareness of the potential of such a body, of those who offered a definite view, a clear majority (39%) either agreed or strongly agreed that such a body should be created, while only 13% disagreed or strongly disagreed.”

Professor Muir stated—

“Many respondents agreed or were neutral about the proposed agency. This was partly because they saw the current model as flawed and were concerned that perceived mistakes from the past would be repeated. Even those who were positive about the creation of such an agency stressed the need to avoid the creation of an overly bureaucratic model that acted to control as opposed to support.”

The Report identified three themes of responses around this topic. These were:

- Politics
- Staffing, and
- Learning and Teaching

Some of the issues highlighted under the theme of ‘Politics’ were:

- Structural changes may be superficial, described as “rearranging the deckchairs”
- Independence from the Government and other agencies is key.

- That “a deeper and broader discussion needed to take place about wider education reform before proposing a new infrastructure of bodies”
- Links to wider policy activity, such as the review of tertiary education.
- Costs.

The Report noted that respondents urged that “current practitioners with up-to-date experience including teachers, youth workers, and Further Education (FE) and Higher Education (HE) professionals (whether or not seconded), should be involved in staffing the agency”.

The Report noted that respondents to Professor Muir’s consultation argued that learning and teaching ought to be key considerations of any body. The Report stated, that such a focus “could go a long way to correcting the current imbalance where examinations and assessment are seen to be driving what is taught and how it is taught, to the more desirable position of curriculum, assessment, learning and teaching driving what is valued and therefore recognised through any examinations and certification.”

The Report also noted that educators and practitioners from sectors outside of schools would usefully have a role in any new agency.

Professor Muir stated—

“Reflecting on all I have heard and read, it is my view that creating a new body focusing only on curriculum and assessment is not enough. What is needed is a single agency with a broader remit to address some of the key issues raised in the OECD report. Such an agency also has the potential to address a number of the tensions, concerns and aspirations that have been shared with me in my engagements and discussions.”

Professor Muir suggested that one of the tensions or concerns the new agency may help resolve would be clarity around who is responsible for the curriculum and the roles of various actors.

Professor Muir concluded—

“What is needed is a single agency that has a wider remit; one that brings policy and practice much closer together to ensure better outcomes for all learners. Bringing curriculum, assessment, learning and teaching, together with professional learning for support and improvement, within the remit of a single national agency has the potential to bring greater coherence between policy and practice and to secure a much stronger sense of collective ownership of policy. It can help to establish a common language and common understanding of expectations. The inclusion of the SCQF Partnership in the proposed agency ... will further enhance this. It can also ensure a national offer to support policy implementation where that is required. If it is allied to readily accessible, responsive high quality local professional learning, it will support and enhance the quality of learning and teaching provided by teachers and practitioners and, ultimately, improve outcomes for all learners.”

The proposed agency would take the functions of Education Scotland (less HMIE), the accreditation and regulation functions of the SQA, the SCQF Partnership, and some of the functions of Scottish Government's Curriculum, Qualifications and Gaelic Division.

The report identified a number of opportunities of such an agency—

- improve the policy-making process by engaging a wide range of expertise and perspectives and in so doing create space to bring the curriculum and assessment system more up-to-date, reflecting the needs and diversity of learners in 21st century Scotland;
- better involve skilled and experienced practitioners in the agency who understand the demands of teaching and assessment on the ground thus establishing a stronger sense of ownership of the strategic direction of curriculum, learning, teaching and assessment in Scotland;
- respond with greater energy to the need to explore a changing curriculum and alternative assessment models, including competency-based models for assessing academic subjects, what one commentator described as *“a future-proof 21st agile and empowering curriculum, using effective research-based pedagogy and innovative assessment approaches”*;
- provide a mechanism which systematically reviews the suitability of Scotland's approach to curriculum, assessment and learning and teaching, critically taking into account the experience of teachers and practitioners and the latest research;
- bring policy and practice in respect of curriculum, assessment, learning and teaching closer together thus ensuring greater cohesion between what is expected and what is provided;
- declutter and streamline the ‘middle ground’ in Scotland's educational landscape;
- consider the needs of the Climate Emergency Skills Action Plan and support, where it is within remit, the growth of green jobs and the supply of green skills; and
- attune more closely to the aims and objectives of the National Plan for Gaelic, individual Gaelic Language Plans and the REAREP work on curriculum reform.

Scottish Government response

The Scottish Government ‘broadly accepted’ recommendations under this section.

The Government saw the new agency as an opportunity to “reflect the culture and values we want to see embedded throughout our education system”. It also said it would consider how a new body might best “align the entire learner journey from early learning and school to tertiary and work”.

