

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE -8 JUNE 2000

CONSULTATION ON THE SCHOOLS SCOTLAND CODE

Report by the Director of Education

1. PURPOSE

- 1.1 To seek approval from Members for the submission of a response to the Scottish Executive Education Department following the consultation on the Schools Scotland Code.

2. BACKGROUND

- 2.1 The Scottish Executive Education Department has issued a consultation paper on the Schools Scotland Code 1956 to which it is seeking responses by 30 June 2000.
- 2.2 The Schools Scotland Code was introduced in 1956 to set the regulatory standards required in state schools. However the Code primarily reflects structures that existed at that time. It is therefore appropriate that the Scottish Executive Education Department is seeking views on a possible revision of the content and relevance of the Code. It will be apparent that in the 44 years during which the Code has been established there have been major and significant changes in the legislation and conditions that affect Scottish education.
- 2.3 The main aspects of regulations contained within the Code relate to the following key areas:
- .Staffing levels for teaching and clerical staff .Setting of class sizes
 - .Promoted post structures .Registration of teacher
 - .Qualifications required by teachers
 - .Qualifications required by special educational needs teachers .Management arrangements for nursery schools .Reporting on unsatisfactory teachers .Designation of stages and classes

3. THE CONTENT OF THE CODE

- 3.1 The consultation document seeks responses to specific aspects but also raises the question of whether regulations are required in the light of the existence of other statutory instruments which address many of the themes addressed within the Code. For example, provisions within the conditions of service for teachers, which are contained within SJNC (Scottish Joint

Negotiating Committee) regulations, determine limits for class sizes similarly, provisions within the General Teaching Council (GTC) regulations determines the standards of qualification and behaviour required of teachers.

- 3.2** In addition the consultation document contains reference to the recently issued Standards in Scotland Schools Bill which promotes a planning framework for continuous improvement in Scottish schools. Contained within the framework is the principle that each school supported by the Local Authority has the responsibility for its own improvement in raising the standards. The Scottish Executive does not wish regulations contained within the Code to constrain progress towards the achievement of improved educational outcomes for pupils nor frustrate innovation through imposed uniformity.

4. DISCUSSION

- 4.1** In general in the modern Scottish education system the principle of flexibility and adaptation to local needs and circumstance are welcome. However it remains important to ensure that appropriate safeguards are in place to ensure the maintenance of high standards. Increasingly this is being achieved by establishing effective planning frameworks and systems of quality assurance rather than regulating the detail of inputs and processes. It is also the case however that the existence of a national code reflects a consensus on agreed minimum levels of support and quality of provision. It is therefore argued that flexibility should not be achieved at the expense of a national consensus on quality.

- 4.2** The consultation document sets out a series of 21 detailed questions on various aspects of provision. These questions were considered by a working group composed mainly of head teachers representing all sectors of education and by written submissions that were received by establishments. This working group met recently and its collated and considered response is available in the members lounge for perusal.

- 4.3** In essence the working group considered that the existence of a Code was essential. It was a recurrent theme throughout the responses that there should be levels of provision established through that national Code. It was also recognised, however that there requires to be a responsiveness built into the system that reflects the dynamics of our present provision. At no stage however should external pressures or convenient solutions be arrived at the expense of a wider quality of provision.

5. FINANCIAL/LEGAL/POLICY IMPLICATIONS

- 5.1** Nil

6. RECOMMENDATIONS

6.1 It is recommended that Members:

- (i) agree that the response be submitted to the Scottish Executive as the official East Ayrshire reaction to the Schools Scotland Code Consultation; and
- (ii) otherwise note the contents of this report.

John Mulgrew
Director of Education

GS/DL
22 May 2000

LIST OF BACKGROUND PAPERS

- 1. The Schools Scotland Code Consultation document issued by the Scottish Executive .

Members wishing further information should contact Graham Short, Depute Director of Education, Tel: (01563) 576089.

Implementation Officer: Graham Short

AGENDA