

## EAST AYRSHIRE COUNCIL

### EDUCATION COMMITTEE – 29 MAY 2001

#### CONSULTATION WITHIN THE EDUCATION SERVICE

##### Report by Director of Educational and Social Services

## 1. PURPOSE

- 1.1 To seek approval for a strategy on consultation within the Education Service of East Ayrshire Council.

## 2. BACKGROUND

- 2.1 At its meeting of 16 March 2000, the Education Committee gave its approval for a Strategic Plan for the Education Department 2000-2003. This plan included a statement of vision for consultation within the Education Service:

*“Through its commitment to partnership, the Education Department strongly embraces the concept of consultation. There are already well developed consultative mechanisms to involve both service providers and service users such as school boards in the decisions which affect them. A wide variety of forums have been created which both complement and supplement the Council’s own procedures. In the future the vision is to further strengthen these consultative mechanisms by ensuring that all sections of the community can have their views recognised. It will be particularly important to engage with disadvantaged or disenfranchised groups and those who, for whatever reason have become alienated from the education service.”*

- 2.2 There is now also a legal requirement to consult in the areas identified in the Standards in Scotland’s Schools etc Act 2000. It is therefore appropriate to establish a clear strategy on consultation that recognises the already well established good practice that exists on effective consultation.
- 2.3 Members may wish to be aware that this draft strategy has already been subject of wide consultation. In particular it was circulated for comment to heads of all primary special and secondary schools by e-mail. Contributions were invited from Community Education, Quality Development, Psychological Services, Early Years and School Boards. The trades unions were also consulted through the informal Joint Consultative Committee.

## 3. CLARIFICATION OF THE TERM “CONSULTATION”

- 3.1 Consultation is a distinct idea from “communication” which is the subject of a separate strategic paper. Effective consultation depends on effective communication but it is fundamentally concerned with the exchange of ideas and viewpoints in order to shape

strategic development. It is however often a misinterpreted idea. While it is to be hoped that effective consultation will result in total agreement this may not emerge and the desired, but acceptable outcome will be a consensus-based approach in which there is a shared understanding of the issues. Feedback is a vital component of consultation. Reasons for final decisions are explained if consultative methods are to be effective. Consultation is not a substitute for decision-making which remains a managerial responsibility. It is not necessary for managers to consult on every issue.

- 3.2** The Twenty-First Century education system rests on collegiate approaches that fully recognise the role of all participants. Consultation is the key process that achieves this through drawing on the knowledge, expertise and experience of all involved. Moreover, it offers the prime means of bringing recognition of local factors and the involvement of practitioners in strategic and policy development.

#### **4. ROLE OF CONSULTATION WITHIN THE AUTHORITY**

- 4.1** The Authority is committed to participative approaches and therefore consultation. It is the belief that with the adoption of an open management style, the quality of processes and strategies will be improved and implementation will be better due to an approach based on transparency and ownership. In this way an ethos will be created in which stakeholders are encouraged to give views and provide feedback on service provision.

- 4.2** At Authority level consultation will take place on:

- identification of local improvement objectives, and measures of performance
- strategic health and safety issues
- the content of Standard Circulars
- specific processes, approaches or strategies
- matters that may result in a change in provision, such as school rationalisation
- issues that relate to conditions of work or employment
- issues relating to promoted post structures, including those in establishments.

At establishment level, consultation will take place on matters such as:

- DMR virement decisions
- Absence cover arrangements
- Structure of promoted posts in secondary schools
- Changes to the school day
- Establishment or service development plans
- Production of Standards and Quality Reports

- 4.3** A decision on the form of consultation exercises rests with senior managers, including headteachers. Critical amongst these decisions must be the identification of the key stakeholders. The stakeholder groups that will be involved in the consultation will depend on the topic that is under discussion. Similar decisions will have to be taken on the method of consultation.
- 4.4** Members will wish to be aware that from time-to-time it may be necessary to establish formal consultative structures to deal with a particular issue. This was done, for example, in relation to Higher Still course structures in schools. Another example is

the McCrone agreement “A Teaching Profession for the 21<sup>st</sup> Century”, which will be the subject of a specific report to committee. Such consultative structures are an essential part of the life of the Authority and can play a critical part in the development of management arrangements.

## **5. CONSULTATION AT AUTHORITY LEVEL**

**5.1** For the Authority, section 5 of the Standards in Scotland’s Schools etc Act, 2000 identifies the following stakeholder groups in relation to the annual statement of improvement objectives:

- local bodies representative of teachers
- local bodies representative of parents
- local bodies representative of ancillary staff
- children and young persons
- other persons “with an interest” in educational improvement

### **5.2 Authority Consultation with Teachers**

Authority consultation with local bodies representative of teachers exists at four levels:

- Informal contacts in relation to issues of shared concern
- The Informal Joint Consultative Committee
- The Formal Joint Consultative Committee
- Teacher representation on the Education Committee

These forums represent a considerable commitment to consulting teachers. They are a complement to the more general involvement of teachers in working groups and seminars which involve the exchange of views on matters of working practice.