While the Scottish Government agreed that the SQA's Accreditation and Regulation functions should be independent from the awarding body, the Government's response did not commit where these functions would sit in the future. The response also did not commit to including the Registrar of Independent Schools in the new agency. It said that it would undertake further work on these aspects.

In terms of ensuring practitioners have a role in developing policy, the response stated—

“We will work closely with the new agency, other stakeholders and, importantly, those responsible for implementing curriculum and assessment policy in our classrooms to determine how we can work collectively to design policy. We will seek to remove duplication and simplify the policy landscape, in order to encourage further flexibility and support empowerment in how policy becomes practice in schools and other learning environments.”

Inspection

The removal of HMIE from Education Scotland was well-supported. Much of the discussion in the report focused on how such a structural change could be an “opportunity to improve and rethink the inspection more generally”. Professor Muir noted that Professor Graham Donaldson has identified three functions of inspections:

- to produce evaluative reports for parents/carers and the public;
- to provide assurance nationally, locally and at school level about the quality of education being provided; and
- to promote improvement and building capacity either through direct engagement or through the provision of evidence and advice to inform policy and practice.

Professor Muir stated, “it is essential to be clear about their relative importance if inspection is not to become undermined by internal contradictions and competing external expectations.”

Professor Muir suggested that the new inspectorate should have the following functions—

- be responsible for the inspection of education at all levels of the system – from early years to adult learning
- build capacity and support improvement through identifying and sharing effective practice and advising the proposed national agency for Scottish education on the outcomes of the Inspectorate's activities
- work with the proposed national agency for Scottish education to develop evidence informed education policy based on independent evaluations of practice

- support the drive towards empowerment with a strong focus on self-evaluation and an establishment's capacity to improve
- collate and share data and other intelligence 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.

Professor Muir envisages the inspectorate funded by and reporting to Parliament.

Scottish Government response

The Scottish Government 'broadly accepted' recommendations under this section. The Government's response supported the separation of HMIE from the other functions of Education Scotland. It said that the new body would "work alongside existing ministerial commitments to the Scottish Funding Council's development of a single quality assurance and enhancement framework for tertiary education."

It indicated it would consider the creation of a shared framework for the inspection of ELC settings "in context of the National Care Service reforms, and as we take forward work on the new inspection body." It stated it would consult on this in the summer.

The response did not address the suggestion that the inspectorate report directly to Parliament. It said—

"We will engage with key stakeholders to ensure a new inspection body which is separate from a national education agency has the governance and reporting arrangements in place to ensure its powers support teachers and practitioners and institutions to improve, and agree that legislation will underpin this."

Wider implications

In this section of the Report, Professor Muir discussed the value of the SCQF in supporting coherent learning pathways. Linked to this, Professor Muir suggested that Insight¹ be developed further and its use expanded to better support a variety of pathways. The Report noted that SDS is carrying out a review of its careers service and again this will be an important part of supporting young people to positive outcomes.

Professor Muir also noted that school education has a busy policy landscape and recommended that this ought to be monitored. The Report stated—

"In the public consultation, this volume and complexity of policy was regularly reported to me by practitioners and leaders in the school sector as being a

¹ The online benchmarking tool designed to help bring about improvements for learners in the senior phase (S4 to S6)

significant factor in creating some of the confusion and lack of progress in bringing about improvement. Senior leaders in primary and secondary schools pointed to their day-to-day lives being adversely impacted by having to take into account, respectively, 34 and 40 areas of policy. A strong plea from a wide range of respondents was for simplification of advice and guidance and better ‘joined up thinking’ and coherence in policy. Taking such steps would minimise the risk of multiple interpretations being applied to translating policy into practice and would reduce the pressure and workload on those involved in delivering those policies.”

Later the Report stated—

“This sense of policy fatigue is not new and it is crucial that the Scottish Government and the potential bodies recommended in previous chapters of this report work together to minimise the impact of change whilst also creating a more coherent policy landscape that is understood by all those that work in it.”

Scottish Government response

The Scottish Government ‘accepted in principle’ recommendations under this section.

The Government did not agree that the SCQF be included in the new wider education agency. It said—

“While we will not therefore take forward Professor Muir’s specific recommendation to merge the SCQF Partnership with the new agency, we will seek to achieve the intent behind his recommendation and strengthen the impact of the Framework. This will begin through engagement with education and skills stakeholders.”

In terms of the high number of policy initiatives, the Government stated—

“We agree with the need for our national organisations to collaborate more effectively to ensure policies align. We will act on this as an opportunity to join up initiatives, simplify our policy expectations and provide a clearer single voice to engage with education authorities, schools and their senior leaders. We will engage directly with the Scottish Education Council to work towards an arrangement that is manageable and realistic for those delivering our education policies, but which is ambitious and provides the information and evidence on performance to ensure the whole system is being held accountable to children, young people, learners, parents and teachers.”

