

Unit 8.5 Web Materials

Accountability in Education in England, Northern Ireland, Scotland and Wales

You might also want to refer to units 7.3-7.6 which consider the Governance, Policy and Curriculum in England, Northern Ireland, Scotland and Wales, available at

<https://routledgelearning.com/learningtoteach/chapter-7-the-school-curriculum-and-society/>.

Aspects of Accountability in England – Deborah Outhwaite and Leora Cruddas

A very short history of accountability in England

A government determines the national accountability framework for education. Gilbert (2012) and Gibton (2013) argue that origins of accountability as we know it in England can be traced back directly to the 1988 Education Reform Act (ERA, 1988). This Act shifted responsibilities for parts of the education system as laid down by the 1944 Education Act (UK Parliament, 1944). It increased the power of the Secretary of State for Education and passed considerable responsibilities to governing bodies and head teachers. It also laid down legislation to establish the National Curriculum and national testing of pupils.

This was followed four years later by the Education (Schools) Act 1992 (UK Parliament, 1992), as part of further reform of the school system accountability. The Education (Schools) Act established what was then called the Office for Standards in Education (Ofsted). It removed school inspection from local authorities.

The state-determined accountability system, which has its origins in legislative reform in the late 1980s and early 1990s, is a complex infrastructure.

By the mid-1990s, according to Gilbert (2012), the accountability framework in England was established on the basis of:

- national tests and examination results;

- published performance tables;
- inspection.

These pillars, she says, remain in place to this day.

Within the overall accountability framework for education in England, the government tasks independent bodies to oversee certain aspects of accountability. These are:

- **The Office for Standards in Education, Children's Services and Skills (Ofsted)** is responsible for inspecting maintained schools and academies, some independent schools, and other educational institutions in England. However, Ofsted cannot take enforcement action if the quality of education is judged not to be good enough.
- **Regional schools' commissioners** are senior civil servants who act on behalf of the Secretary of State to intervene in both maintained schools and academies where standards are not good enough. It is the regional schools' commissioner who can take enforcement action if standards in a school are not good enough, or Ofsted judges the school to be requiring improvement or failing.
- **The Office of Qualifications and Examinations Regulation (Ofqual)** regulates qualifications in England. Ofqual can take enforcement action both in relation to schools where malpractice has taken place and in relation to exam boards when things go wrong.
- **The Teacher Regulation Agency (TRA)** is an executive agency, sponsored by the Department for Education, and is the regulator of professional standards for teachers in England. It has responsibility for the regulation of the teaching profession, including misconduct hearings and the maintenance of the database of qualified teachers.
- **The Chartered College of Teachers** is the professional body for teachers. It is dedicated to bridging the gap between practice and research and equipping teachers with the knowledge and confidence to make the best decisions for their pupils and to raise the status of teaching.

Moral and ethical accountability

As teachers, you are accountable not just for your good conduct, but also for the ethics of your decision-making. In England, it is expressed in part two of the *Teachers' Standards* (DfE, 2011,

p.14): ‘Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour’.

Legal and regulatory accountability

Safeguarding and child protection

The Children Act 1989 (UK Parliament, 1989) put in place the first significant child protection structures that have considerable relevance to teachers in England today and which form the basis of current safeguarding and child protection legislation. Guidance for teachers, governors and schools in England is provided by statutory guidance, *Keeping Children Safe in Education* (DfE, 2016).

The statutory guidance, *Working Together to Safeguard Children* (HM Government, 2018) reiterates the key tenets of the Children Acts of 1989 and 2004 (UK Parliament, 1989; 2004) in stressing the need for organisations and individuals to work collaboratively to:

- protect children from maltreatment;
- prevent impairment of children’s health or development;
- ensure that children grow up in circumstance consistent with the provision of safe and effective care;
- take action to enable all children to have the best outcomes.

Equality

The DfE (2014) has published guidance: *The Equality Act 2010 and Schools: Departmental advice for school leaders, school staff, governing bodies and local authorities*.

Prevent Duty and British Values

As part of their prevent duty, schools are now under a duty to promote the spiritual, moral, social and cultural (SMSC) development of pupils and, within this, British values.

- democracy;
- the rule of law;
- individual liberty;
- mutual respect for and tolerance of those with different faiths and beliefs and for those without faith.

Employer and contractual accountability

Accountability to your employer is either:

- the local authority if you work in a maintained or voluntary-aided school;
- the trust board if you work in an academy or multi-academy trust (MAT);
- the governing board, foundation or trust if you work in a foundation school. Many foundation schools have become a standalone academy trusts (SAT).

