SCOTTISH CONSUMER COUNCIL

EDUCATION REVIEW

1975 - 1997

SCOTTISH CONSUMER COUNCIL
SCC EDUCATION REVIEW

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INTRODUCTION

PURPOSE

The Scottish Consumer Council (SCC) was set up in 1975 to promote the interests of Scottish consumers, with particular regard to those people who experience disadvantage in society. The aim of SCC's education policy work is to ensure the consumer interest is taken into account when important decisions are being made. The SCC remains the only national body with an unambiguous remit for promoting the interests of consumers in education.

For most of the last two decades, the SCC has actively contributed to the education debate and policymaking. The main focus of the SCC's education policy work has been parental use of educational services for their children. The term parents is taken to include a child's guardian or other carers, whoever is charged with parental responsibility.

Parents have a legal responsibility, under the Education (Scotland) Act 1980, to ensure appropriate education for their children. Most parents fulfil this responsibility by sending their children to local authority schools. But how far can parents take responsibility for their children's education?

- Can parents exercise choice of provision that best meets their children's needs?
- Are they equipped to make informed decisions about their children's education?
- Are parents able to put things right when they go wrong with their children's education?
- Are parents able to influence the decisions made by those who run schools, so that services reflect children's needs?
- Can parents ensure their children's safety at school and on school transport?

If parents are ineffective in these matters, then questions must be asked about the extent to which they are able to fulfil their responsibilities. A local authority, no matter how good, cannot be expected to make the best decisions to meet individual children's needs. This is a parental role.

Furthermore, the beneficial effects on children's education of good links between parents and schools are significant. Constructive dialogue between parents and schools requires at least that parents:

- Are well-informed about matters affecting their children's education.
- Are able to resolve problems at an early stage when they arise.
• Have a means of expressing their views in the formal decision-making and school management, being recognised as equal partners in their children’s education.

Parents, then, are the ones who need to make decisions about use of education services, both to fulfil their responsibilities towards their children, and to ensure maximum benefits for their children. It is in their capacity as decision-makers that the SCC takes an interest in parents and education. Older pupils, who begin to make their own educational decisions, are equally of concern.

The purpose of this review is to make an assessment of the SCC’s current stance on matters of education policy, as they relate to parents and older pupils. The aim of this is to set out the policy issues that the SCC still needs to work towards. By the end of the review, an agenda for future action in education should be constructed.

METHODOLOGY

The overall approach decided was to compile details of existing SCC policy statements about education, and to assess these against the findings of appropriate and up to date research.

To compile the details of current SCC policy required two things:

• A history of developments in SCC policy formation.

• A review of the content of policy as set out in consultation responses, reports etc.

For the history of developments, the minutes of the SCC Council meetings were scanned for information about when education policy was discussed, when decisions were made about it, when there were submissions to consultations, and publications prepared. This approach, of course, misses the detail of policy development that has gone unrecorded. However, the SCC Council is the policymaking body for the organisation, and as such, all of its decisions about policy are recorded in the minutes of its 200-plus meetings.

All policy material – consultation responses, reports and other publications – were gathered, and their content analysed. A method of content analysis was devised to allow the recording of each policy statement and recommendation. Each document was read, and each policy statement was recorded on the Microsoft Access database. For each policy statement, the following information was recorded:

• An identification name for the document.

• The date of publication.

• The consumer principle involved – ie access, information, choice, safety, redress, or representation.

• The policy statement itself.

A total of 276 policy statements were recorded on the database.
Use of the database meant that policy statements could be typed in as each one was found, and could later be grouped together under each of the consumer principles, could be further categorised, and ranked in date order. This considerably speeded up the process of analysing the available information.

It was sometimes difficult to determine the appropriate consumer principle under which to categorise a policy statement. For example, policy regarding corrections to inaccurate personal information could have been recorded under information or redress. In such ambiguous cases, a judgement was made, and during the later stages of analysis it was usually possible to see whether this had been the correct one. Use of the database allowed the information to be broken down into manageable parts.
The SCC’s first meeting was held in 1975, although it was some two years later that education policy was raised as an issue of concern. The matter was discussed in the context of the expected Pack report (truancy and discipline), and Munn and Dunning reports (curriculum and assessment), and the SCC was concerned that important education policy was being developed without any input of parental opinion.

It was agreed at this meeting to form a sub-committee on education, whose first task on behalf of the SCC would be to investigate education advice.

This sub-committee reported to the following Council meeting, but members were uncomfortable with the wide-ranging nature of their report, going beyond the remit of consumer interest. It was at this meeting (January 1978) that the SCC identified information and participation in decision-making as the consumer interest in education policy.

Shortly afterwards, the SCC commissioned its first research in education – by means of an omnibus survey – looking at parent/school contacts, and its report Reaching out to Parents was prepared for publication in May 1978.

At this time, the SCC expressed a belief that the government was becoming more sympathetic to the consumer interest in education. However, the SCC was still facing resistance from local authorities, when it decided to ask about their consultation with school councils.

Proposals for a parents’ charter were being put together by late 1979, and the SCC was already involved in discussion with the Scottish Office. It had prepared a briefing paper (largely informed by Alastair Macbeth of Glasgow University), which the Scottish Office used in discussion with CoSLA prior to any formal consultation on the parents’ charter: an indication of the SCC’s influence on the early development of the parents’ charter.

Early in 1980 the SCC made its first responses to government consultations. These related to assisted places and admission to schools. In these responses the SCC maintained its insistence on information for parents, and widened its concern to include redress. Later on that year, the SCC surveyed PTAs and school councils, an exercise that resulted in the decision to concentrate on information and advice for parents.

