

**INSPECTION OF THE EDUCATION FUNCTIONS OF ARGYLL AND BUTE
COUNCIL (INEA)
INSPECTION CHRONOLOGY**

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide Elected Members with an overview of the recent INEA inspection. The report summarises the chronology of the inspection carried out by Education Scotland in September 2016. It further notes the actions taken by Council to respond to changes to the agreed inspection timescales and to mitigate against associated challenges and risks for the Council.
- 1.2 It is recommended that the Community Services Committee:
- a) Note the chronology of events incorporating agreed Education Scotland timescales for the inspection of the Education functions of Argyll and Bute Council;
 - b) Note the actions by Council Officers to raise and address serious and significant concerns regarding the process and conduct of the inspection.

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2.0 INTRODUCTION

- 2.1 The purpose of this report is to provide Elected Members with an overview the recent INEA inspection. The report summarises the chronology of the inspection carried out by Education Scotland in September 2016. It further notes the actions taken by Council to respond to changes to the agreed inspection timescales and to mitigate against associated challenges and risks for the Council.

3.0 RECOMMENDATIONS

It is recommended that the Community Services Committee:

- a) Note the chronology of events incorporating agreed Education Scotland timescales for the inspection of the Education functions of Argyll and Bute Council;
- b) Note the actions by Council Officers to raise and address serious and significant concerns regarding the process and conduct of the inspection.

4.0 DETAIL

- 4.1 In March 2016, the published Local Scrutiny Plan for Argyll and Bute Council indicated that Education Scotland would carry out scrutiny in Argyll and Bute. A strategic level inspection of the Education functions of the council, constituted this scrutiny activity.
- 4.2 Education Scotland notified the Council's Chief Executive on the 28th June 2016 (one day before the end of the school session) that an announced inspection of the Education Services by Education Scotland would commence the week beginning 19th September 2016, with an anticipated conclusion with the publication of a public report by the end of November 2016. The Council highlighted the timing was unusual and as the schools staff would be on summer recess, this limited their engagement in preparation for the inspection.
- 4.3 At the outset of the inspection a timetable (in line with Education Scotland procedures) was set out by the Managing Inspector,

confirmed and agreed with Education Services. The following chronology sets out the inspection footprint, noting the specific activities and instances where a number of the agreed timescales were not met. These were as follows:

4.4 Quality Management in Education (QMIE2): Revision to be issued to Education Services week commencing 4th July 2016.

Education Scotland advised the Council that it proposed to develop and use a revised inspection framework (QMIE2) for use for the first time in the Argyll and Bute inspection. There was agreement from Education Scotland at the meeting of 28th June 2016 that the revised QMIE 2 would be available over the course of the next few days. This was not received. Education Services made further enquires on at least two occasions requesting a date for issue of the revised framework.

4.5 The revised draft of QMIE 2 was finally circulated to the Head of Education on 2 August 2016, approximately 5 weeks prior to the expected date for submission of the authority self- evaluation scoping paper. Changes had been made to the quality indicators beyond minor terminology updates, as well as the themes and illustrations for each of the indicators.

4.6 Work undertaken by the Service in preparing the authority self- evaluation required to be analysed, revised and reorganised in light of these changes. Furthermore, despite agreement that no formal template would be issued by Education Scotland for use in preparing and submitting the self-evaluation profile a formal template was issued to the service by the Managing Inspector for use on 8th August 2016. This contradicted the original messages shared by members of Education Scotland during the initial meeting held on 28 June 2016 and resulted in considerable additional work for the Service.

4.7 Inspection Footprint: scheduled for 19-23 September
Education Scotland advised the Inspection week 19th – 23rd September 2016.

4.8 An initial inspection footprint along with supporting inspection activity programme was provided to the Managing Inspector as requested. Following review by Education Scotland, the revised footprint/ inspection activity was discussed on further dates between 7th and 13th September during which important changes were made to the original programme. These included change of locations for a number of the inspection team, from a central location to requiring the authority to establish bases in each of the four geographical areas of the authority. These changes necessitated re-organisation of support arrangements for members of the inspection team including finding alternative venues, short notice invitations for stakeholders to attend meetings which limited their engagement prior to being involved in the inspection, interviews and other focus group activity. The Education

authority received criticism from a number of participants regarding the short notice and lack of preparation which is reflected in the feedback from events and focus groups.

