

Response ID ANON-NXJH-8HY8-9

Submitted to **Empowering teachers, parents and communities to achieve excellence and equity in education: A Governance Review**
Submitted on **2017-01-06 12:43:08**

About You

What is your name?

Name:

Katie Rafferty

What is your email address?

Email:

katie.rafferty@ndcs.org.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

National Deaf Children's Society

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Page One

1 What are the strengths of the current governance arrangements of Scottish education?

What are the strengths of the current governance arrangements of Scottish education?:

Background

The National Deaf Children's Society is the leading charity dedicated to creating a world without barriers for deaf children and young people. We want to work with Government, local authorities, health bodies as well as our third sector partners to ensure they can effectively support deaf children and their families. The National Deaf Children's Society, alongside other organisations who work to promote the rights and achievement of deaf children, has written to the Cabinet Secretary for Education and Skills in relation to the governance review proposals.

An extract from the letter below provides some background about deaf children and the key implications we have identified for deaf children and their families: "Childhood deafness affects the lives of around 3850 children in Scotland. They require unique support to access their rights to education and achieve their full potential. The Scottish Government have recognised the unacceptable attainment gap that exists for this group. We welcomed the Scottish Parliament's Inquiry into the attainment of pupils with a sensory impairment which examined the varied factors contributing to this attainment gap and the challenges facing deaf education.

We also welcomed the historic passage of the British Sign Language (Scotland) Act 2015. While the Act did not include explicit provisions around education, the bill proceedings saw robust debate about what is needed to improve deaf education.

Every deaf child is different, some may prefer using spoken language such as English, others may use British Sign Language and some may use a combination of spoken and sign language. The support required by deaf children therefore varies: around 80% of deaf children are educated in mainstream schools, another 10% attend mainstream schools with attached deaf resource bases and the remaining 10% attend special schools.

As such, alongside the universal offer of schools, deaf children may require Teachers of the Deaf, Educational Interpreters, Classroom Assistants, equipment such as radio aids and SoundField systems, Educational Audiologists, good acoustical conditions and trained practitioners in deaf and British Sign Language awareness.

Governance proposals and deaf education services

How these services will operate within the proposed governance structures is unclear. However we strongly believe that were responsibility for these services to be devolved to individual schools and/or clusters of schools, there could be a number of detrimental unintended consequences for deaf learners. Given the low incidence of this group and the specialist support they require, it is very unlikely individual schools would be in a position to adequately and effectively provide this support.

The proposed education regions however, do offer potential for more strategic thinking and effective working practices to support deaf learners. A regional approach could help create more equitable services across Scotland, by ensuring deaf learners had access to a team of specialists including Teachers of the Deaf, Educational Audiologists, Educational Interpreters and Early Years specialists. This would help promote partnership working within GIRFEC principles and create a stronger links with the NHS newborn hearing screening programme. Establishing Educational Regions could also place fresh impetus on ensuring that at

every level, practitioners (including senior management) had the knowledge and experience required to effectively deliver sensory services.

While the regional approach may pose some challenges to deaf education such as longer distances to travel to access deaf education resource bases, we would still welcome further exploration of this model.

Nationally delivered services also offer possible benefits to deaf learners, particularly in relation to the procurement of technology. There is disparity in the quality of technology deaf learners have access to across Scotland and providing, maintaining and replacing technology is expensive. A national approach to procuring the best technology for deaf learners should be considered.

We urge the Scottish Government to build on the progress that has already been achieved for deaf children in Scotland and fully consider their needs within this governance review. Many of the signatories of this letter will be submitting individual responses to the public consultation which closes on 6 January. Please refer to those responses for more detailed recommendations on the consultation questions.

We are committed to working in partnership with Scottish Government and all partners to achieve the best possible outcomes for deaf children and reaching our shared ambition of making Scotland the best place in the world to grow up for every child."

Q1 -

1.1. The current governance arrangements in Scottish education should mean that there is consistent direction, strategy and objectives set at national level which are taken forward by education authorities.

1.2. Direct responsibility for delivering education services lies with education authorities and should therefore mean a better understanding of local needs and the ability to flexibly use budgets to meet these needs.

1.3. The role of Education Scotland is very important to provide a national picture of standards in Scottish schools. Having a body which is independent from service providers to carry out a monitoring and evaluation role is critical to ensuring standards are being met and education authorities are meeting their legislative duties. Education Scotland has an important role in identifying and sharing best practice across Scotland.