The first reference to the SCC having an education policy was made in 1981, when considering action on the Education (Scotland) No 2 Bill. By this stage, the SCC had expressed a wide range of concerns, from the safety of school transport to the quality of school meals, and had at times struggled to find its focus on education. But it did by now have a definite policy, developed in relation to home-school links. In the firm belief that stronger home-school links were better for children’s education, the SCC’s
policy was rooted in the necessary role of information, representation and redress to strengthen these links.

Responding to government draft regulations on information for parents, lobbying on the bill for an independent appeals committee, and the preparation of a draft report on school handbooks, kept the SCC busy with education for the remainder of 1981.

The discussion on education for the 1982/83 work plan focused on parents' rights, a slightly new emphasis that was to mark the SCC’s work in education for quite some time to come.

The government had commissioned research into parental choice of schools, and the SCC found itself invited to join the advisory committee for the project. This was the SCC’s first involvement with choice in education, and in response to the Munn and Dunning proposals in December 1982, it argued for choice within schools, placing request appeals, information for parents, and parental representation at national level.

The year, 1982, ended with a competition for school handbooks, the prize presented by TES editor Willis Pickard. Plans were made for a second competition.

The SCC took its concern for parents' rights seriously, and early in 1983 decided to begin work on preparing a booklet on legal rights. By May a problem had emerged – the SCC had found a gap indeed – when a trawl of educational institutions in Scotland had revealed little expertise on parents' legal rights, for the booklet to be prepared. The idea then developed into one for a parents' guide to education law in Scotland.

However, the SCC was not solely interested in parents' rights, and was at the time seeking information from the education authorities about provision and choice for pupils with disabilities. And its desire for parental representation was taken a step forward when it agreed to part fund the Scottish Parent Teacher Council to appoint a development officer.

The remainder of 1984 was relatively uneventful, ending with a response to the Scottish Office consultation on school councils. This response, however, was to mark a long period of effort on behalf of the SCC attempting to make the successors to school councils – school boards – into the vehicles for parental representation it felt so necessary for improved home-school links.

March 1985 saw discussion of the next work plan, and new work on special educational needs was proposed. A draft manuscript of the parents’ guide to education law had been sent to various publishers, and an offer to publish was subsequently accepted from HMSO, who also expressed interest in a similar guide for special educational needs.

In a diversion from its usual work on education, the SCC began to prepare a campaigning leaflet for the fight against the closure of rural schools.

Little education work was undertaken in 1986, and the next notable event was the launch of The Law of the School in 1987. Activity picked up, with a weighty response
to the government’s proposals for school management (school boards), and a draft
text prepared for a parents’ guide to the law on special educational needs.

The momentum continued into the early months of 1988, when it was noted that most
of the SCC’s recommendations on school boards had been taken forward by the
Scottish Office. A paper on training for school board members was submitted
following a meeting with the then education minister Michael Forsyth, and the SCC
maintained the pressure for progress on this matter.

This was swiftly followed by the preparation of a draft report on safety and supervision
on school buses, and then on into lobbying on the School Boards (Scotland) Bill,
insisting on information for parents.

The SCC’s pursuit of good information for parents dominated the rest of its education
agenda in 1988, with further responses to government proposals.

Hot on the heels of the school boards legislation came proposals for schools’ self-
governing status. The SCC’s draft response, presented to Council in January 1989,
found members concerned not only about the timing, but generally uneasy about the
implications of opting out.

By May 1989 the SCC had prepared a paper, at the request of the Scottish Office, on
support for school boards. The paper argued for a top-down support unit as well as
for bottom-up federations. A further briefing paper was requested on information and
advice for parents considering opting out. Again, the SCC was having an important
influence in shaping the framework that allowed parents some access, albeit limited, to
decision-making in education, and the paper on support for school boards did indeed
lead to the establishment of the School Boards Support Unit in the Scottish Office.

The SCC continued its work, disregarding any political stance as a matter of principle,
concerned with the improvement of children’s education by strengthening home-school
links. It continued its efforts to support the development of effective school boards,
well into 1991.

In 1991 the SCC’s then vice-chairman, Deirdre Hutton, was appointed to the Howie
Committee on upper secondary schooling. The appointment was to mark new
emphases in the SCC’s work, as the experiences of the Committee brought to SCC an
increasing concern for pupils’ views of education. In October 1991, it decided to
investigate the information and advice needs of pupils leaving school.

Responses were being made to various proposals, whether to do with reporting pupils’
progress, the parents’ charter information proposals, and the Howie Committee itself.

The decision was made in 1992 to do no further work on school boards for the time
being. By the end of 1992 the SCC had prepared its report on guidance for recent
school leavers – work which was later to bring an invitation to join the consultation
group overseeing radical changes to the careers service.

Early in 1993 the Council decided to look into complaints and redress in education, as
a wider issue than the calls for appeals procedures that had been made for many
years. The resulting report a year later confirmed the SCC's suspicions that much still had to be achieved in establishing an acceptance of "consumers" in education.

The nature of the SCC's delicate task in establishing the consumer interest in education was demonstrated when it decided, in 1993, to look at out of school care. The concern was for the provision of childcare for school-aged children, which strayed into the realm of employment issues. The balance was struck when the resulting work became a guide for school boards on consulting parents about out of school care, and the two pieces of work - complaints and redress, and out of school care - again brought a request from the Scottish Office for material for school boards. The SCC subsequently prepared two focus papers - on consulting parents, and parental complaints - which were published by the Scottish Office School Boards Support Unit in 1995.

Another challenge to the SCC's role in education came in October 1995 when it had to decide its approach to government proposals for pre-school education vouchers. Again rejecting a political stance, the SCC challenged the government to structure its proposed scheme in such a way as to allow real parental choice. Despite being widely misrepresented over this in the press, the SCC kept to its line, and spent the following several months lobbying on the Education (Scotland) Bill, attempting to secure safeguards for consumer protection in the proposed voucher scheme.