The bodies taken to represent teachers for consultation purposes are the Educational Institute of Scotland (EIS), Scottish Secondary Teachers’ Association (SSTA), National Association of Schoolmasters/Union of Women Teachers (NASUWT), the Professional Association of Teachers (PAT), Headteachers Association of Scotland (HAS) and the Association of Headteachers Scotland (AHTS).

Most matters that are discussed at the Formal JCC are first aired at the Informal JCC. The importance of the statutory issues of improvement objectives and standards and measures is such that they will be processed through the Formal JCC.

### **5.3 Authority Consultation with Parents**

The main mechanisms through which the Authority consults with parents are:

- Parents’ Representative on the Education Committee
- The School Boards’ Forum (twice yearly)
- The School Boards’ Steering Group (meets 6-weekly)
- Parents’ Conference (annually)
- Special Educational Needs Parents’ Forum
- Workshops related to QMIE issues

The School Boards Forum is a general meeting the primary purpose of which is communication since it is an open meeting with a wide attendance. It is held at a variety of venues around the Authority. The School Boards' Steering Group has a much closer consultative focus. It offers regular, structured meetings at which it is possible to consult directly on parental opinion. Alternatively, the advice of parent members may be sought on how best to consult with the wider parental body or school boards themselves.

The School Boards Steering Group will be the main consultative group for issues such as local improvement objectives and standards and measures.

#### **5.4 Authority Consultation with Ancillary Staff**

There is a Joint Consultative Committee structure for APT&C staff. This is drawn mainly from the wider constituency of the Authority. It will be necessary therefore to establish an informal Consultative Committee to represent the interests of the various ancillary staff groups who are employed in schools in order to fulfil the requirements of the Standards in Scotland's Schools etc Act, 2000. The establishment of this forum will be the subject of discussion with the Head of Personnel, and will itself be subject to formal consultation with the relevant Trade Unions. This Committee would require to meet to consider matters related to the Authority's local improvement objectives, but also to discuss any other matters of shared interest. It would be a matter for the appropriate Trades Unions to decide how best to obtain suitable representation on this Committee.

#### **5.5 Authority Consultation with Children and Young Persons**

There is already a well-established tradition in East Ayrshire of bringing children and young people together to participate in the life of the Authority. This has included presentations by young people at the Education Committee and Youth Conferences organised by the Community Education Service. Young people were also consulted during the construction of the first Children's Service Plan, and its successor. These structures will be developed into the formal consultative arrangements of the Authority, by for example drawing representative groups together from establishment-based pupil councils. Since these meetings will fulfil a statutory responsibility they will be major and important events in the life of the Authority.

#### **5.6 Authority Consultation with other persons "with an interest"**

The Authority already consults a wide variety of organisations which have an interest in education. In general such consultation relates to particular interest under discussion and the nature of the organisation being considered. In this way, the following are the main organisations that could be consulted on matters related to their particular interest:

- The Churches
- Scottish Enterprise Ayrshire
- The Careers Service
- Education Business Partnership

- Ayrshire and Arran Health Board
- Ayrshire and Arran Primary Healthcare Trust
- Other Departments of the Council
- East Ayrshire Childcare Partnership
- Other sporting, cultural or heritage bodies.

It is not intended to create a specific forum to bring these organisations together since this would not be a good use of time or resources. It will therefore be important that best use is made of existing liaison meetings and other methods of contact to secure meaningful consultation. This is the responsibility of the lead officer for the local improvement objectives.

### **5.7 Consultation Involving Heads Of Establishment**

Head teachers have a major role to play both in terms of contributing experience during planning and development phases and in actually implementing change. They therefore deserve to be fully consulted in most areas of educational change and development. The Authority will consult head teachers through four major mechanisms:

- Headteachers' meetings
- Headteachers' seminars
- Membership of working groups
- Surveys including postal questionnaires, e-mail
- Web technology

Headteachers' meetings are programmed at 6-weekly intervals and cover a number of business, educational development and quality issues. They are therefore the principal mechanism by which heads of establishment may be consulted as a group. The practice has also developed of holding seminars for headteachers to consider particular issues in depth and plan for future development. In order to translate plans into practice it is always important to involve practitioners and therefore headteachers are included in the membership of Authority working groups as a matter of course. For some issues, it is appropriate that headteachers lead these groups on behalf of the Authority. Where more minor issues are being considered and for which detailed discussion is not essential it is sufficient to trawl opinion by a postal survey or using e-mail.

