

Consultation on Behalf of Professor Ken Muir
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Education Reform
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Introduction

1. The NASUWT welcomes the opportunity to comment on the consultation on the replacement of the Scottish Qualifications Authority and the reform of Education Scotland.
2. The NASUWT is the Teachers' Union, representing teachers and school leaders in all sectors of education.

General

3. Education is a human right and a public good. Quality public education for all must be an unequivocal goal of the Government. That goal, in our view, can only be assured where the Government takes an active role in ensuring quality and equity, setting clear expectations of what the system should provide by way of entitlements for all learners.
4. Public education should encourage personal fulfilment, social responsibility, knowledge, cultural acquisition and skills for life. It should deliver for society's needs for social and economic development, political participation, environmental responsibility and international solidarity. Public education also plays an important role in preparing children and young people as global citizens.

5. High-quality public education respects and values teachers and the organisations that represent them, and creates the conditions in which teachers and other education professionals are able to work together collectively on matters affecting them and their students. Public education is not only about education for democracy, but also operates democratically.
6. The NASUWT recognises the important contribution schools make in young people's development and transition to employment. Schools have a vital role in helping to develop and equip young people with the knowledge, skills and qualifications they will need to enter the world of work. As the market for jobs continues to change rapidly and markedly, schools must also be supported in their efforts to respond to current trends and to meet future economic challenges. Scotland needs to prepare young people for the new knowledge economy.
7. A 21st century curriculum entitlement is, in the view of the NASUWT, one of the most important contributions of public education in creating economic opportunity and upward social mobility for children and young people and securing sustainable development and economic growth in the longer term for society as a whole, and it is important that this critical context is held in mind during the review process.
8. It is within this social context that discussions around structural reform must take place. Change must not be instituted for the sake of change itself, to satiate short-term demands for individual accountability, to distract from institutional or structural inequality, or to mask issues of underfunding. At its core, the review of the ownership of Curriculum for Excellence (CfE), the roles and responsibilities for curriculum and assessment, and the exploration of how we address the misalignment of the Broad General Education (BGE) and the senior phase, must maintain a steadfast focus on the purpose of public education and ensure the needs of teachers and learners are placed at the centre of any reform recommendations.

9. In any suite of reforms, the following principles must therefore be given prominence:

- the centrality of the workforce and teacher professionalism in raising standards and narrowing attainment gaps;
- the need to ensure that teachers and school leaders have working conditions that enable them to focus on their core professional functions and are recognised and rewarded as highly skilled professionals; and
- ensuring that reform does not increase pressure on teacher and school leader workload.

1. VISION

To what extent do you agree or disagree with the following statement?

1.1 The vision for Curriculum for Excellence reflects what matters for the education of children and young people in Scotland.

1.2 What do you think should be retained and/or changed?

10. The NASUWT shares the Government's aspiration for excellence and equity to improve the life chances of all Scotland's children and young people.

11. The NASUWT has remained strongly supportive of the broad principles set out in CfE of breadth and balance. A range of learning experiences is central to ensuring wellbeing, and both breadth and balance in learning is necessary to close the attainment gap.

12. The Union would agree that the vision for CfE reflects what matters for the education of children and young people. The real question is how that vision is translated into a practical reality in the classroom.

13. The fundamental principles of the CfE are not broken, but the NASUWT has significant concerns over the manner in which these principles have been applied in practice.

14. Children and young people learn best when teachers are given the time, resources and scope to make the fullest use of their professional talents, knowledge and expertise. An education system that does not give practical effect to this core guiding principle cannot expect to provide pupils with the full range of high-quality learning opportunities to which they are entitled.
15. While CfE signalled a progressive approach to curricular design which would support teacher professional judgement, this has not been easily aligned with the cultural reality within schools. As such, Scottish education has never fully achieved the ambitions of CfE, although primary settings have moved closer to the intended vision than secondary. In the secondary sector, the hierarchy of qualifications continues to drive BGE, which militates against excellence and is not in tune with the principles of CfE.
16. Scottish education, through the narrative of empowerment, has accepted that the headteacher should be the lead decision-maker in how the curriculum is designed and provided in their schools. On paper, it is accepted that there must be flexibility within the curriculum in order that it can be amended and shaped to meet local needs. It is important to highlight that this flexibility must not take place outwith an agreed national framework, such as CfE, therefore ensuring there remains a common national entitlement to a broad based national curriculum for all pupils. This is an important right for pupils and the expectation of parents of a state-funded education system. Headteacher empowerment is not, however, sufficient on its own to create an empowered school system. Currently, curricular decision making sits disproportionately with school management and there has been a national failure to implement systems of collegial working which recognise the skills and autonomy of the classroom teacher and empower all teachers.
17. The NASUWT is concerned that the foundational principles of CfE have been lost in the secondary sector due to over-assessment, and that the COVID-19 crisis has exacerbated this existing systemic weakness.