Risks & Mitigations and Transitions

Section 12 the Report set out the most significant risks and mitigations of the reforms outlined by Professor Muir.

In terms of the Transition to the proposed landscape, Section 13 of the report highlighted the need to consult through the implementation stage and to ensure that

there were sufficient resources available. Professor Muir recommended that a “transition programme team is established to further plan the detail and coordinate next steps”.

Scottish Government response

The Scottish Government ‘accepted in principle’ recommendation under section 13. It said—

“We agree that the transitional period and programme of work should be overseen by experts. We will take this forward utilising the vast amounts of experience, knowledge and skills that exist within the current organisations affected by this reform, augmenting this where necessary and building on the ongoing work of their change teams. We have already begun this process to embed transformational change, discussing a framework to guide the transition with the bodies affected.”

Ned Sharratt and Lynne Currie, Senior Researchers, SPICe Research

16 March 2022

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

The Scottish Parliament, Edinburgh, EH99 1SP

Annexe A – Summary of Recommendations

A renewed vision

1. The Scottish Government should initiate a national discussion on establishing a compelling and consensual vision for the future of Scottish education that takes account of the points made in this report, in particular the importance of placing the learner at the centre of all decisions. The vision for Curriculum for Excellence (CfE) should be considered as part of this discussion as should consideration of how the education system seeks to address the purposes described in Article 29 of the United Nations Convention on the Rights of the Child (UNCRC).
2. Invitations to shape this vision should be made to all partners and stakeholders, including all learners, teachers, practitioners, parents and carers. It will be important to ensure that 'narrative privilege' is accorded to all who have an interest and not just key educational bodies, with opportunities for all to debate and challenge emerging suggestions.

Scottish Government fully accepted.

A qualifications and assessment body

3. A new body, Qualifications Scotland, should be established. This new body should be an executive Non Departmental Public Body (NDPB). It should take on board SQA's current awarding functions, chiefly the responsibility for the design and delivering of qualifications, the operation and certification of examinations, and the awarding of certificates.
4. Income-generating contract services currently provided by SQA for organisations, governments and businesses, should be included in the remit of the new NDPB. SQA's current international work should also be part of the NDPB's remit.
5. The governance structure of the proposed Qualifications Scotland body should be revised to include more representation from, and accountability to all learners, teachers, practitioners and the stakeholders with whom it engages.

Scottish Government fully accepted.

A national agency for Scottish education

6. There should be a national agency for Scottish education. This should be an executive agency of the Scottish Government comprising the current support and improvement functions of Education Scotland, SQA's Accreditation/ Regulation Directorate, the Scottish Credit and Qualifications Framework (SCQF) Partnership and elements of Scottish Government's Curriculum, Qualifications and Gaelic Division.
7. The proposed agency for Scottish education should take on board SQA's current accrediting and regulating functions. It will be important that robust safeguards are

put in place to ensure that regulation of qualifications remains at arm's length from Scottish Ministers and the integrity of the regulatory role within the proposed agency is secure.

8. The main focus of the proposed national agency for Scottish education should be to provide responsive, bespoke support and professional learning at regional and local levels. In addition the agency should advise the Scottish Government on curriculum and assessment policy. While the proposed agency should also provide a national offer in respect of leadership and in areas to support policy implementation, this should be done through ensuring significant resource is made available to respond to the varied needs of all learners, teachers and practitioners at local and regional levels.

9. In line with best practice in the governance of public bodies, the agency should adopt a participative approach to governance in all of its work. The board and its chair should reflect the range of stakeholders, including parents/carers and young people. In order to secure wide ownership of its strategic advice it should also utilise digital connectivity to achieve open and transparent engagement with all stakeholders, most notably all learners, teachers and practitioners and local government.

10. Given the Community Learning and Development (CLD) Standards Council has become successfully embedded within Education Scotland in its current form and feedback from CLD practitioners has been positive about its work, the Council should remain part of the proposed national agency for Scottish education.

11. With the increased focus of the proposed agency on providing support for improvement at local and regional levels, the Registrar of Independent Schools, with their national remit, should return to the Learning Directorate of the Scottish Government. With this change the Registrar of Independent Schools will be better placed to work more closely with the national professional body, General Teaching Council for Scotland (GTCS), with the requirement now in place that all teachers in independent schools are registered and regulated by them.

12. The proposed national agency for Scottish education should create and sustain a forum for ongoing and proactive discussion about curriculum, assessment, learning and teaching, professional learning and leadership in Scotland. It should gather views from national bodies, existing think tanks, research and practices, including in other jurisdictions, in order to develop and enhance key policies.

Scottish Government broadly accepted.