The SCC's most recent work in education was to respond to the Labour Party's proposals for education in Scotland, taking the opportunity to stake a claim in the consultation procedures that might emerge after the awaited general election.

Thus, following some 17 reports and published papers, 30 formal consultation responses, and much lobbying and behind-the-scenes activity, the SCC is firmly established as a legitimate voice in education policy. However, it has never quite managed to throw off the suspicion of many in the education world, a problem that might now be overcome by taking the time to clarify and assert the positive consumer interest in education. By undertaking this review, we are attempting to do so.
The minutes of Council meetings identified 30 responses to consultations, and 17 published reports and papers. 25 of the responses, and 6 publications containing policy statements, were found and analysed. Many of the major publications were information guides rather than policy documents (eg The Law of the School).

In all, 276 policy statements were recorded (see Methodology). These divided into:

- Access: 4
- Information: 120
- Choice: 29
- Safety: 15
- Redress: 37
- Representation: 71

As discussed in Methodology, the headings were sometimes difficult to determine. They nevertheless provide an idea of the emphasis given in the SCC's education work. The importance of conducting the review in this way, rather than looking at what the SCC has said about, for example, school boards and citizens' charter information, is that it allows for an assessment of what the SCC has viewed as key concerns in education. While it is true that for many of the consultation responses, the policy statements were reactive to the government (and others') agenda, it is fair to say that the SCC responded where it felt necessary, and also often took the opportunity to set out its own priorities regardless of the consultation topic. Therefore, basing the review heavily upon consultation responses has its weaknesses in identifying the true consumer concerns in education, although it provides a satisfactory starting point.

In the following commentary, all of the statements made reflect existing SCC policy. Statements marked by an asterisk are actual recommendations recorded in the SCC's published work and consultation responses. Some of the recommendations relate to policy developed when the terminology was different: eg school councils are referred to instead of school boards before 1989. The terminology used at the time is recorded in the policy statements, and dates are given to indicate its reference.
Access

Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents need access to the education system.

The SCC has not concentrated on access to schooling as such, as education is compulsory and education authorities (EAs) must make sure there is proper provision in their area. However, there are instances when access can be a problem, such as:

- When parents cannot obtain the sort of education they would prefer for their children (this has generally been tackled under the heading choice).

- When parents do not know about provision and services that would benefit their children (this is considered under information).

- When special needs require access to certain services.

This third matter, special needs, is one with which the SCC has maintained a particular interest. As a basic principle:

- Pupils with special needs should have the same access to courses as everyone else, and any additional support required to allow this should be provided.

To ensure equal access for pupils with special needs, wherever they live,

- The Scottish Office should thoroughly review its note of guidance to EAs on the assessment and recording of special educational needs, with a view to rationalising practices.

Commitment has to come from the top:

- It is disappointing that the charter does not address special educational needs (1992).

To access provision, parents need to know what is available:

- School handbooks should contain information about the school’s facilities for educating pupils with special educational needs.

A school’s commitment to special educational needs should not be diluted by other changes:

- Self governing schools should have a continuing commitment to children with special educational needs and should not be allowed to bring this commitment to an end by seeking a change in the basic features of the school.
**Progress**

Ample evidence began to mount that wide variations existed in the assessment and recording practices of different education authorities (EAs). The need for a review of the guidance to EAs was recognised. The Scottish Office commissioned a study by the University of Edinburgh, to offer advice on opening records of needs, and a Scottish Office working group was convened to produce amended guidance to EAs. The revised guidance was published in March 1996, and the time to review how practice is responding is perhaps approaching. Children in Scotland, as part of its Special Needs Forum, has been giving this matter some detailed attention.

A separate Parents' Charter for special educational needs has been published, and the revised Parents' Charter includes reference to special educational needs.

According to the Parents' Charter, all school handbooks must include information about how the school provides for special educational needs.

**Questions:**

- Are pupils with special needs denied access to school courses in Scotland?
- How are assessment and recording of special educational needs across Scotland responding to the revised guidance?
- What do school handbooks say about special educational needs?
- What happens to special educational needs provision when schools opt out of local authority control (evidence from England)?
Information

Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents need to be able to make informed decisions. In particular, parents need information about:

- Their children's educational progress.
- Their children's school.
- Other schools.
- Policies and issues to do with education.

The SCC takes this view on the need for information for parents:

* The importance of information is wider than the issue of parental choice.

* Parents should have information which will enable them to consider whether their children are receiving the best possible education.

To make this effective:

* There needs to be thorough research into the information needs of parents and young people, as little is usefully known at present (1996).

Information on children's progress

The SCC's policy on information about children's progress relates to individual progress reports, access to personal records, and national testing.

Individual progress reports

These might be issued each term or annually:

* Parents should receive a detailed report on their child's progress once a year, as well as a shorter report each term summarising key aspects of their child's progress (1991).

* Every school should issue to each parent a written progress report once a term, including teachers' assessments, course objectives, teaching methods and materials related to learning activities (1979).

But whichever approach is adopted:

* School handbooks should state what the school's arrangements are for making written progress reports available to parents and what opportunities parents have to discuss their child's report with staff.
The purpose of reporting should be to promote home-school dialogue about the child's progress at school:

* Reports of pupils' progress should be used to promote free exchange of information between teachers and parents/senior pupils about the child's next stage of schooling.

* Unauthorised absences recorded in reports on pupils should be accompanied by supporting statements about the child's difficulties, and remedial measures taken or proposed by the school or EA. (May 1991 - Action on Truancy)

This purpose needs to be given a priority:

* Time should be set aside under teachers' conditions of service for reports to be discussed with individual parents (1988).