18. The Union aspires to a Scottish education system which empowers frontline class teachers, who have agency to use their own formative and summative assessments, with external assessment taking place at the end of high school. Such a system would be predicated on a genuinely collegial working culture with empowered teachers and trade unions, rather than a hierarchical system of command and control driven by anxiety and with no trust given to frontline teaching staff.
19. Teachers must be able to take ownership of their own professional learning and access career options without a prohibitive gatekeeping system acting as a barrier to an empowered system. Currently, teachers can face barriers to access the leadership pathway as a result of conscious/unconscious bias or cronyism. The system must operate in such a way that teachers are not prevented from accessing appropriate training, time out, learning opportunities or coaching and mentoring to develop their skills and experience in order to further their career.
20. Research on teachers' morale and motivation has found that in a context in which headteacher autonomy is being extended, and where headteachers' engagement within the classroom as leaders of instructional practice has diminished, classroom teachers say that they are valued and respected less and report significantly reduced levels of professional esteem, morale and job satisfaction.
21. The Government must create the conditions in which headteachers act as lead practitioners who remain in touch with the classroom by continuing to practise pedagogy and demonstrating their teaching capability.
22. Members report that the current career pathway system is inherently discriminatory, and this information was highlighted during the Career Pathways review. It is really important that we integrate equality considerations and seek out the voices of those with protected characteristics within Scottish education as a priority, not least because

the Public Sector Equality Duty (PSED) requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

23. There is a wealth of research showing that Black teachers and other workers with protected characteristics face greater barriers and discrimination in gaining promotion and pay progression than the generality of workers, and that both overt and covert instances of racism are a daily reality in workplaces. The NASUWT considers that systemic, organisational change is required in the education service to challenge these injustices.

24. The career structure within Scottish Education requires a radical overhaul. The NASUWT has been calling for a flatter structure, which will support professional empowerment and a reduction in the differentials of power and recognition/reward between leaders and teachers. These changes to the career structure would better support the realisation of the vision of CfE.

2. CURRICULUM AND ASSESSMENT

To what extent do you agree or disagree with the following statements?

2.1 Curriculum for Excellence provides a coherent progression in the journey of learners (3-18 and beyond) that gives them the best possible educational experience and enables them to realise their ambitions.

2.2 Please share what you believe currently contributes to a coherent progression.

2.3 Please share ideas you may have to improve learner progression across stages and sectors.

25. The NASUWT believes that all children and young people have an entitlement to access a broad, balanced, relevant and engaging curriculum. The Union has also campaigned for curriculum frameworks that do not result in excessive and unnecessary workload burdens for teachers and school leaders, or distract them from their core responsibilities for teaching and leading teaching and learning.

26. The NASUWT has identified ten fundamental principles of effective curricular provision:

(1) The curriculum should build from a clear set of aims and values and there should be broad consensus about the purposes of the curriculum.

The curriculum should provide an overarching set of aims, values and purposes that link to the goals and purposes of school curricula. Programmes of Learning or Programmes of Study that form part of the curriculum or the whole school curriculum should include explicit goals that reflect the aims, values and purposes of the curriculum. There should be wide consultation with all key stakeholders and broad agreement about the aims, values and purposes of system-wide curricular frameworks.

(2) The curriculum should start from the needs of the child and address both their learning and development needs.

The curriculum should be flexible and accommodate pupils' different needs. It should support their social, emotional, physical, moral, spiritual and cultural development, as well as their intellectual development.

(3) All pupils should have an entitlement to a broad, balanced and relevant curriculum.

The curriculum should recognise different forms of learning, including academic and practical learning, and offer rich, engaging and relevant experiences. This is critical to tackling disaffection and addressing poor pupil behaviour. The curriculum should help learners to become confident and successful and enable them to make a positive contribution to society. Schools should offer a curriculum that secures

breadth and balance and is relevant to all pupils.

(4) *The curriculum should promote the principles of equality, community cohesion, social justice and international solidarity.* The curriculum should equip pupils with the knowledge and skills to challenge discrimination and injustice. It should prepare them to live and participate in a globalised world. This includes helping pupils to understand and appreciate their own identities and those of others. The curriculum should provide opportunities for pupils to engage critically with issues relating to equality and justice and take part in activities that contribute to social cohesion.

(5) *There should be coherence and consistency between policies that relate to the curriculum and other education policies.* Policies relating to the curriculum must 'fit' with, and be supported by, other education policies, including those relating to teachers' professional autonomy, teachers' professional development and school accountability. The broader education system must not undermine the principal aims and objectives of the curriculum. In particular, a punitive, high-stakes accountability regime that pressurises schools into narrowing the focus and range of pupils' learning experiences is not appropriate or acceptable.

(6) *Curriculum policy and practice should respect and promote the notion of teachers' professional autonomy and judgement.* Teachers must be able to use their professional judgement both individually and collectively to determine what is most appropriate, including the suite of qualifications on offer, for the learners they teach. They should have the flexibility to make decisions about what they teach and how they teach.

(7) *Leadership of the curriculum should build on the principle of collegiality, with teachers working together to design the curriculum.* Teachers should be actively engaged in the design and development of both the national curriculum and, within that framework, their school's curriculum. It is essential that reforms encourage schools to adopt approaches to leadership that engage all teachers and support

collaboration and co-operative working.

(8) As professionals, teachers and school leaders should have access to, and undertake, regular curriculum-related professional development. High-quality continuing professional development (CPD) is essential if teachers and school leaders are to maintain and extend their professional knowledge, skills and expertise. All teachers and school leaders must have designated time to reflect critically on their practice, and undertake high-quality continuing professional development (CPD) and support. CPD must be free, well-funded and robustly quality-assured. It must also be designed in a way that ensures that all teachers can access it.