### **5.8 Health and Safety**

The Health and Safety of all who are involved in the work of the Department is a substantial shared area of concern between the Authority and the Trades Unions. The Authority therefore has an established system of Health and Safety consultative committees involving representatives of the relevant occupational groups. These committees will meet at regular intervals and will contribute directly to the improvement of approaches to Health and Safety.

### **5.9 Cluster Groups of Associated Establishments**

Cluster group meetings are an intermediate stage between the Authority and establishment-based consultations. They will typically involve the associated primary, special and secondary schools within the catchment area of the secondary school. They may, however, be expanded to include Pre-5 establishments and Authority officers such as Psychologists and Quality Development staff. Cluster group consultation can be a very efficient means of consultation. Typically, appropriate topics for discussion at cluster level include:

- the local application of strategic decisions at Authority level
- matters of shared concern, such as community based issues
- matters related to transfer between establishments
- matters where a decision in one establishment may affect others in the cluster.

## **6. CONSULTATION AT ESTABLISHMENT LEVEL**

**6.1** For establishments the following stakeholders are identified in Section 6 of the Act in relation to school development planning:

- the school board
- teaching staff employed in the school
- ancillary staff employed in the school
- volunteers working in the school on an unpaid basis
- local bodies representing teachers\*
- local bodies representing ancillary staff\*
- local bodies representing parents\* of pupils attending the school

\*The Act allows the Authority to define the bodies that appear to be representative of these groups.

**6.2** The Standards in Scotland's Schools etc Act 2000 requires that schools produce plans on how they intend to consult pupils and involve them in the day-to-day decisions requiring the everyday running of the school. It is already well established practice that schools consult using pupil councils or the equivalent. There is much variation between establishments even considered at the sector level of primary, secondary, special or early years. Therefore, it is an establishment-based decision on how pupils will be consulted.

**6.3** The statutory requirement to consult for the groups considered within this section only extends to the area of development planning. However, there is a statutory requirement to consult children on the decisions that affect them, so it would be good practice to consult other groups on a similar basis. This is already well established in the Authority with the policy of consulting staff on certain decisions relating to Delegated Management of Resources (DMR).

### **6.3.1 Consulting the School Board**

As the single formal body where teachers, parents and community representatives come together, the school board can play an important consultative role in the life of the school. It is important however that in exercise of this role, school boards are fully aware that their statutory task is to "support the endeavours of those managing the school to secure improvement" (section 26 of the Standards in Scotland's Schools etc

Act, 2000). It is not necessary therefore for the school board to agree the development plan. Their views will however be important and weighed appropriately.

### **6.3.2 Consulting Teaching Staff, Ancillary Staff and Volunteers**

Throughout its life the Authority has endeavoured to promote participative approaches to management. This has built on the practice of the former Strathclyde Regional Council and the influential document "Managing Progress". It therefore follows that staff, including ancillary staff and volunteers should be appropriately consulted on issues that influence their immediate working lives. The main vehicle for this is the development planning process where staff can expect to be consulted during the audit processes of the plan and in relation to its actual implementation. This policy should, however, be interpreted as extending beyond development planning to other key issues in the management of the establishment. Such consultation will be most important in relation to discussions on how outcomes and targets will be achieved.

Such consultation should include any visiting staff such learning support, instrumental instructors, early intervention team or peripatetic teachers.

The statutory nature of consultation implies that consultation at establishment level requires to have a degree of formality:

- An established means of deciding who should sit on any consultative group or groups.
- Such groups should have a written remit or terms of reference
- Meetings should have an agenda and recorded minutes or notes
- The likely frequency of meetings should be known and programmed into the establishment calendar
- The relationship of consultative groups to one another should be known

Beyond these broad guidelines it is appropriate that establishments determine at local level how consultation should be promoted.

### **6.3.3 Consulting Local Representative Bodies**

Within existing arrangements there is already provision for headteachers to discuss issues with representatives of accredited Trades Unions. Such arrangements are particularly important in relation to Health and Safety issues. The arrangements for such consultation will reflect the consultative arrangements at Authority level and include, as appropriate, the school representatives of the EIS, SSTA, NASUWT, PAT, HAS, AHTS and, where present, school representatives of the ancillary staff unions.