* Teachers' conditions of service should be reviewed to allow time for the extra contact with parents.

**Access to personal records**

* Parents should be granted a right of access to any records on their children kept by schools or EAs, who would have to prove that withholding the information was in the interests of the child (1982).

* Further education students should have the right to access their files.

A number of recommendations can be found that relate to the accessibility of information, and on the right to request amendment to inaccurate information. Whatever the specifics of what can be seen, and under what circumstances, people need to about them:

* Full information should be given on how to access further education files, rights, appeals, etc.

* If a young person is shown only part of their file, it should be made clear that some of the information is exempt.

* EAs should be required to publish information about their arrangements for giving parents and young people access to personal information; these details should be published in school handbooks.

**National testing**

Any proposals for national testing should be set in the context of providing information that will help a child's educational progress.
If there is to be national testing:

* Tests should inform parents of their children's strengths and weaknesses, and give staff pointers to where children need help.

* They should span a much wider range of educational achievements than reading, writing and arithmetic.

* Guidelines should be worked out at national level for reporting test results to parents and school boards, and should include the need to explain how to interpret results (all 1988).

**Progress**

School reports, according to the Parents' Charter, must give information about a child's progress in each subject, along with details of national standards. However, progress reports do not have to provide other information, such as course objectives, teaching methods and materials related to learning activities.

School handbooks do not have to state the school's arrangements for making written progress reports available to parents, or the opportunities parents have to discuss their child's report with staff.

Teachers' current terms and conditions make provision for up to 30 hours a year for meeting with parents, and resources related to up to six meetings a year.

The SCC responded to the original draft regulations on access to personal records, and was successful in securing a number of changes. For example, the provision of access to information free of charge, correction or erasure of inaccurate information, and appeals against non-disclosure of information. Following further consultation, the exemption of access to information used in reaching decisions by the EA, was dropped from the regulations. However, other important points were not taken on board: the 40 days time limit for providing access to information is excessively long; information kept for an employee's sole use does not have to be disclosed; EAs do not have to obtain a second medical opinion about non-disclosure of information; and the committee for reviewing decisions does not have to include parent or student members.

The Parents' Charter tells parents about their right to see their children's school records, but EAs do not have to publish details of their arrangements for granting access to records.

Legislation to require national testing was included in the 1996 Education (Scotland) Act, although parents do not have to present their children for testing. It is understood that plans for national testing will not now go ahead.
Questions:

- What information do parents need and want, to help them carry out their responsibilities for their children's education?

- Do current reporting practices give parents useful information about their children's progress?

- What do school handbooks say about arrangements for reporting on individual pupils' progress?

- Is there evidence, from the Scottish Initiative on Attendance and Absence, of information about unauthorised absence being used to promote dialogue between home and school?

- Do teachers' terms and conditions allow them sufficient time to discuss pupils' reports with parents?

- How do parents and young people find out about their rights of access to personal information?

- How is dialogue on individual children's educational progress promoted?

Information about the school

Information about the school can cover what a particular school does, measures of the school's effectiveness, and intentions to opt out of local authority control.

What the school does

* The Secretary of State should require EAs to issue to parents statements of each school's policies and objectives, together with an annual report of the school's achievements and activities (1982).

* Assurance is needed that schools will acquaint parents and others about what courses are available and what resources exist for providing them.

Schools should publish details about a range of their policies and activities, to help parents make an informed decision about their children's education:

* Schools should publish details about the nature and frequency of their contact with parents, and their arrangements for promoting home-school links.
Details of the activities of school boards, including the steps taken to promote home-school links, should be published.

Details of extra-curricular activities should be published (1993).

Schools should publish information for their arrangements for consulting parents and young people about curricular policies and practices.

Schools should publish more details about what is taught in school and about curricular aims.

Parents should be informed about how the school deals with truancy, and be given the name of a contact person for information, advice and support.

Schools should publish information about school library and other educational facilities.

Schools should publish details of their arrangements for careers guidance.

Schools should publish details of the administration of school rules and the enforcement of discipline.

Schools should publish information about provision of school meals, transport, and other amenities.

In short,

Every school should issue a handbook informing parents of its arrangements and facilities for education and promoting the welfare of pupils.

**Measures of a school's effectiveness**

We welcome the proposals to provide parents with more information about school performance, as this helps parents in their responsibilities, but care has to be taken in devising the information.

Any assessment of a school's performance should take into account a whole range of factors, including school input (eg class sizes, teaching styles, etc) and socio-economic factors.

While parents should know about school costs, authorised and unauthorised absence, leaver destinations and exam results, the proposed information is unqualified and too crude to give a fair picture of a school's effectiveness:
* Publishing the proposed information on absence, exam results, leaver destinations and school costs, will not give a good indication of the achievement and ethos of a school, and could be misleading if unqualified.

**Intentions to opt out of local authority control**

Where there are proposals to change the way a school is managed, normally by becoming self governing, parents need to be kept fully informed, so they can decide whether the move is in the best interests of their children.

* The school board or group of parents seeking self governing status should be expected to issue a statement in writing, issued with the ballot papers, outlining the key aspects of the running of the school they are seeking to change and why.

* A summary of proposals for self governing status should be circulated to all parents of children at the school, with details of how to obtain copies of the proposals in full.

* School boards and parents should have access to independent sources of advice and information in working out whether their school should become self governing.

**Progress**

EAs have to provide written information on a wide range of matters to do with their policies and schools. Schools also have to provide a handbook every year, although not an annual report. While schools have to provide information on their arrangements for parents to visit the school, the handbook does not have to contain information about home-school links. Where there is a school board, the headteacher has to provide it with information about the school's arrangements for consulting parents. The school board has to report to parents annually about its activities. However, over a quarter of schools do not have a school board.