Inspection

13. A new Inspectorate body should be established with its independence enshrined in legislation. Its governance should reflect this independence, with the body funded by the Scottish Parliament, staffed by civil servants and inspectors, the latter of which are appointed with the approval of Her Majesty via the Privy Council.

14. Building on recent work undertaken by Education Scotland on re-imagining inspection, the new independent Inspectorate should undertake the functions set out

in section 10 of [the full] report. Critical roles of the independent Inspectorate will be to support improvement, evaluate major changes in the education system and report annually and over longer periods, on the performance of Scottish education.

15. As a matter of urgency the new independent Inspectorate should re-engage with the Care Inspectorate to agree a shared inspection framework designed to reduce the burden on early learning and childcare (ELC) practitioners and centres.

16. The new independent Inspectorate should undertake an inspection on the effectiveness of the new, proposed arrangements designed to support change and improvement at local and regional levels. This should be completed within two years of the new Inspectorate coming into operation.

Scottish Government broadly accepted.

Wider implications

17. The SCQF Partnership should be brought into the proposed national agency for Scottish education in order that its framework and staff can play an enhanced role in planning learner journeys and providing greater parity of esteem.

18. The Scottish Government online tool Insight should be further developed in order that it can help drive change in Scottish education, and in particular, support the learner journey and enhance parity of esteem across academic and non-academic qualifications and awards. Consideration should be given as to whether the Insight tool and the Insight professional advisors should be placed within the proposed national agency for Scottish education.

19. Scottish Government and other national bodies should collaborate more effectively to ensure that policies align well with each other and with any revised vision for Scottish education. Arrangements should be put in place that allow for the active monitoring of the volume of policy expectations on local authorities, schools and senior leaders to ensure that these are realistic, manageable and well understood.

Scottish Government accepted in principle

Transitions

20. Scottish Government should establish a transitions programme team to oversee the changes and reforms envisaged in this report. The transition programme should be taken forward in partnership with the bodies subject to reform and all those that are impacted by its outcomes.

21. Those staff that are affected by my recommendations must be kept effectively engaged and informed of progress during the transitional period over which my recommendations are progressed. In my view all staff should also be treated in accordance with the Scottish Government's Fair Work Policy.

Scottish Government accepted in principle

Annexe B – Key principles of reform

The principles set out by Professor Muir are:

- all efforts, whether concerned with educational recovery post-pandemic or in terms of the future vision for Scottish education, must be directed to the purposes described in [Article 29 of the UNCRC](#)
- the current generation of learners see climate change as one of the most significant issues facing their futures and, as such, must be recognised as a key driver influencing the future of our education system
- increasing competitiveness across economies and in the labour market re-emphasise the importance of setting high expectations for all young people and creating the conditions for these expectations to be realised. Excellence, equity and steps to close the poverty related attainment gap remain vital drivers of any education reform
- greater coherence and simplification of the policy and support landscape
- a reorientation of resource to provide place-based, responsive, bespoke support for teachers and practitioners supporting the learning of children and young people. Wherever possible, the allocation of resources should support local decision making
- an enhanced focus on ensuring high quality learning and teaching and increased collaboration among practitioners, based on the adoption of a continuous learning mind-set
- increased recognition of the role and value of early years, including their approaches to learning and teaching and use of outdoor learning, in setting the direction of travel for the lifelong journey of learning by all children
- a review of the roles and purposes of assessment, including examinations. Assessment should support progression in young people's learning and ensure that what we value in all learning is truly recognised through, for example, the enhanced use of the Scottish Credit and Qualifications Framework (SCQF)
- reduced levels of bureaucracy with clarity and agreement on what are appropriate forms and levels of accountability to demonstrate the effectiveness of the education system
- a redistribution of power, influence, and resource within Scottish education to one that reflects the principles of subsidiarity, genuinely empowers teachers and practitioners and where learners' voices, experiences, perspectives and rights are central to decision making
- recognition and celebration of Scotland as an ethnically diverse society with equal status being given to the voices of those most often unheard, for

example, those from different denominations and minority ethnic and Gaelic communities

- trusting relationships between children, young people, teachers and practitioners and increased trust and confidence between local authorities, schools and national bodies
- opportunities for increased collaboration and meaningful engagement between stakeholders, politicians at all levels, local authorities, professional associations, trade unions and the national agencies with responsibility for key aspects of education
- greater resourcing and attention placed on ensuring the needs of individual learners are met, including crucially those with additional support needs as set out in [Angela Morgan's report Support for Learning: All our Children and All their Potential \(June 2020\)](#)
- the improved collation, sharing and use of data and intelligence to support continuous improvement and the development of a shared understanding of system quality and effectiveness and baselines for evaluating the impact of change
- governance arrangements for national and local bodies should reflect the principles of good public management. In particular, an independent Chair and a representative Board should provide support and challenge.