(9) Practice should enable teachers and school leaders to focus on their core responsibilities for teaching and leading and managing teaching and learning. High-quality curricular frameworks should allow teachers to focus on teaching and learning. Teachers should be able to draw on the skills of others to support pupils' learning, including expertise from the local community. Tasks that do not require the professional skills and expertise of a teacher should be undertaken by appropriately trained and qualified members of the school workforce.

(10) Practice should be efficient, avoid unnecessary bureaucracy and workload, and be organised in ways that provide space for teachers to function as professionals. The curriculum must be monitored rigorously for its impact on workload and organisational bureaucracy. This needs to happen both at national and school level. It should mean that problems are identified and addressed.

27. As it stands, CfE has failed to meet all of these aspirations and so provide a coherent progression in the journey of learners (3-18 and beyond) that gives them the best possible educational experience and enables them to realise their ambitions. There are a myriad of reasons underpinning this failure, including:

- (a) Transitions within the system between primary and secondary and between the BGE and senior phase are not working.
- (b) Conservatism within Scottish education has ensured that flexibilities within the system have not been utilised, other than in exceptional circumstances. To achieve the vision of CfE, in reality, schools would need the flexibility to move away from a cohort approach.
- (c) Senior phase has created a postcode lottery across Scotland and there is a visible tension between local flexibility and national guidance.
- (d) There is a lack of a clear framework – such as in the number of subjects to be studied at senior phase.
- (e) Coherent progression in the BGE is hamstrung by the absence of a clear framework. Education Scotland has failed to properly explain that there is no need to cover all experiences and outcomes (Es+Os) benchmarks to achieve a CfE level, resulting in a tick-box culture which has severely limited teacher empowerment, allied with a lack of clear exemplification of standards in BGE.
- (f) An atmosphere of cognitive dissonance persists across the system with a lack of consistency between data-driven approaches alongside often nebulous guidance; another example would be the BGE followed by the absolute rigidity of the SQA qualifications.
- (g) Levels of accountability on classroom teachers do not reflect the aspired level of autonomy.
- (h) There is a lack of parity between academic and vocational routes. For example, 'My World of Work' sits in and around academic work, in the spaces between timetabled classes, and there is insufficient time or support for class teachers to engage with it.
- (i) Additional Support Needs (ASN) and inclusion, as highlighted in the Morgan review, remain an afterthought in policy development and curricular design.
- (j) Responsibility for achieving too many aims is piled onto teachers without sufficient resources.
- (k) There are very few best practice models available to adopt wholesale. Time is needed to develop alternative models, but there is no time available.

- (l) Strong school/college partnerships are necessary to see a step-change in the offers made to young people. These require a supportive local authority which buys in and is committed to genuine school/college partnership. For schools to buy in and build a broad timetable there needs to be support provided to management, as whole school timetable building including college availability is very difficult.
- (m) Where schools move away from an exam focus and look to wider CfE aims, it often feels tokenistic – for example, many of the Inter-Disciplinary Learning projects in the secondary sector. The success of CfE is unable to be achieved while the tail continues to wag the dog.
- (n) There persists a culture of using a safety net of focusing on banking of evidence. We need to change the culture of what constitutes being successful at the end of the school journey.
- (o) Broader skills and experience of teachers are often overlooked in schools, and short-term supply or cover teachers are underutilised in supporting the development of wider skills.
- (p) The curriculum is supposed to have relevance to lives, and more space needs to be provided for Personal and Social Education (PSE).
- (q) Mental health is becoming an increasing issue for all members of the school community and greater priority needs to be given to teaching pupils how to build healthy relationships.
- (r) Cultural issues with hierarchy within the system and within schools persist where command and control rather than collegial cultures exist, thereby creating dissonance with the values of equity, equality and social justice

3.1 In practice, learning communities are empowered and use the autonomy provided by Curriculum for Excellence to design a curriculum that meets the needs of their learners.

3.2 Please share ideas you may have on what is needed to enhance this in future.

28. The curriculum should be designed and implemented in ways that allow teachers to plan, prepare and assess pupils' work, collaborate with

colleagues, reflect critically on their practice, access support and undertake training and CPD. The NASUWT is clear that the main barrier to teachers and practitioners working collaboratively is the lack of any meaningful provision of time to do so.

29. Collaborative activities must be purposeful and enhance teaching and learning. This should not be a burdensome bureaucratic process. It should be supportive and developmental and not high-stakes or judgemental. Engagement cannot be on the basis of compulsion.

30. The Union would signal a cautionary note about structural reform. In the experience of the NASUWT across the whole of the UK, education policy-makers often set too much store and spend too much time on the creation of new structures rather than on ensuring that the appropriate support is provided to enable and develop teachers to concentrate on their core role of teaching and learning. Fundamentally, without sufficient time and resourcing, learning communities will not reach empowerment and will therefore be unable to use the autonomy provided by CfE to design a curriculum that meets the needs of their learners.

4.1 The creation of a Curriculum and Assessment Agency will help to address the misalignment of curriculum and assessment as outlined in the OECD report?

4.2 Please share your views of the potential advantages of establishing such an Agency.

4.3 Please share your views of the potential disadvantages of establishing such an Agency.

31. Over the last year and across several inquiries at the Scottish Parliament, the Union has called in evidence for the SQA and Education Scotland's actions to be placed under greater scrutiny. The Education and Skills Committee shared the NASUWT's frustration that in the aftermath of the 2020 exam results there was a lack of transparency around decision-making, a reluctance to release data, and a significant disconnect between

the evidence received from these bodies and what parents, pupils and teachers were saying.

32. The Union has, through engagement with the Scottish Parliament, fought to ensure public accountability of these bodies, and the committee rightly concluded in its legacy report:

'We also continue to hold particular concerns about the communication from the SQA and Education Scotland, including both the quality of information shared with the Committee (for example in oral evidence sessions) as well as the way in which decisions and discussions were held with key stakeholders, including pupils and teaching staff... We remain unconvinced that these bodies in their current form are fit for purpose. Confidence among practitioners in these organisations also appears low and it is clear that structural reform is now required.'

33. When teachers across Scotland were wrestling with the unreasonable demands of the SQA and the blind apathy of Education Scotland in relation to the implementation of the Alternative Certification Model, this statement resonated with NASUWT members.

34. Indeed, the Cabinet Secretary for Education announcement on 22 June 2021 the intention to replace the Scottish Qualifications Authority (SQA) and consider a new specialist agency for both curriculum and assessment while also taking forward reform to Education Scotland, including removing the function of inspection from the agency. The Scottish Government needs to grasp this opportunity to develop a genuinely collegiate approach going forwards, ensuring these reforms are not a cosmetic exercise and that the perspective of the classroom teachers are placed at the heart of any reform.

35. The NASUWT is clear that there needs to be a very strong focus on the practitioner voice in any new agency and that this must explicitly include the voice and perspectives of practising classroom teachers.

36. There is a tendency to prioritise the voices of those who are not practising teachers throughout many Scottish Education bodies. Given the tremendous problems with COVID-19 over the last two years, we have to be clear that without proper engagement with classroom teachers and the voice of teachers firmly embedded therein, any new body is simply not going to have the support of the profession.

37. The NASUWT Scotland conference in 2021 passed a motion which sets out the Union's overarching systemic aims:

- i. system reform to build a more relevant and resilient education system, which would better cope with this crisis and any future circumstances;
- ii. class teachers to be empowered and at the core of the education system;
- iii. a reduction in formal examinations, both in number and frequency;
- iv. teachers are actively engaged in the design and development of both the national curriculum and, within that framework, their school's curriculum;
- v. any reform must encourage schools to adopt approaches to leadership that engage all teachers and support collaboration and collegial working;
- vi. any proposed curricular change must be monitored rigorously for its impact on workload and organisational bureaucracy;
- vii. the Union is included in all national discussions relating to the curriculum and Scottish qualifications;
- viii. the views of members are sought to inform any response to the pending OECD report and outcomes.

These are the foundation stones upon which any new agency should be based.

5.1 The full breadth of existing SQA qualifications play an important part of the curriculum offered by secondary schools.

5.2 Please identify the main factors, if any, that support a broader range of SQA qualifications being included in the curriculum in secondary schools.

5.3 Please share any ideas you may have on what is needed to enhance the role of a broader variety of qualifications in the curriculum in secondary schools.

38. As outlined under question 2 above, there are significant systemic and institutional barriers to schools and pupils accessing the full breadth of curricular offers and qualifications, including cultural barriers and limits on time and teacher autonomy, as well as the impact of pressure from parents and society more broadly to maintain a historical exams process which is out of step with the vision of CfE.

39. It is important that the review also recognises that the framing of the questions under section 5 herein will further embed the domination of senior phase exams within the Scottish education system. Approaching the review from the perspective of the breadth of qualifications offered will undoubtedly skew the content of the responses received.

6.1 Technologies are fully and appropriately utilised as a support for curriculum and assessments.

6.2 Please share any comments you may have on the use of technologies to support curriculum and assessments, and what could be done to deliver improvements.

40. Technological advancement requires an infrastructure including laptops and broadband. Technologies should only ever be used as a support for teachers undertaking curriculum and assessment and never as a replacement.

41. In many schools there are not enough laptops and where schools are asking pupils to use their own devices this creates a two-tier system and undermines work to tackle socio-economic disadvantage. In other authorities where schools have issued each pupil with an iPad, there have been unintended consequences and structural challenges often resulting in pupils and staff feeling it may cause more trouble than it is worth. Teachers and pupils have reported difficulties in accessing the internet

both at school and at home, particularly in rural areas where there are often issues of hidden poverty and unreliable mobile data and broadband. Equally, there are knowledge barriers to pupils engaging with technology: often an assumption is made that children and young people will inherently know how to use a device, but this is not always true. Technology, while capable of being a good support in some circumstances, is not a universal quick fix. Austerity has also removed many of the IT support technician roles from schools, creating further workload burdens for teaching staff.

42. Where curricular materials are posted online (for example, by Education Scotland), teachers have also noted that some of the resources have been of variable quality and it is unclear what checks and controls are in place to ensure that high-quality online materials are available.

7. Please share any additional comments you have on curriculum and assessment.

43. The NASUWT does not object in principle to the use of standardised assessments, such as the Scottish National Standardised Assessments (SNSA). A nationally managed and regulated system of assessment can provide a common entitlement for all learners, and promote clear national expectations in relation to assessment and learning. However, concerns persist from members that the current system of P1 assessment is not fit for purpose and has limited positive returns.