The two self governing schools in Scotland are to be brought back under local authority control.

**Questions:**

- What details are published about what happens in individual schools?

- Is there a variation as to the amount of information published by schools?

- How do parents find out about the information available?

- How helpful do parents find the information?
Comparative schools information

Doubt is expressed about the usefulness of comparative schools information:

* It is important that information about attainment levels does not mislead parents about the comparative performance of different schools (1988).

* Schools should publish details of what it costs to run the school, but comparative information will not be useful (1992).

* Comparisons between schools based on published exam results are of little value to parents, and could be misleading.

* Comparative information on leaver destinations will serve little long term purpose, and should be limited to school handbooks instead of being published for comparative purposes.

That said,

* Incurring public expense to publish the proposed information can only be justified if it benefits children.

... and if it is to go ahead, then

* A plan should be devised for moving towards a value-added system of published comparative information.

Progress

The format of the published comparative information has been revised following consultation with parents and parent groups, among others. Last year, government proposals were put forward for producing value-added information. Details of the nature of the information have not yet been set out. It is not clear whether parental opinion was sought as part of the research behind the development of value-added information.

Questions:

* How is comparative information being used by parents?

* What sort of value-added information would parents find useful?
Information about education policies and issues

The first information of this sort needed by parents, is information about their rights and responsibilities:

* Parents should be informed, in the clearest possible terms, about their legal rights and duties to provide education for their children (1979).

* Parents should be issued with written reminders of their legal responsibilities concerning the education of their child (1991).

Parents need to be informed about, and involved in, debates on education issues:

* Parents need adequate information and consultation on the arrangements for internal and external assessment of pupils.

* Parents need to be kept informed about changes in upper secondary education.

And they need information about how the basic education system works:

* Parents should be told how pupils are allocated to schools in their authority.

* The EA should make available to parents of children using school buses a copy of its policy on transport provision.

* There needs to be improved information about what school boards are for.

Progress

Information about parents' rights and responsibilities is available in the Parents' Charter, SCC publications, and other publications such as Marr & Marr Scots Education Law (1995). Arguably, parents are kept informed about education issues and debates via the school board. However, not all schools have a school board, and not all school boards are effective at keeping themselves or parents informed. As to EA policies, the local authority is required to provide written information for parents.

Questions:

* How do parents obtain information about their rights and responsibilities regarding their children's education?
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<td>How do parents keep informed about education issues?</td>
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<td>What do parents know about how the system works?</td>
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<td>Do parents know about the information they can ask the EA for?</td>
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Choice

Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents need to be able to make the most appropriate choices for their children. This might relate to choice within schools or choice between schools:

* Assurance is needed that account will be taken of parental and pupils' wishes for choice within and between schools, in terms of courses offered and educational practices (1982).

However,

* Choice within schools is of more relevance than choice of school (1992).

Choice within schools

* Individual children have particular skills and needs that choice and diversity in schools should develop to cater for.

This means responding to particular needs, whether by exhortation or by statute:

* The principle of choice within schools should be promoted, and the Parents Charter should encourage all schools to consult parents formally about aspects of their children's education options; or

* The law should make explicit the right of parents to have their educational preferences taken into account, by providing a right to be consulted at appropriate stages in their children's education.

For choice to be available:

* Assurance is needed that the range of courses available will adequately meet the interests and expectations of pupils and parents.

To allow this,

* IT should be used to allow schools to specialise and co-operate and share facilities, so that course choice is enhanced.

* EAs should encourage co-operation between institutions to allow for greater choice of courses in upper secondary school.

* Elective systems should operate smoothly, maximising whatever element of choice is possible: allowing pupils to change their minds about course choice,
however late this happens, with provision such as supported self-study and summer schools in place to facilitate choice changes.

There should be further scope for decision-making at the school level, to enhance choice:

* As far as resources will allow, school councils should decide on the courses to be taught at school, on arrangements for offering choices, homework and related policies. (1984)

Ultimately the ability to make such decisions might mean opting out of local authority control:

* Self governing schools should be free to develop their own ethos and identity, as long as this is consistent with the pursuit of curricular breadth and balance, the interests of all children, and principles of home-school partnership.

* Parents' views should be taken into account when working out any special emphasis that might characterise the school curriculum after opting out.

Although,

* Schools should have more freedom to decide which local authority services to use, without having to opt out altogether.

* The Secretary of State should not consent to a school becoming self governing unless the proposal is supported by a two-thirds majority of parents voting.

* Self governing schools should, on a two-thirds majority ballot of parents, be free to return to local authority control.

Overall, there needs to be clarity about the choices available at a school:

* School handbooks should contain information about the school's curricular aims and activities, including its arrangements for consulting parents and young people about choices of course available and for assessing pupils.

**Progress**

There has been little debate on the matter of choice within schools. Discussion of choice in education invariably revolves around choice between schools. However, Professor Pring (in his contribution to the book *Freeing Education*), describes choice and diversity in schools as a “diversity of producers” aiming at a standardised product. With a national curriculum, in the form of the 5 - 14 development programme, it is apt to quote from the same book: “Parents who depend upon government support for the
education of their children have to accept the government’s view of what that education should consist of.*

A 1995 survey showed strong public support in Scotland for school-level decision making about what and how subjects are taught. Other European countries allow school-level curriculum design and state-funded alternative schools.

**Questions:**

- How much choice do parents actually have about the aspects of their children's education in a school?
- How flexible is choice within school to meet changing needs?
- To what extent are schools sharing facilities to extend choice?
- What are EAs doing to promote choice and diversity within schools?
- How can discussion about school-level curriculum design be taken forward?
- To what extent can schools opt in and out of specific EA services?
- Do all school handbooks make explicit the choices available at the school?

**Choice between schools**

Diversity in the education system extends choice, so

* Grants should be made available to parents and other voluntary groups wishing to set up their own schools, subject to certain safeguards.

However, opting out is another matter:

* The SCC questions whether the proposals for self governing status really do extend choice.

* It is of concern that school closures may result from wealthier parents choosing schools further away, leaving the rest with no choice.

* Self governing schools should not be allowed to select pupils by academic ability.

More recently, pre-school education has come under scrutiny, and although
A voucher system is one way of expanding pre-school education.

If it is to be so funded, the system must be based on certain criteria such as realistic values, information, fair competition, complaints procedures, special provision for disadvantaged families.

Progress

Scottish schools are overwhelmingly local authority-run, educating over 90% of children. The 1980 Education (Scotland) Act allows the Secretary of State to provide grants "to any other persons providing education", but it is not clear if this actually happens. In England, the growing number of "alternative" schools (eg Moslem, Christian, Steiner) have formed the Third Sector Alliance, arguing for state funding for alternative schools. Other countries find this acceptable, and in Holland, some 75% of schools come into this category (eg providing a specialist curriculum or following a particular philosophy), and are funded on an equal basis. Writing on this subject in Freeing Education, Colin Hodgetts points out that no school has been given voluntary aided status since 1944. Another growing trend is home education, and the Dundee-based Schoolhouse Home Education Association reports difficulties faced by parents who prefer to educate their children at home.

Policies exist to allow parental choice of school. But the variety of schools, or educational options, to choose from remains restricted for most people.

Questions:

- Are grants available for parents and other groups to set up their own schools, or to educate at home?
- How much diversity exists in the Scottish education system?
Safety

Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents must be assured of their children’s safety while at school. They need to know how schools will ensure safety:

* School handbooks should contain information about the school’s provision for the welfare and safety of pupils (1982).

* School handbooks could give information about the level of supervision to be expected in various circumstances (eg lunchtimes or school trips).

The law on the safety and supervision of pupils in the playground and on school transport needs to be made clear, particularly when people need to know how to resolve problems:

* The arrangements for who is responsible should be clarified.

Parents need certain assurances about supervision of children at school...

* Supervision of children should be done by people specially trained as supervisors, and paid.

* Regulations on supervision should apply to all schools, including secondary, in receipt of public funds.

* Supervision levels should be related to the size of the school roll.

...and about their safety on school transport:

* A code of practice should be agreed between EAs and transport operators, in consultation with parents, for the safety and supervision of children on school buses.

* The EA’s policy on transport provision should include clear information about who is responsible for the safety and supervision of children before they board the bus, while they are on, and when they leave.

* The regulation permitting three children under 14 to share a double seat should be repealed (1988).

* Safety regulations should be tightened to ensure that vehicles owned and maintained by the EA only for school transport comply with the same licensing and safety requirements as for public transport vehicles (1988).
* All contracts drawn up between EAs and transport operators should contain clauses dealing specifically and comprehensively with consumer aspects of school bus services (eg supervision, vehicle safety, timing, etc).

To ensure accountability, and to inform parents,

* Local authorities should provide parents of children using school buses with a plain language summary of the conditions of contract.

As further reassurances about the safety and supervision of children at school:

* Government guidance should be given to EAs about insurance cover for pupils against safety risk during school activities.

* Headteachers should not be able to take decisions over non-teaching staff which might affect safety (eg playground supervision).

**Progress**

Supervision does not have to be undertaken by specially trained or paid adults. And supervision levels do not have to relate to the size of the school roll. However, safety and supervision of pupils is under much current discussion, following a series of tragic events across the UK.

Safety on school transport has also received much attention (again following some tragic accidents), and the regulation allowing three to share a double seat has been repealed. Much of the pressure for this came from the Scottish School Board Association and the General Consumer Council for Northern Ireland. However, it appears that as much confusion over accountability still remains as when the SCC published its 1988 report on school transport.

**Questions:**

- **What do school handbooks say about safety and supervision?**

- **How clearly are responsibilities for safety and supervision set out, for providers and parents?**

- **How are school transport codes of practice negotiated?**

- **How well do transport contracts reflect consumer needs?**

- **How do parents find out about the terms of school transport contracts?**

- **How are decisions taken about supervision personnel at school?**
Redress

Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents need to be able to put things right when they have gone wrong. This means being able to obtain redress:

- when things go wrong at school;

- when things go wrong with EA policy or administration; and

- when things go wrong with private contractors.

When things go wrong at school

* All schools should have a complaints procedure, and this should be subject to inspection.

To be effective, parents need to know about the complaints avenues open to them:

* Schools should develop and publicise a complaints procedure which is consistent with the EA’s complaints procedure.

* National guidelines should be developed for the handling of disputes between schools and parents, making it a duty of schools to inform parents of complaints procedures (1982).

* School handbooks should contain information about the school’s arrangements for handling complaints (1982).

Complaints about schools, however, need to be firmly set in the context of developing positive home-school links. The SCC’s most recent major piece of work on redress in education demonstrated a clear link between the quality of home-school contact and the handling of complaints. A recommendation from this work, then, was:

* Schools should continue to develop links with parents.

As the bodies with a role in improving home-school links, the involvement of school boards in complaints was suggested:

* School boards should have a role in handling disputes between home and school (1987).

* School councils (1984) should set up their own sub-committees to deal with complaints that have not been resolved at the school or higher level.
School boards could play an intermediate role, between headteachers and EAs, in attending to parental complaints about safety and supervision of pupils.

