

EVIDENCE TO INFORM THE EDUCATION AND CULTURE COMMITTEE'S SCRUTINY OF THE EDUCATION (SCOTLAND) BILL (AT STAGE TWO)

Introduction and general remarks

CEL CIS is the Centre for excellence for looked after children in Scotland. We exist to improve the experiences and life chances of children and young people in Scotland who are, or were, 'looked after' by local authorities. We do this by working alongside the professionals who touch their lives, helping to build systems which are sensitive and responsive to individual children's needs.

We are grateful for this opportunity to comment on the Scottish Government's proposal to place the National Improvement Framework on a statutory footing, through amendments to the Education (Scotland) Bill (herein referred to as 'the Bill'). The National Improvement Framework (herein 'the Framework') represents a significant innovation in Scottish education, and its design and implementation needs to be carefully considered. Few will question its aims, but the Framework's introduction of standardised testing at the primary stage, and the benefits of collecting more pupil-level data at a national level, are controversial issues which must be worked through if the policy is to be successful (as measured on its aims). We encourage the Scottish Government to take all the time available to engage with those individuals and organisations who can provide an evidence-informed view on such issues.

However, the outcome of that consultation notwithstanding, CEL CIS has concluded that placing the Framework on a statutory footing is a necessary step, giving due weight to the importance of closing the school-leaver attainment gap, and providing a more robust structure for monitoring the performance of local authorities in providing education. If the Scottish Government is to be held accountable for delivering improvement in the education system, it requires levers with which to affect that change. Moreover, the proposed Framework captures a number of the drivers we have identified as critical to securing sustained improvement in the learning outcomes of looked after children.¹ These include:

- There being a local improvement plan in place, based on good quality data and a comprehensive analysis of individual children's need.

¹ For further detail please see: CEL CIS (September 2015) [Looked After and Learning](#), Glasgow

- Meaningful support for teachers, including through professional development.
- Schools developing a genuinely inclusive approach to education, where all children are encouraged and supported to aim high (whatever their background), and where families and carers are actively involved in preventing issues from emerging.

Strengths of the proposed National Improvement Framework

Delivering change at a national scale requires a clear vision, and we welcome the Framework's two-part focus on 'excellence through raising attainment' and 'achieving equity'. While it is essential that children's 'achievement' in education is properly acknowledged, we must guard against a narrative which suggests that attainment is for some children, and achievement for others. With the right support, all children can realise their potential as learners. This is why the second part of the Framework's vision is so important (achieving equity). Ensuring every child 'has the same opportunity to succeed' (Framework, p.4) must be about more than equality of access. Some children, parents and carers will need to have access to tailored and sustained support in order to ensure that they can make the most of opportunities available.

Related to the above, we also agree with the Framework's explicit focus on attainment in numeracy and literacy, including with younger children. A child's vocabulary and number skills at the start of primary is a reliable indicator of their future school success, and from our work with looked after children we know that once a child has fallen behind their classmates, they do not always have access to the support needed to close the gap. A diagnostic assessment of children's proficiency in words and numbers, carried out at the beginning of primary school, should (as the Framework proposes) provide a helpful indication of where attention needs to be paid. However, the challenge of securing the necessary services and support for these children remains; schools cannot resolve all identified issues on their own. Also, as it is likely that looked after children will move placement and school, it is vital that credible arrangements are made to ensure that the required support is not adversely affected by change.

We welcome the Framework's commitment to setting out clearly what all involved in a child's education should expect (of each other, and themselves). This should help to inform and shape the dialogue about children's learning and progress. In terms of children's rights, that dialogue is essential, as under the provisions of the *Standards in Scottish Education etc. Act 2000* all children must be consulted on their education. And that dialogue is also critical to good planning for children, as

research has shown that too little attention can be paid to education in children's plans.²

Finally, we welcome, in principle, the introduction of national standardised testing (as one part of a wider diagnostic assessment of children's progress). Many details have yet to be agreed about this proposal, and we urge the Scottish Government to be flexible in its approach, responding to the valuable insights offered by the range of Scottish experts with knowledge or experience of standardised testing in other countries. However, we agree with the Scottish Government's analysis that limited data on children's progress, at key stages, is restricting our capacity to deliver improvement. In our work in local authorities and schools, CELCIS frequently comes up against the barrier represented by a lack of data, particularly for younger children. Or, in some cases, professionals' unwillingness or inability to use the data they do have. Either way, the outcome is the same, with resources expended on remedial (such as support for young people about to take National Qualifications) rather than preventative action (such as ensuring all primary school children have an appropriate reading age for their stage of development). Moreover, although the evidence that standardised testing leads to school improvement is, at best, patchy, it is important that we remember that standardised testing already takes place in the majority of Scotland's schools. The Framework proposes to rationalise a confusing scheme of local arrangements, potentially improving the rigour and usability of assessments, while at the same time saving money for schools and local authorities. Money which should be reallocated into the additional support vulnerable learners and their families need if we are to close the attainment gap.