1.4. Currently many specialist services for children with additional support needs are managed at education authority level, not by individual schools. This allows for greater economy of scale to meet low incidence needs across large areas. This structure also means that the budgets for these services are partially ring fenced, as they are subject only to authority-led budget cuts as opposed to both authority-led and school-led budget cuts.

1.5. Despite the aspirations of the current governance structures in education, there is still often a lack of accountability within the system. This arises from the separation of education powers between national and local governing bodies, and inadequate mechanisms being in place to hold authorities to account over education outcomes and provision.

2 What are the barriers within the current governance arrangements to achieving the vision of excellence and equity for all?

What are the barriers within the current governance arrangements to achieving the vision of excellence and equity for all?:

2.1. Scottish Government can set direction and priorities but cannot be prescriptive on how this is delivered by education authorities. This division in authority is problematic and leads to the current post code lottery in the quality of provision available across Scotland. This post code lottery is stark in relation to the supports available for deaf learners. The extent to which the additional supports a deaf child may need to access education varies significantly in Scotland. As mentioned in the background section of this response, these supports may include: Teachers of the Deaf, Educational Interpreters, Classroom Assistants, equipment such as radio aids and SoundField systems, Educational Audiologists, good acoustical conditions and trained practitioners in deaf and British Sign Language awareness.

2.2. The eligibility criteria that is used by local authority hearing impairment services varies significantly. In some areas children with all levels of hearing loss are supported, while in some authorities no support is provided for learners in secondary school, or to those with mild or unilateral hearing losses. There are inadequate mechanisms through which to challenge this inconsistent provision of support which undoubtedly affects the education outcomes for deaf young people.

2.3. Another key barrier in the current structure is that the spirit of collaboration and effective working practices are often missing, that can be both within authorities and between authorities. This is seemingly partly due to culture and established ways of working, and partly due to a wider context of restrained budgets which can affect willingness and capacity to work in new and effective ways.

3 Should the key principles below underpin our approach to reform?

Yes

Are there other principles which should be applied?:

3.1. NDCS supports the proposed key principles underpinning the approach to reform.

3.2. We also recommend that the principles are explicitly rights based and child-centred – bringing children's rights and the best of interest of the child to the heart of decision-making.

3.3. We agree that the approach should meet the needs of all children and young people. We recommend that there is an explicit mention of children with additional support needs within this paragraph to highlight the principle of inclusion.

3.4. In addition, in line with the GIRFEC approach, the principle of collaboration should be included to illustrate that partnership working across sectors is required to achieve positive outcomes for children.

4 What changes to governance arrangements are required to support decisions about children's learning and school life being taken at school level?

What changes to governance arrangements are required to support decisions about children's learning and school life being taken at school level?:

4.1. In relation to children with additional support needs, in order to make more decisions about children's learning and school life, schools would require an improved understanding of the needs of these children, and implications and impact of support. Much of this knowledge is currently not held at school level, and education authority wide services such as peripatetic hearing impairment services provide this. It would be challenging for schools to have the in-depth knowledge required in specialist fields to make decisions about the support required by these learners.

4.2. If governance arrangements are to mean more decisions will be taken at school level, Head teacher leadership will be crucial. Head teachers must have appropriate knowledge and skills to ensure their school meets the needs of all learners, including those with additional support needs. If a Head Teacher does not place sufficient priority on learners with additional support needs, there should be mechanisms in place to monitor this and hold schools to account.

4.2. In today's era of budget cuts, the reality of increased decision making at school level will be more decisions about budget reductions. The instability that could be introduced into schools as a result and this could be intensified where Heads do not have the experience or knowledge required to inform decision-making.

4.3. The consultation paper does not contain detail about the scale of the budget responsibility and decision making capacity that could be devolved to schools under the new governance proposals. We would like clarity over whether Scottish Government is considering an academy school model approach, and if so we would caution against this. In England, this model of governance had implications for special education needs services. In order to protect these services agreement had to be reached that these services should be free at the point of delivery for all state-funded schools and that funding for these services should be held centrally within local authorities.

5 What services and support should be delivered by schools? What responsibilities should be devolved to teachers and head teachers to enable this? You may wish to provide examples of decisions currently taken by teachers or headteachers and decisions which cannot currently be made at school level.

What services and support should be delivered by schools? :

6 How can children, parents, communities, employers, colleges, universities and others play a stronger role in school life? What actions should be taken to support this?

