

# Education governance and the role of the headteacher: The new policy problem in Scottish education

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## Abstract

As part of the current *Review of Education Governance in Scotland*, the *Headteachers' Charter* is perceived as a central policy solution. The Charter changes the responsibilities of the headteacher by altering the relationship between headteacher and local authority, and thereby bringing about changes to the governance of education. If these changes are perceived as the solution, what is the perceived policy problem? This article examines policy documents to explore the policy problem using Bacchi's (2012a) 'what's the problem represented to be' (WPR) approach, which uses a framework of six questions to analyse policy texts. The article begins with a brief overview of the policy programme, the 'Empowerment Agenda'. The article discusses Bacchi's WPR analysis framework and then presents the findings, using this framework. The article ends with a discussion of the impact of the reform of educational governance including the *Headteachers' Charter* on the role of the headteacher.

## Keywords

education governance, bacchi, policy problematisations, headteacher, empowerment

## The empowerment agenda

Through a series of policy consultations and documents, the Scottish Government (SG) has undertaken the *Review of Education Governance in Scotland* (also known as 'the empowerment agenda'), as part of efforts to ensure enhanced outcomes for all learners through system-level and system-wide improvement (Fullan, 2016; SG, 2016a). At the point of the review, the system of governance followed the Education (Scotland) Act 1980 (<https://www.legislation.gov.uk/ukpga/1980/44/contents>), with a settled relationship between the three levels: central government, local authorities (LAs) and the schools. With over 95% of education provision being publicly funded, LAs had the statutory duty to provide education within their locality. Education was funded through revenues administered to LAs from the Scottish Government, with LAs determining

their local education spend. The headteacher, as with all staff in schools, are employees of and held to account by the LA. The *Review of Education Governance in Scotland*, looked to reshape the relationship between these three tiers particularly in enhancing the autonomy of headteachers as frontline professionals (Lipsky, 2010) to further the progress of the twofold aims of equity and excellence for all. The focus of this article is on one major element of this *Review of Education Governance in Scotland*, the *Headteachers' Charter (HC)*, which specifies the areas

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that LAs are required to ‘empower headteachers’ (SG, 2018:2): curriculum, improvement, staffing and funding.

### Analysing policy: What’s the problem represented to be?

Bacchi’s (2012a) post-structural approach to policy analysis involves a process of interrogating embedded assumptions within policy, to challenge their conceptual foundations (Van Aswegen, et al., 2019). This framework provides a means of critically analysing what the policy problem(s) is/are, why and how things become named as problems and in turn, what ‘the problem represented’ is intended to address (Bacchi, 2012a). Through critical reflexivity, the political dimensions of policy and practice can be scrutinised as they appear in relevant policies (Clarke, 2019), to enhance understandings of regimes of political and professional power. In this instance, it is the perceived problem - how it is identified, classified and regulated - underpinning policy attempts to alter the relationship between headteacher and their LA which is of interest.

Bacchi’s (2012a) ‘what’s the problem represented to be?’ (WPR) framework of six questions was used to analyse Scottish policy on education governance through key policy documents. Through this critical policy analysis, deep level scrutiny facilitates the process of policy problematisation, beyond the surface level presentation of overt policy themes, as a means of ‘disrupting taken-for-granted truth’ to explore critically unquestioned underpinning assumptions (Bacchi, 2012b:21). In so doing, the current reform programme *Review of Education Governance in Scotland*, with its consequences for headteachers (SG, 2017a), can be examined identifying ‘possible deleterious effects they set in operation’ (Bacchi, 2012b:7). Framing the analysis in this way enables us to consider the complex relations that produce ‘the governance of education’ as an essential policy problem.

### Policy analysis

This study is of the *Headteachers’ Charter* (SG, 2018), one of several policy solutions in the *Review of Education Governance in Scotland*. The critical analysis of policy texts combined Bacchi’s (2012a) WPR framework with a thematic analysis. To explore the policy problem, a series of six policy texts (Table 1) were analysed.