### **6.3.4 Consulting Other Agencies**

A wide range of external agencies and professionals contribute significantly to the life and work of the school. Such professionals should also be consulted as appropriate on relevant matters, but particularly in relation to the priorities in the development plan. Such external consultation will potentially be important with:

- Social workers
- Educational psychologists
- School chaplain
- School nurse
- Community Education representatives

## 6.4 Consulting Elected Members

Effective consultation with Elected Members lies at the heart of strategy formulation within the Education service. The main formal mechanism for this is through the formal discussions at Committee. Committee reports therefore follow the format used by the Service Committees by the Council as a whole. The main responsibility for consultation with Elected Members outside Committee lies with the Director and Heads of Service. Elected Members can expect to be involved at an early stage in any issue that affects their constituency. The Chair and Vice Chair of the Education Committee have the right to be involved at an early stage in any discussion affecting the strategic direction of the service.

## 6.5 All Round Consultation

In developing programmes for improvement, establishments will wish to consider broadening the base of both its plans and the consultation. This is most relevant in the development, for example, of shared priorities with associated establishments in the cluster group, or seeking the advice of the Authority. Such a development in consultation does much to improve the cohesion of provision within an area and across the Authority, and is therefore encouraged.

## 7. CONSULTATION METHODS

7.1 It is a managerial decision to select the appropriate method of consultation. Such a decision will be related to the matter under discussion and how best to engage with the target audience. Often a differentiated approach to consultation will be required to ensure that all stakeholders are reached. Managers will have due regard to the fact that consultation can absorb large amounts of resources. Thus, for example, a survey based approach brings costs of designing the survey, distributing and collecting and papers, and lastly collating and analysing the results. Similarly, meetings, particularly involving large numbers of staff, command a very high level of resource. There is therefore a need to select cost-effective approaches that are suited to the task and related to its importance.

In taking such a decision, managers may wish to consider the following methods:

**Whole-staff meetings or seminars:** these involve everyone in the discussion but are a major exercise in terms of time and resources..

**Representative Groups :** in order to reduce the resource commitment it may be possible to use a representative group of the wider population (staff, parents or pupils). Such a decision must consider how the representatives are to be chosen and whether there are any particular sub-groups who would expect to be represented. Such groups can use a variety of formats such as “focus groups”, “juries”, “working groups”, “forums/councils/parliaments” or equivalents.

**Surveys and Questionnaires :** these can use a sampling basis or may cover the whole population. Although a convenient way of seeking opinions in a fixed timescale,

and despite the advantage of not requiring the commitment of resource and time in a meeting, this method has substantial disadvantages:

- It is an overused method, and there is a danger of “survey overload”
- Design of a good survey is a highly technical task
- Collation and analysis of results is time-consuming and intellectually demanding.

In order to ease the use of survey techniques the Authority will make greater use of web-enabled technology. Work is already underway to produce a bank of survey questions upon which establishments can draw so that a survey would not have to be created in isolation.

## **8. MONITORING AND EVALUATION**

- 8.1** The operation of this strategy will require monitoring and evaluation at all levels. Performance indicators on consultation exist within the Quality Management in Education framework which will allow a specific evaluation of its operation. This is perhaps less important however than judgements on the extent to which the key stakeholders feel genuinely involved in the management of the service and share its stated objectives.
- 8.2** At Authority level, the primary responsibility for monitoring this strategy rests with the Head of Schools, supported by the Quality Development Team. At establishment and service level the operation of this policy is the responsibility of the headteacher or relevant senior officer or team leader.

## **9. POLICY/LEGAL IMPLICATIONS**

- 9.1** Nil

## **10. FINANCIAL IMPLICATIONS**

- 10.1** As indicated above, consultation does command an element of resourcing, which can sometimes be substantial. This commitment will however, be met from within existing budgets at both establishment and Authority level.

## **11. RECOMMENDATIONS**

- 11.1** It is recommended that Members :
- (i) invite the Director of Educational and Social Services to establish a forum for children and young people to be consulted on aspects related to educational improvement in the authority;
  - (ii) invite the Director of Educational and Social Services to develop consultative methods to promote the further involvement of parents and other groups in the decision making of the service;
  - (iii) invite the Director of Educational and Social Services in consultation with the Head of Personnel Services to establish an informal group to consult staff other than teachers employed in schools;

- (iv) invite the Director of Educational and Social Services to establish a group composed of teacher and headteacher representatives to consider the issues raised by the national agreement “A Teaching Profession for the 21<sup>st</sup> Century”;
- (v) agree that heads of establishment should be required to bring forward plans on how pupils will be consulted, and;
- (vi) otherwise note the contents of this report

John Mulgrew  
Director of Educational and Social Services

GRS/GRS  
2 May 2001

### **LIST OF BACKGROUND PAPERS**

1. A Strategic Plan For the Education Department 2000-2003.

Members requiring further information should contact Graham Short, Head of Schools, (01563-576089).

**Implementation Officer: Graham Short**

**AGENDA**