How can children, parents, communities, employers, colleges, universities and others play a stronger role in school life? What actions should be taken to support this?:

6.1. Depending on the barriers parents and carers experience (such as poverty, disability and communication and language barriers), different methods of engagement is required to enable them to play a stronger role in schools life. For example, for parents who have British Sign Language as their first or preferred language, it is essential that appropriate processes are in place for booking communication support to facilitate engagement with the school. It is unlikely that many parents are unaware of their rights to communication support and this can be a serious barrier to their participation in school life.

6.2. For other parents who are more removed from school life, typical forms of parental engagement such as parent councils and parents evenings will not be effective. More tailored and informal engagement may be required, and teachers may not be best placed nor have the skills and capacity required to carry out this work. The third sector can play a valuable role here in working in partnership with parents. In addition it would be helpful to look at where family outreach workers have been employed within education services and the impact these workers have had on improving parental engagement.

6.3. One parent of a deaf child who we consulted with on these proposals noted that the parents need knowledge to better support their children's learning, "Parents do have a role [in school life] but are not necessarily educated in the best way to support hearing impaired pupils."

6.4. In many cases collaboration with other agencies such as social work, health and third sector services is critical to reaching parents. Barriers to partnership working among professionals need to be addressed, including budget cuts which impact on capacity.

7 How can the governance arrangements support more community-led early learning and childcare provision particularly in remote and rural areas?

How can the governance arrangements support more community-led early learning and childcare provision particularly in remote and rural areas?:

8 How can effective collaboration amongst teachers and practitioners be further encouraged and incentivised?

How can effective collaboration amongst teachers and practitioners be further encouraged and incentivised?:

8.1. Effective collaboration amongst teachers and practitioners often means time away from school and teaching. Budget freezes are having an increasing impact on how possible this is for many due to the costs attached. In addition, in specialist fields such as among Teachers of the Deaf finding supply cover is also a barrier.

8.2. The overall impact of these barriers is particularly concerning in relation to continuing professional development opportunities which professionals are having reduced access to.

8.3. More promoted posts are required within additional support need services – this would help increase strategic thinking in relation to service delivery as well as incentivise a younger workforce to enter these fields.

8.4. Enhanced remuneration and career advancement should be also be offered to education practitioners, including teachers and classroom assistants who undertake and achieve accredited training in relation to additional support needs.

9 What services and support functions could be provided more effectively through clusters of schools working together with partners?

What services and support functions could be provided more effectively through clusters of schools working together with partners?:

9.1. Opportunities to include British Sign Language in the curriculum and make the subject available to all pupils via the 1 + 2 Languages programme can work well when delivered in clusters of schools.

9.2. Given the low incidence of deaf learners and the specialist support they require, it is very unlikely individual schools or clusters of schools would be in a position to adequately and effectively provide this support.

9.3. If the responsibility to deliver this support was devolved to a school level, the knowledge, experience and background of the Head Teacher could define the support that was made available. If a Head Teacher did not have specialist knowledge in deaf education, like many do not, the unintended consequence may be that support at the school is not adequate or effective.

10 What services or functions are best delivered at a regional level? This may include functions or services currently delivered at a local or a national level.

What services or functions are best delivered at a regional level?:

10.1 More information is required to understand what the nature of the relationship would be between education authorities and educational regions. It is unclear from the consultation paper whether the two tiers would continue to operate. However in principle, we believe that the proposed education regions could offer potential for more strategic thinking and effective working practices to support deaf learners.

10.2 We believe a regional approach could help create more equitable services across Scotland, by ensuring deaf learners had access to a team of specialists including Teachers of the Deaf, Educational Audiologists, Educational Interpreters and Early Years specialists.

10.3 Establishing Educational Regions could also place fresh impetus on ensuring that at every level, practitioners (including senior management) had the specialist knowledge and experience required to effectively deliver sensory services.

10.4 A good example of where the regional model is already being applied to deaf education service is the pan-Ayrshire Hearing Impairment Service, which is delivered across East, South and North Ayrshire and budgets are pooled to deliver this.

10.5 Educational Regions could also offer opportunities to connect to inspection processes, for example by engaging in self, peer and external review of education services.

10.6 Educational regions could help clarify the link between national policy and a move towards greater national consistency, however it is unclear what link regions would have to local decision making and what the nature of the relationship would be with education authorities, schools and clusters. We would welcome further clarity on this.

11 What factors should be considered when establishing new educational regions?

What factors should be considered when establishing new educational regions?:

11.1. Population and population density are key factors in establishing education regions, as too is trends in population growth.