References to issues, tensions and problems in the extant system were extracted and analysed thematically, using Clarke and Braun; (2018) six-stage framework to categorise and interpret the codes of meaning within texts. Three overarching themes were identified:

- the attainment gap
- the variation in practice at LA level
- responsibilities of LAs and headteachers.

**Table 1.** Scottish policy documents.

Date	Document	Focus
2016	<i>Empowering teachers, parents and communities to achieve Excellence and Equity in Education – A Governance Review.</i>	Initial consultation on the issue of governance.
2017	<i>Education Governance: Next Steps.</i>	Consultation on proposals for reform.
2017	<i>Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill.</i>	The terms of the bill for consultation - not taken forward.
2017	<i>Education Governance: Fair Funding to Achieve Excellence and Equity in Education.</i>	Review of funding structures and proposals for change
2018	<i>Education Reform – Joint Agreement.</i>	Agreement with LAs including the <i>Headteachers’ Charter</i> .
2019	<i>Empowering Schools Education Reform: Progress Report.</i>	Report on work at each level following the review.

These findings were then subjected to Bacchi’s (2012a: 21) WPR framework of six questions, to explore how the policy problem is represented.

### Findings: Bacchi’s six questions

In this section, we use Bacchi’s (2012a: 21) WPR framework of questions to provide a critical commentary on what the policy problem is represented to be. These questions surface some of the issues and tensions in this reformulation of the responsibilities of the headteacher.

#### *What is the problem represented to be in a specific policy?*

The fundamental problem represented initially in these documents is ‘*an unacceptable attainment gap between our least and most disadvantaged children*’ (SG, 2017a:1) alongside the difficulty of raising attainment for all. There are several reiterations of the problem of this enduring attainment gap. However, while the attainment gap is identified as the problem initially, it is the attendant problem of structural barriers (Humes, 2020) that has to be addressed: ‘...widespread variation in outcomes and in the performance of local authorities and schools’ (SG, 2017a:15). Variations in practice across LAs are listed: the improvement strategies deployed by LAs and their capacity to support schools, provide opportunities for professional learning and their ability to collaborate. These structural issues are represented as causing ‘the erosion of educational improvement capacity within the system’ (SG, 2017a:10). The responsibilities of LAs set out in the Education (Scotland); ct 1980 (<https://www.legislation.gov.uk/ukpga/1980/44/contents>), are represented as the third problem

area, limiting the scope for headteachers and schools to address their specific attainment gap: 'legal responsibilities for delivering education and raising standards in our schools sit largely with local authorities, not with the schools and teachers that teach our children and young people every day' (SG, 2016a:9). Thus, through a series of contentions the case for the reform of governance is made: that (1) Scotland has a poverty-related attainment gap, (2) there are variations in how LAs tackle this and (3) these variations limit efforts to reduce the gap system-wide and (4) there is a need for structural realignment.

### ***What presuppositions or assumptions underlie this representation of the problem?***

The pervasive nature of the attainment gap (Sosu and Ellis, 2014) is acknowledged but wider socio-economic issues are only touched on briefly in one document '...tackling the attainment gap will also require us to tackle deep seated, multigenerational, deprivation, poverty and inequalities' (SG, 2017a:9). Rather than wider issues of poverty and marginalisation, it is the current variations in LA practice that is the problem. These variations limit opportunities for headteachers to exercise autonomy, which inhibit system-level improvement: 'We know that different headteachers across the country currently have different levels of freedom to make important decisions' (SG, 2017b:6). The assumption is that, if headteachers had further responsibilities, they would be empowered to tackle the attainment gap more effectively: 'we need to give them [headteachers] more freedom and to acknowledge this level of responsibility through reforming governance and decision making' (SG, 2017a:13). The proposed solution to the problem, that 'More decisions need to be taken at school level, based on the needs of children in each community' (SG 2017a: 17), is represented as an opportunity to build professional discretion and autonomy (Lipsky, 2010) in the site of practice. However, the paradoxical nature of this reform is evident. Reforming governance and decision-making processes across the system to increase headteacher autonomy, brings increased responsibilities for which headteachers are directly accountable (Ball, 2003).

### ***How has this representation of the problem come about?***

An enduring attainment gap between the most advantaged and disadvantaged pupils has been an issue since the inception of the Scottish Parliament (Forde and Torrance, 2021). However, this reform policy was launched in the wake of 'Pisa shock' (Ozga, 2021), highlighting a fall in the performance of Scottish education against the PISA benchmarks, accompanied by the decline in performance on the Scottish Survey of Literacy and Numeracy (an assessment survey designed to track progress on national priorities). This decline, it is argued, 'makes the case for education reform clear' (SG, 2017c:5) and is represented as a direct challenge

to the SG's twofold aims of 'excellence and equity' (SG, 2016a).

The decline in performance is to be addressed through reforms to education governance resulting in structural realignment ensuring all tiers and organisations are focused on improvement through a *National Improvement Framework* (NIF) (SG, 2016b). The bodies and organisations at national level, including the Scottish Government, are identified as having a role in taking forward the improvement framework as well as LAs and schools. This framework sets out statistically-based improvement targets across the system (Ozga, 2021). At the same time, two funding initiatives to support improvement in attainment were introduced. Rather than dispersed through the LAs as had been the practice, this targeted funding is allocated direct lyto schools, through the Scottish Attainment Challenge (SG, 2017c) and the Pupil Equity Fund (SG, 2017c). Here, the discourse of the professionalism of teachers to support this change, draws from the dominant narrative of Scottish education (Ozga, 2021) 'Headteachers feel a deep sense of responsibility to improve children's life chances and to do everything possible to help them to succeed' (SG, 2017a:26). At one level, such developments support headteachers acknowledging and strengthening their discretion in making contextual-based decisions but on another level these are accompanied by increased responsibilities around attainment and wider improvement.

### ***What is left unproblematic in this problem representation? Where are the silences? Can the problem be thought about differently?***

The response to the initial consultation, provided the SG with '... strong messages from teachers and headteachers that they value such local support but that it had been diluted both in terms of quality and quantity in recent years' (SG, 2017a:18). The problem is represented as one of capacity rather than quality of support in LA support services. A significant silence is the lack of reference to financial constraints experienced at local level which have reduced this capacity. LAs receive the majority of their funding from central government, yet the level of funding is not identified as the problem. Instead, the way in which LAs set their budget for education is represented as the problem: 'Funding allocations to local authorities through this route are not budgets or spending targets'. (SG, 2017c:10). The problem could have been construed as one where LAs have been disempowered through reduced funding in their capacity to provide support to schools.

### ***What effects are produced by this representation of the problem?***

Scottish education is a three-tiered system of central government, local government and the schools. Historically, central government develops policy, provides funding and is responsible for overseeing quality assurance. LAs are responsible for providing education in their locality,

identifying policies/priorities to address local circumstances, providing support for development, maintaining oversight on quality of provision and the performance of schools. Schools led by headteachers who are officers of the LA. The representation of the problem of education governance as ‘The structure of the present system is too complex and support for improvement varies to an unacceptable extent across the country’ (SG 2017a:2), leads to the perceived need to reconstruct the relationship between the three tiers. The relationship between schools and LAs is represented as a twofold problem, firstly, the variation across the LAs in practices in funding and supporting school and secondly, the resulting impact in constraining the role of headteachers. Thus, for example, in terms of selecting staff the role of LAs is problematized: ‘There is also evidence that a lack of control over which staff work in schools limits headteacher empowerment and the extent to which the school can improve’ (SG, 2017a:22). The problem to be solved is the barriers posed by the extant relationship between LAs and schools which limit the scope for headteacher making decisions to address issues of attainment (SG, 2018).

It is with the particular issue of funding that the relationship between LAs and headteachers is represented as fundamentally flawed. While the policy documents cite the clear mechanism for the dispersal of revenue from central to local government, the process of setting the budget for education and the dispersal of monies to local services and schools is represented as a problem. Accordingly, not only is there variation in the funding processes across LAs but the mechanisms used to determine budgets locally: ‘it is for individual local authorities to determine how much funding should be allocated to education and then to individual schools and centrally managed education services’ (SG, 2017c:10). However, these mechanisms are deemed to be complex, lacking transparency and not ring-fenced in relation to improving attainment and closing the gap: Indeed, ‘headteachers appear to have direct control over only a very small proportion of their budgets’ (SG, 2017c: 15) and so the *HC* looks to realign the structural relationship between LAs and schools (SG, 2019) rather than bring about cultural change (Humes, 2020) in building the capability for greater headteacher autonomy across the system.

***How/where has this representation of the problem been produced, disseminated and defended? How could it be questioned, disrupted and replaced?***

The six policy documents analysed, chart the development of this reform programme from initial consultation questions, consultations on proposals for change, *The Joint Agreement* (including the *HC*) and then a progress report on the reform programme. There are strong intertextual links across this set of documents where the same problems/solutions are reiterated, citing the same evidence to support this identification of the policy problem. Earlier documents identify the problems with the extant structures,

processes and practices. Then, having represented these structural issues as the problem, later texts make the case for structural change.

Reviewing these documents sequentially highlights the development of the discourse. The continuing issue of ‘the unacceptable attainment gap’ (SG, 2016a) alongside the decline in overall attainment, led to a focus on the barriers to improvement. These barriers are reiterated across the texts: variation of practice across LAs, their internal management structures and processes, the limits on the support available to headteachers, and the scope of headteacher decision-making. Yet, while there has been a change to the roles of the LAs and headteachers, this reform has been contained. The intention was to enshrine the governance proposals in legislation which would have laid legal duties on LAs and headteachers around improvement targets and arguably, centralizing the management of education and reducing local decision-making. However, the SG stepped back from this, following significant objections raised by LAs and other national bodies. Instead, though headteachers now have increased responsibilities, the relationship between LAs and headteachers/schools has been reified in a less radical *Joint Agreement* which includes the *HC*.

## **Educational governance in Scotland**

Scotland is following the trends evident in other systems - schools being given greater independence and funding directly from central government where the role and influence of the intermediate level, the LAs, is reduced. This move, to create greater school/headteacher autonomy has elsewhere led to new school configurations and ‘represents a centralization of policy power into the hands of non-state actors’ (Lubienski, 2014:424). However, the public support for the democratic traditions of Scottish education including comprehensive education, are part of the discourse of nation building (Forde and Torrance, 2021) placing significant limitations on wholesale structural change. The issue of an enduring poverty-related attainment gap remains, standing in contradiction against the narrative of the democratic and meritocratic character of Scottish Education (Arnott and Ozga, 2010). Therefore, an alternative albeit less radical approach had to be found in Scotland, leading to the redistribution of responsibilities between LAs and schools. There has been a considerable move back from initial proposals to circumscribe the role of LAs. Instead, in the *Joint Agreement* (SG, 2018), the LAs are deemed to add value to the improvement efforts of schools.

These reforms combine paradoxically both centralising and decentralising tendencies (Lubienski, 2014). Greater headteacher autonomy is combined with each tier being held directly accountable for the closing of the attainment gap. Ball and Junemann (2012) contrast governance and government, with governance exercised through various flexible networks and government through hierarchical bureaucratic structures. Though the Scottish reforms are focussed on governance, arguably the problems and solutions are about government. The issue is less about oversight by central government and more about managing the

implementation of policy across the system. This change in how central government steers national policy (Hudson, 2007) which has consequences for the role of the headteacher.

### The impact on the role of the headteacher

The lack of headteacher autonomy is underlined as a policy problem, hindering effort to bring about system-wide improvement, increasingly cast as statistically driven attainment targets to address the poverty-related attainment gap. The solution is improvement in school performance with little recognition of the wider unequal society (McCluskey, 2017). Schools (and therefore, headteachers) are still judged and compared using attainment outcomes. However, reducing the scope and power of LAs can perpetuate structural inequalities. Coldron et al. (2014:18), argue that limiting the LA role as an 'honest broker' between schools has in the English system, led to dominance locally by some headteachers - those deemed successful and particularly secondary headteachers, thus perpetuating the structural inequities. In the Scottish context, there is the danger that reducing the 'honest broker' role and influence of the LA in identifying local priorities can result of further perpetuating the attainment gap between schools serving disadvantaged communities and those serving advantaged communities.