44. The NASUWT believes that the following broad principles should be considered in any review of assessment:

- a. assessment should support pupil engagement and empower pupils to take responsibility for their own learning;
- b. assessment should support a broad and balanced curriculum and should not drive or limit the curriculum offer;
- c. assessment should be reliable, valid and comparable;
- d. assessment should be fair and equitable and should recognise the impact of social and cultural assumptions;

- e. assessment practice should respect and promote the notion of teachers' professional autonomy and judgement;
- f. collaboration and cooperation should be at the heart of assessment practice;
- g. assessment practice should be efficient and effective, placing minimal workload burdens on teachers and avoiding unnecessary bureaucracy; and
- h. assessment practice should be reviewed regularly for its impact and effectiveness on pupil outcomes.

45. Assessment should be used by teachers to enable them to form valid and reliable judgements of pupils' progress for the development of the curriculum. In that way, assessment is key to effective approaches to teaching and learning. The forms that assessment takes, the uses to which assessment data is put, and the context within which assessment is undertaken are, therefore, critical aspects of educational policy and practice at national, local and school level and should always be developed in collaboration with teachers.

Section 3 - Roles And Responsibilities

To what extent do you agree or disagree with the following statements?

8.1 There is clarity on where the responsibilities for the strategic direction, review and updates for Curriculum for Excellence lie.

8.2 Please indicate where you think the responsibilities for the strategic direction, review and updates for Curriculum for Excellence should lie.

46. The recent OECD report recognised that there is a gap between stakeholders' involvement and their impact on effective enhancements to CfE implementation. The NASUWT has consistently set out the need for teachers to be more than heard; their knowledge and expertise must be placed at the centre of national policy-making on CfE implementation.

47. As part of the engagement process with the OECD, all key stakeholders, including the NASUWT, were clear that schools and teachers should hold responsibility for the conception, implementation and outcomes of their

own curricula, provided other education bodies fulfil their own responsibilities to support schools and the profession within a clear policy framework. But this aim was widely recognised as not being met, with CfE ownership often described as fragmented and an absence of clarity on whose responsibilities lie where.

48. The constant churn of educational edicts from central government and agencies is an additional unwelcome and unnecessary distraction and is overwhelming to teachers who are trying to focus on teaching and learning. This repeated production and recycling of documentation has been recognised by the OECD as not only creating workload and bureaucracy but also muddying the waters to the extent that there is no clarity on where the responsibilities for the strategic direction, review and updates for CfE lie.

49. There are systemic issues that need to be addressed around the role of leadership and empowerment within the Scottish education system. For example, different sets of accountability standards apply, dependent upon your role in education. Teachers are held to the General Teaching Council for Scotland (GTCS) standard for full registration, whereas the leadership standards are not used as benchmarks for accountability. This disparity in treatment gives clear messages to the system regarding the balance of power. Moving forward, the NASUWT would wish to see a flatter structure which would better recognise and support the lynchpin role of the classroom teacher in determining curricular decisions, as well as the GTCS leadership standards holding the same weight for system leaders as the Standard for Full Registration does for classroom practitioners.

9.1 There is clarity on the roles played by national agencies and other providers for responding to needs for support with curriculum and assessment issues.

9.2 Please share which aspects of the support currently provided by national agencies and other providers is working well.

9.3 Please indicate where you think greater clarity is needed in relation to the roles played by national agencies and other providers for responding to needs / requests for support with curriculum and assessment issues.

50. The NASUWT remains clear that it is important that lessons are learned in the longer term from the experiences of awarding qualifications in 2020 and 2021.

51. Following the controversies over the awarding of qualifications in Scotland in 2020, the Scottish Government commissioned Professor Mark Priestley of the University of Stirling to lead an independent review of the awarding process. Considerable reflection is now needed on whether the recommendations and outcomes of that review from 2020 have indeed influenced the direction of travel in 2021.

52. The NASUWT is clear that some lessons could have been learned to better support the profession during the pandemic. The evidence gathered as part of the Priestley review clearly pointed to teachers having been subjected to high levels of stress and anxiety, as well as feeling undermined and denigrated. A significant part of this stemmed from the lack of clarity by the Scottish Qualifications Authority (SQA) over the balance between estimation and moderation. Teachers were also left confused and uncertain over the guidance on estimates and local moderation. The review noted that a more comprehensive set of guidance around this would have been helpful and potentially removed some of the complexity from the system, which led to teachers feeling under excessive pressure and suffering from stress. It is inescapably true that some of the decisions made by the SQA led to an erosion of trust and confidence in the organisation amongst teachers.

53. An issue the NASUWT has consistently raised is the lack of collaboration and engagement from the SQA. The Union had hoped, given the controversies caused by the decisions made in 2020, that the SQA would recognise the need to become more inclusive of other stakeholders. While

informal dialogue continues with the SQA, the NASUWT remains excluded from the SQA's National Qualifications Group, suggesting that the SQA and the Scottish Government are continuing with their selective approach to engagement from stakeholders.

54. Students, teachers and school leaders have worked extremely hard to secure results in the face of unique and hugely difficult circumstances. School staff deserve recognition of the huge pressures and additional workload they have faced, and young people deserve praise for the tenacity they have shown in dealing with the huge uncertainties and anxieties of the last 18 months. Whilst schools have done a tremendous job in picking up the pieces caused by the failures of ministers and the SQA, many teachers have been left running on empty, with teacher workload at breaking point. We cannot afford a repeat of this confusion and chaos. It will be essential to ensure that the workload burdens associated with the Alternative Certification Model (ACM) are not replicated in 2022 or any year thereafter, irrespective of whether such burdens arose from deficiencies of national advice and guidance or from local implementation.

