

EDUCATIONAL INSTITUTE OF SCOTLAND

Submission to Education and Skills Committee on CfE Governance

1. The Educational Institute of Scotland (EIS) welcomes this opportunity to give evidence to the Education and Skills Committee of the Scottish Parliament on the decision-making processes around Curriculum for Excellence. As Scotland's largest education union, representing over 55,000 members, the EIS has been involved, constructively yet critically, in the development and implementation of CfE for over a decade and has been a partner member of the CfE Management Board for most of that time.
2. The Committee's review is timely. It has been the considered view of the EIS for the past period that the CfE Board has reached the end of its natural lifespan and that consideration should be given to a fresh governance / partnership forum more suited to taking Scottish Education forward. (Current CFE Board meetings tend to have large agendas and limited time with the result that rigorous discourse and interrogation of issues can be challenging.)
3. In our submission to Scottish Government's Review of Educational Governance, the EIS highlighted a social partnership approach as being one of Scottish Education's greatest strengths. In this regard, the CfE Management Board, particularly in its earlier days, epitomised the notion of contested dialogue leading to broad consensus. Although the EIS was invited to join the Board only after some critical decisions had been made around CfE (for example the less-than-secure articulation of experiences and outcomes), we certainly welcomed the opportunity to comment on and shape, to a degree, subsequent publications such as the Building the Curriculum series.
4. It would be fair to say that during what was largely a development stage there was a genuine dialogue around CfE developments, informed not only by input from the professional associations but also by high level input from other bodies such as Learning and Teaching Scotland, HMIE, ADES and the SQA. Ideas were contested and critical challenge was the norm.
5. Whilst civil servants chaired meetings, there was a sense of attempting to distil strong policy advice for Government rather than seeking to implement already agreed policy (beyond the broad parameters set).
6. The only "vote" which we can recall happening was around the timetable for the introduction of the new qualifications where the EIS moved, unsuccessfully, for a year's delay to be instigated to allow schools to assimilate the proposed changes. It remains our view that such a delay

would have avoided many of the problems which subsequently developed around the new qualifications.

7. Over time the Board expanded as SG sought to involve agencies which were involved in the broader ambitions of CfE (beyond schools). Whilst this was understandable it also served to reduce the efficacy of the Board in terms of detailed work-streams; for example, a Qualifications sub group had to be set up to look at the design of the new qualifications rather than the expanded Board attempting to work through the detail. This wasn't necessarily problematic, but it did mark something of a change as to how the Board operated.
8. The creation of the Implementation Group also marked a significant change in the Board's operations, although this wasn't perhaps anticipated at the time.
9. The Implementation Group was designed as a vehicle to coordinate delivery of the CfE programme rather than its development. It was pitched as an operational approach across the various agencies charged with progressing work streams focussed on implementation, rather than the broader design and conceptual issues which the Board had been concerned with.
10. The EIS was content not to be part of the group as we regarded the Board as the appropriate forum for any concerns we wished to raise (also, we already had programmed bilateral discussions with the various agencies where specific issues could be raised).
11. Although the Implementation Group reported as a body to the MB, it is the view of the EIS that some of the inter agency challenge which used to inform Board discussions now seemed to take place within the Implementation Group, to the detriment of the Board's function.
12. The merger of LTS and HMIE into the single body of Education Scotland had had a similar impact, reducing two voices to one. The EIS articulated in our Governance Review submission, the view that this merger has not been as successful as might have been wished for.
13. Ultimately, of course, the CfE MB only ever had power to recommend courses of action to the appropriate Education Minister. The EIS has always been clear that final decision making authority lay with Scottish Government and indeed has always sought, through bilateral engagement, to influence directly policy decisions by Ministers
14. This political dimension has sharpened over the past few years. It is worth noting that in response to EIS concerns about increasing bureaucracy around CFE the then Education Minister, Michael Russell, announced the setting up of a ministerial-led working group which produced the very useful Tackling Bureaucracy report. Although technically signed off by the CfE MB,

this was in reality a separate project. The fact that it was chaired by Dr Allen, who was then Schools Minister, gave it a significance beyond simply being another CfE MB publication.

15. The EIS was acutely aware of this when, following a consultative ballot of our members on industrial action around NQ workload, we sought from the then Cabinet Secretary for Education, Angela Constance, agreement for a proposed Qualification Review Group to be led by a minister rather than either a civil servant or educational figure. Initially this was again Dr Allan but following the Scottish elections is now the DFM.
16. The fact that the Tackling Bureaucracy Group, which produced two reports and the initial NQ Review Group, chaired by Ken Muir, which also produced two "Reflections" reports, all had to be taken outside of the MB is instructive.
17. The failure to make any significant progress on the first NQ review led to a situation where the EIS eventually had to ballot for and commence industrial action short of strike, which ended only when agreement had been secured around the removal of mandatory unit assessments at National 5 and Higher. The reason for that failure, in our view, was the inability of civil servants to broker agreement between the SQA and Education Scotland around the changes required, due in part to neither organisation wishing to be seen as culpable for any of the problems being faced in schools.
18. In that sense the work of the National Qualifications Review Group has benefited considerably from the hands-on approach of the DFM who has chaired all the meetings since taking post. Given that Education has moved so centre stage in terms of Scottish politics, political clarity around policy implementation is to be welcomed.
19. The National Qualification Review Group has work to complete, especially around National 4 and the interface between BGE and the Senior phase, but beyond that there is a need to consider a post CfE implementation period, where the benefits of CfE can be properly harvested. How this is managed may be dictated in part by responses to the Governance Review; from an EIS perspective we would continue to support a partnership approach across Scottish Education.
20. The EIS would argue that there is a continuing need for robust fora to facilitate appropriate pedagogical challenge to, and interrogation of, policy development, based on practical insight and knowledge as to how schools operate. We don't believe that this is necessarily a role which can be filled by the Learning Directorate, nor indeed by any single agency. It remains imperative, however, that policy development and implementation are both underpinned by evidence and research.

21. We believe, however, that the professional associations need to be participants in any future arrangements. It is worth noting that in high achieving education systems like Singapore and Finland, the teacher Unions are strong players offering both challenge and professional expertise to policy development. As the world's oldest professional association for teachers, the EIS has pedagogical insight and practical experience which can contribute significantly to the further development of Scotland's education system.