The *HC* (SG, 2018:1) prescribes an empowered system whereby, 'Local Authorities add value by enabling key decisions to be made by those who are closest to the educational experience of children and young people, and who best understand the particular context of the learning community'. Specifically, LAs should empower headteachers to galvanise their learning communities in determining the most appropriate approaches to improve learning and teaching, making best use of school resources. In practice, the *HC* presents considerable implications for headteachers given the performance data-driven policy climate in Scotland. The enduring poverty-related attainment gap (the policy problem), was identified through analysis of data on attainment, performance and comparison of global trends. The success of the enactment of the *HC* as a proposed solution would presumably be measured via the same statistical data. So, while the *HC* acknowledges that headteachers should determine the approaches best suited to their own context in reality, with headteachers responsible for closing the attainment gap, failure of a school's approaches to contribute to meeting statistical improvement targets could be attributed to failure in the headteacher's leadership (Ball, 2003) rather than an unequal society.

The responsibility and the challenge for headteachers and LAs enacting the *HC* is to maintain the focus on social justice leadership in the context of high public accountability. The responsibilities in enacting target-driven policy can reinforce inequities and injustices already existing within communities: a focus on meeting data-driven outcome measures can exclude strengths and progress of individuals or groups that will not necessarily contribute positively to what is being measured. This

policy solution - to empower headteachers - is theoretically a solution ostensibly giving autonomy to headteachers. However, the high levels of accountability within the neo-liberal policy context in which headteachers and schools in Scotland operate, prompt dilemmas that can challenge the authenticity of school leaders' decision-making. The focus becomes driving attainment, by ensuring pupils bank qualifications rather than responding to the needs and aspirations of individual and groups of learners.

### Conclusion: The evolving role of the headteacher

The 2020 global pandemic has highlighted tensions in relation to the concept of empowerment for headteachers who are 'caught in the unfavourable position of being the pinch point in the system.... reliant on guidance about COVID-19 responses, processes, procedures, and protocols from above' (Harris and Jones, 2020:244). The experience of living through Covid-19 has underlined importance of the imperatives of care, community, values and social justice in school leadership set out in the professional standards (GTCS, 2021). The pandemic has demonstrated the critical importance of headteachers, where autonomy is not simply about enacting government policy but is about creating policy (Lipsky, 2010) by quickly making contextually appropriate decisions impacting on confidence and safety of everyone in their community. This responsibility is relentless and can be overwhelming for headteachers, particularly when simultaneously charged to implement centrally determined directives.

Scottish education is at a critical juncture, where the experience of the Covid-19 pandemic has questioned the system of national examinations. Out of necessity, the assessment of pupil progress has had to rely on internal assessment activities and teacher professional judgement. In the NIF, examination results are used as a central measure of the performance of secondary schools, and one which is significant in evaluating the role of headteachers. However, a recent report from the OECD (Stobart, 2021) has questioned the efficacy of this form of assessment. As part of structural realignment in the post-pandemic context, a review is underway of the role of two national bodies, Education Scotland with responsibility for the curriculum and for inspection and the Scottish Qualifications Authority, with responsibility for the national examination system. As we emerge from the Covid-19 pandemic, with major reforms on the horizon, there is a risk of the top-down demands of the NIF attainment targets (SG, 2016b) undermining the concept of headteacher autonomy. Sustainable solutions are unlikely without engagement with headteachers in decision-making about the development of national guidance for schools. Moreover, in a post-pandemic review, time will tell if Scottish society is courageous enough to explore different sets of policy solutions designed to address its fundamental policy problem: a pervasive poverty related attainment gap.

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