55. Teachers are looking to national bodies to lead decisively and remain concerned with the level of communication and information received post the Priestley review. Undoubtedly, the SQA has faced a gargantuan task, in a rapidly changing environment; however, members query why the SQA relinquished funds back to the Scottish Government rather than investing this money to support the provision of greater and better communication and clarification to teachers and schools, along with practical support for assessment and marking.

56. Clear communication, timing and consistency are critical foundations to a successful system. While the SQA has historically acknowledged there is a spectrum around flexibility and prescription and a balance to be struck, this messaging has not resonated with practitioners. For example, the NASUWT held a successful online engagement event, 'NASUWT Scotland

in conversation with the SQA', in January 2021, at which attendees were seeking:

- further and better details on grade prediction and certification;
- assessment papers, marking instructions and supporting materials in order to support frontline teachers in undertaking assessments and reducing their workload burden;
- guidance to schools and managers supporting the fact that requirements for verification of assessment evidence should not become bureaucratic and produce an overly burdensome workload;
- guidance which supports teacher professional judgement and makes the process of predicting grades manageable;
- specific information for schools who will not have any Prelim evidence for their pupils and may have limited assessment evidence;
- all guidance to schools and managers to stress the importance of administering assessments in a COVID-safe manner;
- greater clarification on how the SQA will ensure consistency in the 2021 exam diet;
- details on any normalising process, which might disproportionately affect the predicted grades of pupils from schools in disadvantaged areas;
- the quality assurance procedures which the SQA would consider appropriate;
- a clear statement on the position where it is unlikely or impossible that course content will be completed; and
- a national decision on timetable changes to support and manage workload.

The quality, frequency and speed of support to date have not met teacher expectations.

57. The Priestley review also concluded that equalities issues were considered at various stages, including discussions relating to bias, in the estimation process as early as March, as well as the delivery of unconscious bias training to centres. However, it seems that this initial focus on equalities

work was on the area of bias in assessment, with less consideration given to how the moderation process itself might produce inequality. There was also little evidence found to suggest that equalities issues were systematically considered or built into the development of the ACM from the onset. Compounding this, the Equalities Impact Assessment (EIA) and Child Rights Impact Assessment (CRIA) were produced very late in the process. This was disappointing to the NASUWT, given that the Union pressed the SQA from the very start of the process to publish the details of any EIA. This was particularly in respect of the extent to which equalities issues were taken into effective consideration throughout the design and implementation of the moderation process for 2019/20. The review recognised and supported the NASUWT's concern that it is difficult to understand how decisions were taken in the absence of any completed EIA.

58. Moving forward and learning from those experiences, it is important that equalities and routine impact assessments form part of the assessment and modification process and approach. The SQA did not routinely collect equality data, which meant it could not truly examine the 2020 approach to identify the possible impact on protected characteristics. This absence of data ultimately led to a situation where some of the impacts of the moderation model were not fully predicted or mitigated. More focus was placed on debating whether the model advantaged or disadvantaged cohorts from schools in socially and economically disadvantaged areas.

59. National agencies and other providers must commit to pay more than lip service to the PSED, and monitoring and data collection must be a core part of supporting curriculum and assessment issues.

60. One further challenge from the last year was that there did not appear to be any effective oversight of the ways in which local authorities were undertaking their responsibilities, and there was some variation in practice that was difficult to explain or justify. It will be important that more effective steps are taken to intervene in the case of local authorities and schools that impose excessive and unnecessary additional burdens on staff.

10.1 There is clarity on where high quality support for leadership and professional learning can be accessed to support practitioners.

10.2 Please share any comments you may have on support for leadership and professional learning.

61. A closer examination of the role of Education Scotland during the course of the pandemic is also required. Members have raised concerns regarding the quality of subject-specific training events run by Education Scotland, as well as some of the materials on the Scotland Learns section of their website. It is critical that high-quality, effective and timely support for classroom teachers is provided.

62. Education Scotland must also look to mainstream and embed equalities legislation. A closer, collaborative approach with trade unions and practitioners would support this outcome.

63. The Union's response to the Education (Scotland) Bill in January 2018 stated that Regional Improvement Collaboratives (RICs) must:

'avoid simply introducing an additional layer of bureaucracy to the system, particularly in the context of there being no new money available to establish them. The Union is very concerned that RICs, without a significant injection of funding and simply financed by diverting existing money from Education Scotland and local authority resources, will dilute the level of support available for teachers in the classroom. Indeed, with the high level of cuts to all support resources that local authorities have implemented in the last few years, where will the support be drawn from? There is a clear need for sustained investment in the education workforce.'

64. Teachers on the ground are unable to clearly identify the additional support which the creation of the RICs has provided. The NASUWT at the RICs inception also advocated for reform evaluation:

‘The principles or factors on which the Scottish Government should evaluate reform strategies are quite simple:

- Is the reform needed?*
- Is it democratically accountable?*
- Will it enhance the teaching and learning of pupils?*
- Will it add to workload burdens of schools?*
- Will it require additional resource?*

Any reform must enhance the teaching and learning experience of pupils and improve their life chances’.

65. The NASUWT maintains that it is crucial that both the RICs and Education Scotland are subject to robust and regular review against these principles.

11.1 There is sufficient trust with all stakeholders, including children, young people, parents & carers, so they are genuinely involved in decision making.