11.2. Geographical factors are key, particularly in rural regions where the location of schools and clusters can have a large impact on children, parents and service providers.

11.3. Characteristics of local populations are also clearly important, such as levels of socio-economic deprivation. The number of learners with additional support needs that are identified locally should be considered too, however there should be caution here as we know the number of young people with recorded additional support needs is often lower than actual incidence.

11.4. Ensure that new regions are aligned with other established regions, such as health boards.

12 What services or support functions should be delivered at a national level?

What services or support functions should be delivered at a national level?:

12.1. A national approach to procuring the best technology for deaf learners should be considered. There is disparity in the quality of technology deaf learners have access to across Scotland and providing, maintaining and replacing technology is expensive. In addition, there is disparity across Scotland in the age at which deaf children are able to access technology, some authorities are reluctant to provide pre-school age children with technology such as Radio Aids, despite the benefits it could bring them in terms of access to sound.

12.2. National government should also have a role in improving acoustics standards and monitoring of how these are implemented is required nationally to ensure that education settings are fit for purpose listening environments. Evidence illustrates that there is correlation between poor acoustics and lower attainment for all children – not only those who are deaf. We receive numerous reports for the families who engage with our services that many new Scottish schools that follow the open plan classroom layout are inaccessible acoustically.

12.3. National government should have a stronger role in setting out minimum expectations and standards in relation to the supports that should be made available to learners with additional support needs. This would shape local service delivery and help children and families hold services to account. E.g. in the area of childhood deafness there is currently no guidance to inform the provisions that should be made available to children and families following identification of deafness. Similarly there is no national framework regarding the qualifications and skills that should be held by professionals supporting learners in British Sign Language. This often results in a post code lottery in the quality of support available.

12.4. It is vital that inspection of education services continues to be carried out by a body with a national perspective, and one that is not involved in the direct

delivery to services. Currently, peripatetic services for deaf children are not regularly inspected. This is problematic and contributes to the inequity of provision for deaf learners as described throughout this response. The new governance proposals offer opportunities to redress this, and ensure that all services are subject to the thorough inspection, review and monitoring required to drive up standards for every child.

12.5. We also note that a number of parents we consulted with on the proposals felt that services for deaf children could be better delivered at a national level. They made the following comments:

"children regardless of where they live should have uniform, fair, equal access to resources and equipment. We cannot have a postcode lottery system. Disadvantaged areas will be completely lost as need will become subjective."

"...if left to local authorities, [the council] would remove Sensory Support Teachers from the classroom to save money. Schools would want to support the pupil but [are] held to ransom by the authority."

13 How should governance support teacher education and professional learning in order to build the professional capacity we need?

How should governance support teacher education and professional learning in order to build the professional capacity we need?:

14 Should the funding formula for schools be guided by the principles that it should support excellence and equity, be fair, simple, transparent, predictable and deliver value for money? Should other principles be used to inform the design of the formula?

Should the funding formula for schools be guided by the principles that it should support excellence and equity, be fair, simple, transparent, predictable and deliver value for money? Should other principles be used to inform the design of the formula?:

15 What further controls over funding should be devolved to school level?

What further controls over funding should be devolved to school level?:

16 How could the accountability arrangements for education be improved?

How could the accountability arrangements for education be improved?:

16.1. Current governance structures and legislation means that Scot Gov cannot be prescriptive about how education authorities should deliver education. This means there are a lack of statutory guidance or standards about the supports that should be available to learners with ASN and a lack of punitive action against authorities when inadequate services are being delivered.

16.2. It often then falls to parent/carers to hold education providers to account based on the services their child receives. The ability of parents to do this depends on the knowledge, resources and capacity they have. Many parents do not know that there are means by which they can hold authorities to account, and as such failings often go unchallenged unless the parents have this knowledge.

16.3. The new governance structures should allow for other bodies such as Scottish Government, Education Scotland and parent forums to hold services more fully to account in order to drive up standards of provision.

17 Is there anything else you would like to add regarding the governance of education in Scotland?

Is there anything else you would like to add regarding the governance of education in Scotland?:

17.1. We would strongly recommend that Equality Impact Assessments and Children's Rights and Wellbeing Impact Assessments are carried out on the proposals if this has not already been completed.

17.2. We would also like to clarify what the ongoing role is for education authorities. There are a number of implications for other pieces of legislation such as the Education (Additional Support for Learning) Act 2004, if they were to be replaced by regions and this would require more in depth analysis.

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.: