

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE – 19 SEPTEMBER 2000

THE STANDARDS IN SCOTLAND'S SCHOOLS ETC (SCOTLAND) ACT 2000

Report by Director of Education and Social Services

1. PURPOSE

- 1.1** To seek Members approval for an action plan to ensure that the terms of the Standards in Scotland's Schools etc (Scotland) Act 2000 (hereinafter referred to as "the new act") are addressed within the Department of Educational and Social Services.

2. BACKGROUND

- 2.1** Members will recall that there have been extensive consultations in relation to the new act while it was in the early stage of its preparation, and during its course through the Scottish Parliament. The position taken by East Ayrshire Council was one of broad support for its terms providing that the resource implications of its terms could be met by the Scottish Executive.
- 2.2** The new act received Royal Assent in July 2000. A copy is available in the Members' lounge. It may also be downloaded from the Internet where it can be found within the Scottish Legislation of the web site of Her Majesty's Stationery Office: www.hmso.gov.uk.

3. SUMMARY OF THE NEW ACT

- 3.1** The new act may be divided into four distinct areas.
- 3.1.1** The first and by far the most significant area deals with the statutory duties of the Scottish Ministers, Education Authorities and schools to secure continuous improvement. These measures include significant requirements in terms of the rights of children, duties to consult and requirements to publish information including plans.
- 3.1.2** The second area, and by its nature less significant, merely formalises aspects of existing practice such as ending corporal punishment in schools.
- 3.1.3** The third area tidies up relatively minor matters such as elections to school boards.
- 3.1.4** Lastly there are specific sections dealing with national issues such as the redefinition of aspects of the operation of the General Teaching Council (GTC),

the abolition of the Scottish Joint Negotiating Committee (SJNC) and abolition of self-governing schools.

4. IMPLICATIONS FOR EAST AYRSHIRE

- 4.1** A proposed outline Action Plan has been prepared and this is presented at Appendix 1.
- 4.2** The requirements of the new Act will generate activity at a number of different levels. Some sections of the legislation will simply require that existing procedures and documents comply with the new requirements. These can be dealt with administratively. However, there are major sections of the legislation that will require a comprehensive review of how the education service undertakes its responsibilities. While it is perceived that the existing practices of the service are consistent with the new Act the imposition of statutory duties means that a new level formality and rigour will have to be demonstrated. Up to this point, the emphasis in management has to be ensure that an effective and efficient service has been provided within the terms of the Education (Scotland) Act, 1980. The new requirements obviously cannot compromise that position. Therefore it follows that a considered balance has to be found at all levels between service provision and service development. It is inevitable that establishment of this new balance will require additional resources in addition to reprioritisation.

5 A FRAMEWORK FOR IMPLEMENTATION

- 5.1** It must be anticipated that the Education Authority will be externally inspected by HMI in the immediate or near future. The aim must be to receive a report that is excellent. This requires that there must be immediate action to ensure that compliance with the Act and checking compliance becomes a major priority.
- 5.2** Ultimate responsibility for ensuring compliance with the legislation must rest with the Director of Educational and Social Services. It is proposed that he should be assisted in that task by a steering group composed of senior representatives of all educational sectors, central educational services and Legal Services. This working group will work within the framework of the proposed action plan at Appendix 1 and:
- identify priorities for action
 - identify necessary changes of procedures and systems
 - identify the additional work required to be undertaken and by whom
 - advise on appropriate consultative arrangements
 - monitor implementation

The Authority already has well-developed consultative arrangements including head teachers' meetings, senior officers' meetings, school boards steering group

and for a and Joint Consultative Committees for employees. According to the area of operation, these groups would be involved as appropriate.

6. POLICY/LEGAL IMPLICATIONS

- 6.1** The new Act is consistent with existing East Ayrshire policies. Approval of the arrangements described in this report will assist the Authority in being able to discharge its new statutory responsibilities

7. FINANCIAL IMPLICATIONS

- 7.1** Developments within this framework will be costed as they emerge and brought to Committee for approval as appropriate. It is unlikely that the requirements of the new Act will be capable of being met without reprioritisation of resources within the education service or without additional resources yet to be quantified.

8. RECOMMENDATIONS

It is recommended that Members :

- (i) approve the establishment of a working group to supervise the implementation of the Standards in Scotland's Schools etc (Scotland) Act, 2000;
- (ii) approve the action plan appended to this report as a framework for implementation; and
- (iii) request that the Director of Education and Social Services submit reports to Committee as required to address specific aspects of implementation; and
- (iv) otherwise note the contents of this report.

John Mulgrew
Director of Education and Social Services

GRS/GRS
7 August 2000

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

LIST OF BACKGROUND PAPERS

Nil

Implementation Officer: Graham Short

APPENDIX 1

**THE STANDARDS IN SCOTLAND'S SCHOOLS ETC
(SCOTLAND) ACT 2000**

ACTION PLAN

AUGUST 2000

AGENDA