11.2 Please share any ideas you may have on how trust and decision making can be further improved.

66. The Government and those with decision-making power and authority across the education system will need to develop new ways of organising provision in a way that supports the work of teachers and other members of the school workforce. It has become increasingly clear during the course of the COVID-19 outbreak that trusting the professional judgement and expertise of teachers to test and develop approaches to teaching and learning are those that have proved the most enduring and impactful. Putting teachers at the heart of the development of COVID-resilient pedagogy, within a setting-level and national policy context that supports the appropriate use of professional autonomy, will ensure that children and young people will continue to benefit from the high-quality learning experiences to which they are entitled.

12.1 Independent inspection has an important role to play in scrutiny and evaluation, enhancing improvement and building capacity.

12.2 Please give examples of how you would like to see scrutiny and evaluation being carried out in future.

67. It is right that, as a publicly funded universal service, the education system should be subject to an appropriate, constructive and proportionate system of accountability. The Union is clear, however, that accountability systems should not place unnecessary or excessive workload and bureaucratic burdens on teachers and school leaders.

68. The NASUWT believes there are ten principles that should underpin national and school-level systems of school accountability. Applying these principles would engender public confidence and help teachers and school leaders to focus appropriately on providing high-quality teaching and learning for every pupil.

Systems of school accountability should:

i. Trust teachers as professionals

Systems of accountability must not be designed to, or operate in ways that could, undermine teachers' professional status, integrity or commitment.

Accountability systems should also recognise that, as professionals, teachers have particular expertise which means that they may be best placed to make judgements about the quality and effectiveness of particular aspects of education.

ii. Support schools to provide a curriculum that is broad, balanced and meets the needs of all learners

Accountability systems should value the range of ways in which schools help learners to engage in learning, progress and achievement. Teachers should be

actively engaged in decisions about the design and implementation of curricula and assessment and the related accountability arrangements.

iii. Support schools to maintain high educational standards

Accountability judgements should be holistic. Teachers and school leaders should contribute to decisions about improving the quality of provision for pupils.

iv. Support teachers and school leaders to improve the quality of teaching and learning

Accountability arrangements should complement efforts to improve the progress and outcomes of pupils. Teachers and school leaders should have an entitlement to high-quality CPD, and time within the working day to access such CPD.

Accountability should recognise teachers' professional knowledge and expertise, rather than focus on penalising teachers.

v. Encourage and support teachers and school leaders to work co-operatively and collaboratively

Teachers should be encouraged to work together to develop and share effective practice. Collaborative working, within and beyond the school, should be recognised as an important form of CPD.

vi. Be fair and equitable

Teachers should not be penalised because, for example, they are inclusive or work with learners who have challenging or complex needs. Furthermore, teachers should not be penalised because they do not teach a 'core' subject.

vii. Ensure that teachers and school leaders are supported to engage in dialogue and collaborative decision-making

The collective voice of teachers should be recognised as being of critical importance when forming judgements about the quality and effectiveness of education provision.

viii. Ensure that the needs and priorities of learners and parents are considered and taken into account appropriately in decision-making

'Pupil voice' should not be used in ways which undermine the professional status, integrity or judgements of teachers and school leaders.

ix. Be streamlined

Accountability systems should not place unnecessary or excessive workload and bureaucratic burdens on teachers and school leaders.

x. Be rigorous, reasonable and valid

The public and the teaching profession should have confidence in the judgements made. Inspection and accountability systems should respect the professionalism of teachers, not impose excessive and unnecessary workload burdens, and provide genuine support to the work of schools in raising standards and promoting educational achievement.

13. Please share any additional comments on roles and responsibilities in Scotland's education system.

69. Any reform must acknowledge the need to consider the purpose, remit and governance of the inspection function. The Union would like to see greater clarity on the accountability of the inspectorate and its relationship to Scottish Ministers and to the Scottish Parliament. It must be clear to whom any inspectorate will be accountable both in the way in which it discharges

its responsibilities and its statutory functions. Similar clarity would be needed in terms of a new curriculum and assessment body.

70. The status of the bodies that will take over from the SQA and Education Scotland as part of any proposed reform must be considered. The SQA is an executive non-departmental public body while Education Scotland is an executive agency. It is disappointing that the consultation paper did not set out to determine to what extent the status of each body has impacted on its performance, given that non-departmental public bodies (NDPBs) have some degree of operational independence from Scottish Ministers while executive agencies can be subject more readily to ministerial direction. This review provides an opportunity to consider which of the options available in Scotland for the status of public bodies would work best for each new organisation.

14. Please share any comments or suggestions you have on removing scrutiny (inspection and review) from Education Scotland below.

We are particularly interested in hearing your views on:

a) the approach this reform should take (for example what form should this agency take)

b) the opportunities these reforms could present (for example the development of a new national approach to inspection including alignment with other scrutiny functions)

c) the risks associated with any reform (for example whether the independence of the inspectorate could be jeopardised by change)

d) how any risks might be mitigated

e) the timescales over which these reforms should take place.

71. Inspection should be the responsibility of a body independent of Education Scotland and should not be based on How Good is Our School 4 (HGIOS4) which is an overly bureaucratic system that was never agreed with teachers or trade unions.

