

James Doran MSP
Convener
Education and Skills Committee
T3.40
The Scottish Parliament
EDINBURGH
EH99 1SP

7 December 2016

Dear James

Evidence Session on 14 December 2016

Thank you for the invitation to give evidence to the Committee on 14 December 2016. As your letter of 25 November states, this will be the first opportunity local authorities have had to discuss the Scottish Government's Governance Review with the Committee, though it should be noted that the local government family have shared their views on this piece of work with Mr Swinney on a number of occasions. COSLA have set out a short submission below on the areas highlighted to us as likely to be of interest to Committee Members in advance of the evidence session.

Identification of children with additional support needs

We note from previous Evidence Sessions held by the Committee that Members queried why there is variance between neighbouring local authorities in the percentage of children receiving additional support with their learning. We would suggest that there are two main reasons for this:

1. There is variance in the populations of local authorities:
 - Of the 153,000 children in Scotland receiving additional support the largest amount of these children (35,000) have English as an Additional Language, the demographic of these children are that their locations are not spread evenly across Scotland.
 - As an example, in Edinburgh those with English as an Additional Language make up 36% of those with an additional support need whereas in Midlothian they make up less than 9% and in East Lothian its 6%¹.

2. The variety of methods to support children and young people:

¹ <http://www.gov.scot/Resource/0049/00497314.pdf>

WHEN CALLING PLEASE ASK FOR:

20161207 Written Submission to ES Cttee

- “Additional support” is a service which is over and above that which is already provided by the teacher to their class. The individual skills and experience of teachers varies and some are confident to fully include children and young people in a mainstream classroom learning environment with limited additional support, others may lack this confidence and require greater support. The cuts to local authority budgets has meant that this support has reduced in recent years. This view has recently been supported by survey findings from ENABLE Scotland.

Early years provision including funded childcare

The quality of the early learning and childcare local authorities provide, as prescribed under the Children and Young People’s Act 2014, is demonstrated through the Growing Up in Scotland² figures published in a progress update by Scottish Government³ in October this year, showing that six months from the expansion to 600 hours, 72% of parents were very satisfied with and 25% satisfied with the overall standard of provision.

Substantial efforts have been made, and continue to be made, by local authorities to increase flexibility within the funded provision. We also know that the quality of care and support in both funded and unfunded services is high, with 95% of services are judged to be good, very good or excellent according to figures from the Care Inspectorate⁴ published in October 2015.

According to SSSC, around 23,000 staff are employed with services offering funded ELC in 2016, with a variety of skills development opportunities in place to ensure staff can meet SSSC registration requirements. Within local authority provisions, payment of the Scottish Government Living Wage alongside a commitment to good terms and conditions for all local authority employees contributes towards building a skilled, dedicated workforce delivering high quality early learning and childcare. The recent Care Inspectorate report⁵ demonstrates how the nursery services provided by local authorities in particular are performing particularly very well. Given there are proportionally more of these than childminders and private nurseries in the most deprived areas than in the least deprived areas, local authority provisions have a vital role in tackling social inequalities.

Local authorities are now looking at the infrastructure and workforce development required to deliver 1140 hours of funded early learning and childcare in 2020, recognising the potential benefits of the expansion alongside the substantial challenges around this. We would urge Scottish Government to take on board the consultation responses from COSLA and individual local authorities, professional organisations and trade unions which will identify the challenges the expansion presents, particularly around funding and forward planning, and work in partnership with local authorities as the organisations with responsibility for delivery of Early Learning and Childcare toward a pragmatic approach to the implementation of 1140 hours.

Reduction of the attainment gap

While COSLA has long supported attempts to improve attainment, especially for children from more deprived communities, we raised a number of concerns about the challenge at the time

² <http://growingupinScotland.org.uk/wp-content/uploads/2013/09/Growing-Up-in-Scotland-Uptake-and-views-about-Early-Learning-and-Childcare-at-age-4.pdf>

³ <http://www.gov.scot/Resource/0050/00507218.pdf>

⁴ <http://www.careinspectorate.com/index.php/news/2726-childcare-statistics-2014#>

⁵

<http://www.careinspectorate.com/images/documents/3591/Early%20Learning%20and%20Childcare%20statistics%20report%202015.pdf>

of its original announcement. Our chief concern at the time was that that challenge was announced with no prior warning and with little engagement with local government. We were also concerned about the lack of transparency over how monies were allocated; that the allocation process failed to take into account poverty in more rural parts of Scotland and was 'fragmentary' so provided little financial certainty that would assist councils to plan for future years.

Children and young people from a range of communities require a variety of support services, in addition to anything that can be delivered in a classroom, to reduce the gap between them and their counterparts. There are impacts to address on the lives of young people living in poverty as well as recognising the challenges experienced by young people with chaotic lives, which can be separate from an economic disadvantage. Any real commitment to reducing the gap needs to take into account the profile of the family circumstances and any other environmental factors that may affect the young person as a whole. These areas of life cannot be fixed or even alleviated in a classroom, no matter how committed or talented the teacher and head teacher,

As the attainment fund has grown, core funding for local government in 2016/17 has reduced putting more pressure on already stretched education and children's services. As a result, while we agree with the overall objective of the challenge and believe that it may be successful in stimulating some new and innovative practice, it is ultimately the use of core funding within local government and the wider public sector that will have the biggest impact on outcomes for children and will sustain any gains from the challenge beyond its end.