Concerns related to the proposed National Improvement Framework

The Framework rightly acknowledges that children's life chances are often determined by their socio-economic background, and by their attainment and achievement in the early years (p.3). It then states that by improving educational outcomes we can support them (children) to become successful adults. We believe this statement is illustrative of the Framework's main weakness: its focus on schools, in the first instance, and not the social and economic factors shaping children's development. If we use 'looked after' status as a proxy for the disadvantage which affects many children in Scotland, the literature consistently finds that it is the disrupted, chaotic and sometimes abusive environments within which children live that shapes their educational experiences; as much, if not more than, any school factors (although these are important).³ If the Scottish Government aims to close the school-leaver attainment gap, the weight of its

² SCRA (2012) How much education is included in the plans of children on Home Supervision Requirements?

³ O'Higgins, A, Sebba, J & Luke, N (2015) *What is the relationship between being in care and the educational outcomes of children? An international systematic review*, Rees Centre, University of Oxford

efforts will need to be directed towards ensuring every child grows up in a stable, educationally rich environment. We acknowledge that the Scottish Government does intend to extend the Framework into the early years during Phase 2 of its development, and that implementation of the Children and Young People (Scotland) Act's 'Getting it Right', 'Early Learning and Childcare' and 'Corporate Parenting' provisions promise to enhance the support available to vulnerable children and their families. But our experience working in Scotland's schools suggests that these policies will not, in themselves, be enough to overcome the educational disadvantage faced by some children, and we encourage the Scottish Government to begin national discussions about the additional steps which will be needed to realise the aims of the Framework.

In the same vein, although the Framework has an aim of ensuring parents and carers are supported to 'understand and support children's education', it does not provide detail about how this will be done. From our experience, this objective, while critical to improving children's educational achievement and attainment, represents a significant challenge. Addressing issues linked to, for example, adult literacy and numeracy, requires the deployment of resources from both the child and adult sectors. The Framework would be strengthened by the inclusion of more detail about how relevant services are going to be equipped to realise this (and related) objectives. (For instance, as the Committee found in its scrutiny of the 2016-17 budget, local authority spending on additional support for learning needs is, in many areas, reducing. How will the Scottish Government, in partnership with local authorities, deliver on the ambitions set out in the Framework when services available to children are being scaled back?)

In respect to the introduction of national standardised testing, we have already made clear our position on the general proposal. However we are acutely aware that testing at four points (not including the National Qualifications at ages 15 and 16) could be disruptive to children's education, introducing a testing climate which risks undermining the nurturing philosophy underpinning Curriculum for Excellence. Furthermore, although we welcome the Framework's focus on socio-economic factors, the plan to report by SIMD will not necessarily reveal how well local areas and schools are doing for looked after children (typically the most vulnerable learners in Scotland). Many looked after children live with foster carers or in residential units located outside of the areas associated with serious deprivation. We would recommend adding indicators linked to 'closing the attainment gap for all looked after children' to the Framework's measures.

We also note that the Framework does not, at present, include references to the role of the Named Person. Yet legislation and forthcoming guidance describe this role as being at the centre of securing improvement for children, across all aspects of their wellbeing. We believe the Framework will need to articulate where the

Named Person fits in with the regime of assessment and family support being proposed.

Finally, we would like to emphasise the critical importance of supporting teachers. Although the Framework does allude to this frequently, the detail of how this will be done will be critical to the success of this change programme. As we outline in our publication *Looked After and Learning* (2015, reference on page 1 above), it is the skills and attitudes of school staff which determine whether a school is inclusive and nurturing, with high aspirations for all children. School leadership is of course very important, but the leadership of individual teachers is perhaps more so. We encourage the Scottish Government, as part of the implementation of the Framework, to review whether our approach to initial teacher education, and their continued professional development, suitably prepares staff to be sensitive and responsive to every child's specific needs, and particularly those of looked after children (to whom they have an additional, corporate parenting responsibility).

Issues relating to the proposed amendments to the Education (Scotland) Bill

As no amendments to the Education (Scotland) Bill have yet been submitted by the Scottish Government, our comments are restricted to the information set out in the letter (sent to the Committee by the Scottish Government) of 18 September 2015, and the draft Framework itself. However in anticipation of the amendments being drafted, it is worth highlighting the importance of ensuring the legislation includes duties, on Scottish Ministers, to 'consult' (with local authorities, teachers, parents, children, etc.). Although the timescales for consultation on the current draft Framework have been tight, we applaud the Scottish Government's willingness to engage in meaningful dialogue with a range of stakeholders. Such an approach should be built into the statutory underpinning of the Framework, so that any future changes are preceded by a similar process of engagement and discussion.

Thank you for this opportunity to contribute to the scrutiny and development of this important Bill. We would welcome any further discussions with Committee.

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