72. Any greater focus on local authority self-evaluation and reporting on

progress would need to make sure that tasks are not then passported down to individual schools. Often policies devolving greater decision-making responsibility to schools do not necessarily secure greater professional autonomy or agency for teachers. The NASUWT's experience elsewhere has been that schools have used increased devolved powers to impose severe restrictions on teachers' scope to make use of their professional judgement and expertise, rather than enhancing their professional agency. These additional restrictions often arise from schools and headteachers perceiving a need for increased evidence to support accountability. Professional trust and confidence is undermined by a culture which works on the basis that if it is not written down, it is not happening.

73. Any enhancement of school autonomy must be accompanied by a clear national framework and regulations. The national framework delivers entitlement and consistency of service for all pupils. Without this, there would be an unacceptable postcode lottery. The NASUWT has consistently argued that any recalibration of decision-making between schools and national or local-level bodies must include a clear national framework in which autonomy will operate, and a negotiated accountability framework.

15. Please share any comments or suggestions you have on how the functions currently housed in Education Scotland could be reformed.

We are particularly interested in hearing your views on:

- a) the approach this reform should take (for example which functions should continue to sit within a reformed Education Scotland, and are there any functions which could be carried out elsewhere)**
- b) the opportunities reform could present (for example should more prominence be given to aspects of Education Scotland's role)**
- c) the risks associated with any reform (for example disruption of service to education establishments and settings)**
- d) how any risks might be mitigated**
- e) the timescales over which these reforms should take place.**

74. Whilst it has been accepted by the Government for some time that it must work to create the culture and capacity for teachers and practitioners to improve the learning outcomes in their classrooms, there has been a consistent absence of any concrete proposals to support cultural, as opposed to structural, change.

75. The report of the initial findings of the International Council of Education Advisers as far back as July 2017 stated that: *'[t]he Council advised against becoming too focussed on changing the structure of the education system when, arguably, the more important aspects are the culture and capacity within the system'*. System change will not automatically lead to cultural change, and transformative cultural change will take time. In addition to structural reform, some attention and time needs to be given to foster and engender cultural change in Scottish education.

76. A greater strategic focus on supporting the professional learning of classroom teachers is also required. The balance is out of kilter in terms of the support provided to leadership versus the support provided to classroom teachers. Disparities in the availability of high-quality training, feeds into the system ethos, creating a hierarchical structure.

77. Education Scotland should focus on providing high-quality resources for teachers: feedback from members suggests that they would like a quality-assured resource bank and guidance in terms of frameworks and exemplification of key standards.

78. There remains little appetite within the system for the continuation of RICs. While some RICs are undertaking positive work, very few teachers are aware of it, as there is limited trickle down to the chalk-face.

16. Please share any comments or suggestions you have on replacing the SQA below.

We are particularly interested in hearing your views on:

a) the approach this reform should take (for example could a function be carried out elsewhere)

- b) the opportunities these reforms could present (for example should more prominence be given to an aspect of SQA's role)**
- c) the risks associated with any reform (for example loss of income, confusion as to system of awards in Scotland)**
- d) how any risks might be mitigated**
- e) the timescales over which these reforms should take place.**

79. There is a wealth of knowledge and expertise within the SQA that should never be lost. Indeed, there has been some positive work undertaken by the organisation, outwith the criticisms outlined above primarily in relation to communication. It is clear, however, that there is insufficient delineation between the SQA and the Scottish Government, and often the SQA has absorbed criticism for decisions which were taken by Ministers, such as the removal of unit assessments from national qualifications. These comments should not be read as underplaying the concerns publicly expressed regarding the SQA's communication to teachers. Indeed, some decisions looked more to protect their own organisational interests rather than being focused on the interests of learners. It should, however, be understood that a nuanced approach to reform is required which will not lose the positive skills and experience of staff employed therein.

80. It is an unusual position to have one body undertaking both a regulatory and awarding function, which the NASUWT would not suggest is replicated in any revamped structures. The SQA is very unusual in that it is a regulator and an 'awarding body' at the same time. In Wales, the regulator/awarding body roles are split between two bodies. In Northern Ireland, CCEA has two very separate wings that have clear boundaries between them to avoid self-marked homework.

17. Please share any comments or suggestions you have on the establishment of a new Curriculum and Assessment Agency below.

We are particularly interested in hearing your views on:

- a) the approach this reform should take (for example are there alternative models for this reform?)**

- b) the opportunities these reforms could present (for example what should the role of the new agency be?)**
- c) the risks associated with any reform**
- d) how any risks might be mitigated**
- e) the timescales over which these reforms should take place.**

81. Structural change will take time, but it is important that teachers are supported to ensure the continuity of flexibilities that do currently exist in the system, such as the bypass of National 5 for talented candidates.

82. A concerted effort by all parties must also be made to rebuild relationships across the system as there is a residual bitterness amongst many staff in schools who felt abandoned during the pandemic by organisations and employers who should have been offering support.

83. It is important that while the pandemic is ongoing and we are thereafter looking to support education recovery, the fragile system is not overwhelmed. This may need to be reflected in a slightly longer lead-in time. It is a delicate balance as equally the Union would not wish to see momentum lost and bitterness fostered among teachers concerned that nothing will change.

84. Scotland is experiencing the biggest crisis in education since World War II. We need to look through a radical lens to rebuild education and to plan to ensure this rebuilding is achievable. Scottish education needs to take a leap of faith, rather than being bound by anxiety, to ensure the vision and principles behind CfE are genuinely and fully realised.

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