Scottish Government Governance Review

The formal COSLA response to the Scottish Government's consultation on Education Governance will be considered by COSLA Leaders on 13 December and so we cannot include a copy of this today (6 December).

COSLA have some concerns that, while fully supporting the aims of improving raising attainment and ensuring every child is nurtured to achieve their potential, the premise of this governance review and the flawed assumptions which are fundamental to the document are not based on evidence including; that schools are not currently empowered to make decisions about individual learning and school life, that regional collaboration does not currently occur, and perhaps most worryingly that a focus on school education alone can achieve the most positive outcomes for children and young people.

We have undertaken extensive consultation with our partners and stakeholders and cannot find a significant body of opinion which would support some of the more drastic measures suggested in the consultation document. There is a real risk that the governance review becomes a distraction from what our joint focus should be - improving outcomes for all through integration and communication between services including (but not limited to) education.

In order to be constructive, the COSLA response will suggest a number of key principles that all stakeholders can agree for the governance review and look forward to ongoing dialogue with Scottish Government around these principles.

As our response will not be final until agreed by COSLA Leaders on 13 December, I will provide the Committee with a copy on that date and will be able to answer more detailed questions during our discussions on 14 December.

Education spend and partnerships with other bodies

In 2014/15 the largest proportion of local government expenditure was on Education, with 44% of the total net revenue expenditure (£4.61 bn) being spent in this area. The Scottish Local Government Financial Statistics for 2014-15 show that within this £4.61bn, £1.78 bn was spent on primary education and £1.85 bn on secondary education with the remainder of £0.98bn spent on pre-primary, special and community education. Education's share of total net expenditure has stayed the same at around 44% over the 5 year period 2010/11 to 2014/15.

This demonstrates that, whilst having their overall budget significantly cut, local government have largely protected Education spend. However, given the strong focus on inputs such as teacher numbers and a significant number of areas of fixed expenditure such as School Estate, PPP and loan charges, there is little flexibility within the system. As such, protection of spend in Education has come at the expense of the wider support and prevention aspects within Education which is at odds with the whole system approach and can exacerbate the existing gaps between young people in our communities.

Councils have experienced budgetary cuts for a succession of years that has placed major pressures on the delivery of education in our local schools. We have long argued for local authorities to be measured on how well they deliver better educational outcomes and not on how much money is spent on how many teachers that councils employ with this resource. The Audit Scotland report in 2014 acknowledged the difficulties faced by local authorities on taking decisions on the school estate, and the pressure to maintain teacher numbers that together make it extremely difficult to shift around 70% of a budget to any other purpose. At present due to a large proportion of local authority budgets being spent on teacher salaries and other areas e.g. PPP there is a narrow scope for any flexibility in budgetary spend.

COSLA along with the Scottish Government and a wide range of other partners produced revised devolved school management (DSM) guidelines in 2012 based on the principles of subsidiarity, partnership working, accountability, local flexibility and the empowerment of head teachers. In short, the guidelines set out that anything that could be devolved to schools should be devolved by local authorities. However, since the DSM Guidelines were published in 2012, the Scottish Government have reduced local government's budget year on year. As such, this has constrained the implementation of the guidelines, given that there are less funds in local authority budgets to devolve from a strategic level to schools.

Local authority education departments and schools work with a wide range of partners – internally to support children and families e.g. social care, housing, welfare advice and externally e.g. Colleges and Skills Development Scotland on areas such as the Developing the Young Workforce Programme where there is some pooling of resources in the provision of courses and other activities. The partnership work undertaken by education departments reflects the wider partnership work undertaken by Community Planning Partnerships. There is a real risk to benefits achieved by integration and partnership working from any suggestion to separate education from wider council services.

Audit Scotland Report on Education 2014/Teacher Workforce Planning

The Audit Scotland report of 2014 provided an early view into the impact of local government spending cuts and identified a variance in how councils were responding to this challenge. As was the case in 2014, a one year approach to budget setting will constrain long term strategic planning.

COSLA have not been involved in any follow up work by Audit Scotland in this area. We would note that the general approach to attainment has progressed since this time with the

attainment challenge funding being made available to a few councils which is designed to support educational attainment in a school setting. However, this additional funding is not available to the same degree across all local authority areas despite the fact that poverty and deprivation can be found in every single local authority area.

There are a range of performance frameworks in place now – the National Improvement Framework, the Local Government Benchmarking Framework, the Insight Framework. This information and data should inform future work by Audit Scotland in this area.

There are still issues across the country in relation to teacher workforce planning. The current approach is to identify a national number of teachers which does not take into account the local challenges faced by some area in encouraging people into teaching e.g. the well-known lack of teachers in the north east region and in island communities.

Yours Sincerely

Cllr Stephanie Primrose