- 4.9 The Education Services self-evaluation summary was issued to Education Scotland - 6 September 2016.
- 4.10 As part of the planned inspection activity there was an agreement that central education service staff would be available in each of the four geographical areas during the inspection week. Following inspection commencement the Service received an email from the Managing Inspector requesting that central officers should be asked to withdraw from the planned inspection activity. No rationale was provided for this extraordinary step which prevented the authority staff providing information and evidence to allow for appropriate checking and triangulation of evidence.
- 4.11 During the course of the inspection week a number of requests were made to members of the inspection team for clarification of planned one to one meetings with key officers which had been requested by Education Scotland but were not timetabled within the inspection week timetable. These included critically the Head of Education, Acting Executive Director and members of the Education Management Team. Given the initial emphasis on the strategic nature of this inspection, the lack of inclusion of senior officers in focus groups or through individual interviews was extraordinary and not in keeping with usual inspection practice.
- 4.12 **Inspection Feedback: scheduled for week beginning 3 October**
Initial summary findings on the outcome of the inspection were provided to the Council week beginning 3rd October 2016. During the feedback Education Scotland confirmed that the draft inspection report would be issued to Argyll & Bute Council (Chief Executive) early-Mid November 2016, with an expectation that comments from the Council to Education Scotland would be provided within seven days of the issue of the draft report. At this stage a revised inspection report publication date was indicated as early January 2017.
- 4.13 At that initial feedback, the Chief Executive raised serious and significant concerns about the process and conduct of the inspection with a senior member of Education Scotland. It was agreed to await receipt of the draft report before engaging further in relation to these concerns.
- 4.14 **Report Publication: scheduled for late November 2016.**
An initial draft inspection report was issued to the Councils Chief Executive on 9th December 2016. At this stage the draft report contained a number of factual inaccuracies.

- 4.15 Following a thorough review of the draft report the Council provided a comprehensive assessment of the findings, accompanied by a wide range of further supporting evidence to Education Scotland for their consideration within the agreed timescale of 24 January 2017. This highlighted a number of factual inaccuracies and substantive concerns at perceived failures to verify and triangulate information on which findings were founded.
- 4.16 Following this submission the Council requested an urgent meeting with a senior member of staff from Education Scotland and set out the extensive concerns with the accuracy of the report, underlying conclusions and the process. This meeting took place on 1st February 2017. In addition to these extensive comments, officers supplied further information to support the concerns raised about the accuracy of the report. A draft copy of a complaint regarding conduct issues was also supplied for information in the anticipation that the concerns could be resolved without formalising the complaint. At the conclusion of the meeting Education Scotland advised it would engage the members of the inspection team and arrange to meet with council staff to respond to the concerns raised.
- 4.17 Following a period of six weeks, during which no subsequent contact was made by Education Scotland, the Chief Executive was advised by telephone call (5.30 p.m. on Friday 10th March) from the senior member of staff from Education Scotland who had attended the 1st February meeting and committed to further engagement on the submitted concerns. The purpose of the call was to inform the Authority that the inspection report was scheduled for publication on Tuesday 21st March and that the Council would receive an advance copy on Tuesday 14th March 2017.
- 4.18 The Chief Executive protested that it was unacceptable for the report to be published without addressing the serious and significant concerns raised. He highlighted that 6 months had passed since the inspection and 6-7 weeks from the 1st February meeting and queried why the 21st March publication date was being pursued without the promised engagement. No satisfactory answer was provided.
- 4.19 A draft report was provided to the Council on Tuesday 14th March 2017 – on review the key elements of the concerns raised remained unaddressed in the report and large number of factual inaccuracies remained.
- 4.20 The Chief Executive spoke on Wednesday 15th March 2017 with a Depute Director of Education Scotland to escalate his concerns and query why the 21st March date was pursued without engagement. He was advised Education Scotland believed that senior staff in the Council were unavailable because of the budget process despite the fact the council had agreed its budget over 3 weeks prior. On the matter of factual inaccuracies, he was advised Education Scotland would

allow a further submission on these points but that they would be needed by 5 p.m. that night. Given the lack of engagement over the preceding 6 weeks, the Chief Executive reiterated that this was unacceptable.

- 4.21 At short notice a meeting was arranged on the evening of Thursday 16th March for the sole purpose of clarifying factual inaccuracies. Following the meeting they were written up and sent to Education Scotland on Friday 17th March.
- 4.22 The Chief Executive made a final attempt to avoid a confrontation on this issue by calling the Chief Executive of Education Scotland to request a delay to the publication of the report to allow for the engagement meeting committed to previously and to ensure that the report when published was accurate. The request was denied and when the Council's Chief Executive asked why this date was immovable given the delays already introduced to the process by Education Scotland, he was advised it would be published because Education Scotland had no reason not to.
- 4.23 Following this telephone call a formal complaint was submitted to Education Scotland regarding the process and conduct of the inspection of the Education functions of the authority.
- 4.24 The Education Scotland report was published on the Education Scotland website on the 21st March 2017.
- 4.25 At the time of writing, the inspection framework applied to Argyll and Bute Council has still not been published and we understand from Education Scotland staff that it is unlikely to be used again for any other Council inspection.

5.0 CONCLUSION

- 5.1 This report provides an overview for Elected Members of the chronology of events related to the inspection of the Education functions of Argyll and Bute Council. It notes the actions taken by Council staff to address these concerns and to mitigate potential challenges and risk for the Council.

6.0 IMPLICATIONS

- 6.1 Policy The *Standards in Scotland's Schools etc. Act 2000* places a duty on education authorities to provide children and young people with school education and (in terms of raising standards) requires authorities to endeavor to secure improvement in the quality of that school education.

6.2	Financial	None.
6.3	Legal	None.
6.4	HR	None.
6.5	Equalities	None.
6.6	Risk	The outcome of the INEA inspection reports presents a significant reputational risk to the Council.
6.7	Customer Service	None.

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25 March 2017

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