In order that complaints are handled properly at the school level,

* The EA should give guidance to schools on complaints handling.

* Schools should ensure that all staff are trained in dealing with parents and in complaints handling.

Attention needs to be given to complaints that might arise out of specific circumstances:

* There should be clear procedures by which people can challenge decisions to exclude information on school board meetings or documents.

* Consideration should be given to avenues of redress for parents of pupils who have incurred accidents or injuries at school.

* Pupils or their parents should be entitled to have their own comments recorded on reports about unauthorised absence.

**When things go wrong at the EA level**

* EAs should develop a consumer-led complaints procedure, within an overall policy on customer care or quality assurance.

* Parents should be informed about how to appeal against local authority decisions.

* The EA complaints procedure should be well publicised.

Again, as with schools, EA complaints procedures will work best where there are good home-school links:

* The EA should undertake home-school links initiatives, and advise schools on the strategies they can adopt.

To handle complaints properly at the EA level,

* EA staff should be given training in complaints handling.

* The EA should appoint a monitoring officer for recording complaints.

* The EA should publicise changes which result from complaints information.
* The question of complaints procedures under devolved school management needs to be clarified.

Specific circumstances also need to be dealt with. For example:

* Young people should have a right of appeal against refusal of disclosure or amendments of records.

* Review committees should include parent/student members, not just EA members.

* Review committees should be obliged to give reasons for upholding the EA’s decision.

* Cases should be referable to the courts, as with other kinds of appeal.

* EAs should be required to allow a second medical opinion if the first recommends denying access to records, and after this, refusal of access should go to appeal.

... there was also mention of other aspects:

* The Secretary of State should retain control over school closures, in the absence of proposed measures to protect consumers’ interests (on devolution of power to local authorities).

* Government guidance should be given to EAs about the handling of complaints or concerns of parents relating to pupils’ safety and supervision at school.

**Private contractors**

* EAs should set up clear and simple complaints procedures, relating to school buses.

In all,

* Parents should have a quick and effective means of redress when things go wrong, and should expect their case to be treated seriously, sympathetically and within a reasonable period of time.

* The Parents Charter should emphasise the government’s commitment to look further at the issues of redress in education.
* An educational ombudsman should be appointed, or the role of the local government ombudsman should be strengthened in relation to education (1982).

**Progress**

Could do Better? remains the most current reference on complaints and redress in education in Scotland. There is little evidence of progress since its publication: for example, in a recent newspaper article, the teaching unions criticised the introduction of a complaints procedure by the local authority, because people might use it to complain. In England, RISE (the Research and Information on State Education Trust) has been taking forward the work on complaints in education, and has drawn up for wide consultation a model complaints procedure.

**Questions:**

- Do HM Inspectors of Schools look for schools' complaints procedures?
- How do parents learn about complaints procedures?
- Do school handbooks carry information about complaints procedures?
- Should school boards be involved in complaints handling?
- What training is provided to teachers and EA staff on handling parental complaints?
- What gaps remain in the right to appeal about certain matters, or in clear avenues of redress?
- What are the complaints procedures when things go wrong with aspects of the education service that are carried out by private contractors on behalf of EAs?
- What is the scope for an educational ombudsman?
Representation
Parents are responsible for making sure their children are educated. Most carry out this duty by means of local authority schooling. But to fulfil their duty, ensuring the best education for their children, parents need to have a say in matters affecting the provision of the schooling they use.

This means having an input:

- **At the school level**: more decisions affecting children's education are now taken at school level, especially since the introduction of devolved school management.

- **At the Education Authority (EA) level**: arrangements for allocations under devolved school management, appeals, and other strategic policy matters, are decided at EA level.

- **At national level**: policies such as curricular guidelines, the school management framework, and other national issues, are developed by the government.

Parents need clear mechanisms of representation at each of these levels, and need to know how they can take part, both individually and collectively, in decision making that will affect their children's education.

School level
There has to be a real commitment to involving parents in school-level decision making:

- Schools should be committed to a minimum level of consultation with parents.

- The Secretary of State should require EAs and schools to consult individual parents in all matters involving course choice, guidance and discipline.

- Schools should make facilities available for parents wishing to set up their own association.

- Parents should be informed about opportunities to express their views.

A committee of enquiry should be set up to look at the role, distribution and composition of school councils (1982), with special regard to widening consumer participation and greater representation of disadvantaged groups. There needs to be a formal and effective mechanism for participation.

- The Scottish Office should consider other school management models, and
should take steps to promote various other forms of parent participation in schools outside the school council system (1984).

School boards were recognised as one opportunity to help parents gain improved access to school-level decision making: a role that needed to be made clear:

* The promotion of PTAs should be written into the constitution of every school council (1979).

* School boards should have a clear decision making role on all major aspects of home-school liaison (eg arrangements for meeting individual parents; reporting on pupils' progress; provision of homework; discipline; provision of school meals; uniforms).

* The home-school aspects of school boards' work should be given more priority than school management matters.

* School boards should be allowed to take on more responsibilities if they wish, but only as long as these are in keeping with promoting home-school links and making schools more accountable.

School boards, therefore, should above all else concern themselves with home-school links, enabled to take decisions on matters affecting the contact between parents and the school, and ensure accountability to parents and the wider community of school management. To fulfil this role:

* Each school, regardless of its size, should have a school board.

* The school development plan and draft HMI reports on the school should be presented for the school board's approval.

* School boards should be consulted on school policy and practice on the enforcement of school attendance, and should receive statements on these.

* School councils (1984) should be responsible for determining the capitation allowance, remitting this responsibility to the headteacher if they prefer.

But on the whole.

* School boards should have a consultative role, and should not have to take on executive functions if they do not want to.

* EAs should put school boards fully in charge of their own budgets.

However, further roles for bodies representing parents at school level were identified:
* We would be keen to see school boards encouraging the establishment of representative bodies for their pupils.

* There may be merit in school councils (1984) taking over a formal role as governing bodies.

When government proposals for self-governing status emerged, the SCC was already concerned about the accountability of school boards:

* A procedure should be established for consultation between parents and school boards before formal opting out proposals are published.

* School boards should be expected to hold a meeting to explain their views on opting out for the school.

* School boards should be required to consult with parents and the wider community before considering a second resolution to hold a ballot on opting out.

* Consultation should take place on a wide community basis before schools are allowed to opt out of local authority control.

The arrangements for setting up and running school boards were seen as important for the safeguarding of parental access to school-level management. Parents need information about school boards:

* EAs should be required to publish information about the aims, functions, composition and activities of school boards, in their school information for parents.

* Central government and EAs should keep their school board publicity under continuing review.

* School boards should be required to advertise in the local press and on public notices to encourage co-opted nominees.

Information about the business of individual school boards is necessary:


* A list of school board members, and background documents used to prepare reports for a meeting, should be made publicly available.

* Agendas, minutes and other documents for school board meetings should be made readily available to members of the public.
And guidelines for the selection of co-opted members should be provided by the government (1989) or drawn up by school boards for EA approval (1988). Guidelines should aim to secure the appointment of those with home-school links experience.

Finally, when it comes to improved access to school-level decision making for parents, both school board members and teachers need appropriate training:

* Training should be available to school council members (1984), and a government-funded parents participation advisory service should be set up for training school board members.

* The Secretary of State should initiate a programme of in-service training to prepare teachers for parental involvement (1982), and headteachers should be given training in dealing with parents and school boards.

**Progress**

A great deal of research exists on the operation of school boards. School boards themselves say that one of the biggest problems they need to tackle is communicating with parents, an indication that they have some way to go before they are truly effective vehicles of parental representation. Many parents have no contact with a school board, and over a quarter of schools do not have one. Discussion of the role of school boards was stimulated last year, during the Labour Party's consultation on Scottish education, and the SCC took the view that work would be better spent improving school boards rather than replacing them.

Little attention has been paid to alternative forms of participation, and little is known about parents' abilities to participate in a meaningful way in school-level decisions.

<table>
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<th>Questions:</th>
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<tr>
<td>* What assurances do parents have that they will be consulted about school-level decisions?</td>
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<td>* How do parents know how or when they can express their views?</td>
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<td>* What range of alternative forms of participation has developed in Scottish schools?</td>
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<td>* Do school boards view their home-school links duties as more important than their other functions?</td>
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<td>* What do schools actually consult school boards about, and how do they do it?</td>
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• Have school boards encouraged representative bodies for their pupils?
• What is the reality of the availability of detailed school board information?
• How is the appointment of appropriate co-opted members secured?
• What training is available to school boards and teachers?

Education authority level

Individual parents need to be able to participate:

* EAs should be required to formulate and implement proposals for increasing the involvement of consumers in formal education at all levels.

* Everyone concerned should be able to make representations about the EA’s allocation policies under devolved school management.

Bodies representing collective parental opinion need to be assured of effective participation:

* EAs should inform and consult school councils (1984) about all major policy and decision making matters, not simply those covered by existing legislation.

* Each EA should have its own federation of school council representatives (1984) which should meet periodically to discuss and act upon matters of common interest and concern.

* Area school councils (1984) should be set up to meet whenever necessary to consider matters affecting more than one school.

* School council representatives (1984) should sit on the sub-committee of the EA which deals with senior staff appointments and dismissals at their school.

Some minimum standards of consultation need to be applied, however:

* Guidelines should be given to EAs on consulting school boards, and should not be left totally to EAs’ discretion.

Effective participation needs adequate resourcing and training support:
• A service and information unit should be set up in each EA to provide technical advice and assistance for school councils (1984).

• EAs, in liaison with community education, library services, etc, should establish local resource centres and make arrangements for giving school boards access to information and advice about training.

• School board support units from all EAs should regularly share experiences, to develop best practice.

Questions:

• What proposals have EAs formulated to increase consumer participation?

• What channels exist for parents to participate in devolved school management allocations policies?

• What do EAs consult school boards about?

• Do school board federations exist? What do they do?

• What is the reality of parental representation at EA committee level?

• What training and support do EAs provide for school boards?

• How do EAs establish best practice in supporting school boards?

National level

• We are not convinced that parents are sufficiently empowered to have meaningful involvement in education.

Some commitments regarding parent representation are required of the government:

• Consumer representatives should be appointed to all central policymaking bodies in education.

• The Parents' Charter should give greater emphasis on the role and status of parents' organisations, with serious consideration given to funding and support for a well-developed parents' movement.

• All proposed developments in education policy should be subject to consultation with parents.
Questions:

- What is the reality of consumer representation on government policymaking bodies?
- What is the government's view of parental involvement at national level?
- What are the means of consulting individual parents and parental groups on education policy matters?
### Written Submissions

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<td>School Boards: a Consultation Paper by the Scottish Office Education Department</td>
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<td>&quot;How to Become a Self Governing School&quot;: Draft Guidance for School Boards</td>
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2 see the reference above.

3 The Scottish Office Education and Industry Department (1996) Children and Young Persons with Special Educational Needs (Assessment and Recording) Circular No. 4 / 96

4 The Scottish Office Education Department (1992) A Parents' Guide to Special Educational Needs


6 John Macbeath Making School Boards Better 1994


9 Herald 17 February 1997. We had a letter published in response to the article, two days later.

Jackie Welsh
POLICY MANAGER

jmi