Performance-related pay

From September 2013, schools have been able to link teachers' pay to performance, allowing flexibility in the payscale. This follows recommendations from the School Teachers' Review Body (STRB). In response to this, all schools were required to have revised their pay and appraisal policies, setting out how pay progression will be linked to a teacher's performance. Department advice to schools suggested they can consider a number of factors as identified in the main text.

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Education and Accountability in Northern Ireland – Tony Gallagher

While maintaining broad compatibility with systems in other parts of the United Kingdom, the education system in Northern Ireland has always had distinctive features, most notably the continuing use of academic selection at the end of primary school and the role of religious authorities in providing education.

The Department of Education oversees policy and is led by a government Minister appointed by the Northern Ireland Assembly. Operational responsibility is held by the Education Authority which has to ensure that efficient and effective primary and secondary education services are available to meet the needs of children and young people, and support the provision of effective and efficient youth services.

Pupils in Northern Ireland start primary school a year earlier than in the rest of the UK and attend for seven years. In the final year of primary school pupils may take a Transfer Test, the grades of which mediate entry to grammar schools: currently about 40 per cent are selected for grammar schools and the rest go to secondary schools or one of a small number of all-ability schools. As in the rest of the UK pupils take GCSEs, GCE A Levels.

Three organisations provide the main mechanisms for accountability for schools and teachers in Northern Ireland:

- **The Education and Training Inspectorate (ETI)** promotes the standards of learning, teaching, training and achievement throughout the education, training and youth sectors, and the dissemination of good and innovative practice. It operates as a professional arm within government Departments.
- **The Council for the Curriculum, Examinations and Assessment (CCEA)** supports the Northern Ireland curriculum for schools, and is responsible for all assessment and examinations. CCEA provides its own GCSE and GCE examinations, but schools can and do make use of examinations from Boards in other parts of the UK.
- All teachers must be registered with the **General Teaching Council (NI)**.

The Churches continue to play a significant role in education with de facto parallel school systems for Protestant and Catholic children and, since 1981, a small sector of religiously integrated schools. 'Crossover' between the sectors is possible, though this is mainly by Catholic pupils attending predominantly Protestant schools, especially grammar schools.

The Education Authority has responsibility for Controlled schools, including primary, secondary and grammar schools. The Catholic Church is the Trustee for Maintained primary and secondary schools and they are overseen by the Council for Catholic Maintained Schools (CCMS). Voluntary grammar schools are owned by Trusts and are run by their Boards of Governors, with the Catholic Bishops being the Trustees of Catholic grammar schools. Since 1981 the Integrated sector has since grown to 65 schools and seven per cent of the total pupil enrolment. There is a small, but growing, sector of Irish Medium schools in which the curriculum is delivered through the Irish language. There is a very small number of independent schools in Northern Ireland, the largest group of which are Independent Christian schools. In addition, there is a plethora of stakeholder groups representing the interests of different groups of schools or educational interests.

Society has always looked to schools in Northern Ireland to contribute to reconciliation and improved cross-community relations. The main approaches have included curriculum initiatives, especially in the teaching of history and citizenship; contact programmes to bring young people together for joint projects; the development of religiously integrated schools; and the establishment of locally based collaborative school partnerships in which pupils take classes in each other schools and teachers collaborate on professional development activities. The Prevent programme does not apply to Northern Ireland.

The Assembly in Northern Ireland was restored after a 24-month hiatus at the end of January, 2024. When it doesn't sit for long periods of time education is one of the key areas that suffers, along with other public service areas. More information is available here:

<https://www.bbc.com/news/uk-northern-ireland-67726389>

Education and accountability in Scotland – Margery McMahon

Education in Scotland has a number of distinctive features, not least the commitment to public education so that there is a relatively low number of independent schools. While the more densely populated central belt region (encompassing the cities of Edinburgh, Stirling and Glasgow) has the greatest concentration of schools, the education system includes more rural and remote regions, including the highlands and islands. An ongoing concern therefore is to ensure equity in access, resourcing and opportunity wherever pupils and schools are in Scotland. Accountability mechanisms have a key role to play in this, as noted below.

Access to high quality learning and teaching is pivotal and the *Teaching Scotland's Future* report in 2011 (Donaldson, 2011) resulted in a significant shift in teachers' initial preparation and their ongoing development. In Scotland teachers' preparation is referred to as 'teacher education' rather than teacher training, reflecting how teachers and teaching are conceptualised. Teacher education is delivered through accredited university providers working in partnership with local education authorities and schools.

Education at a national level is determined by the Scottish government overseen by a 'Cabinet Secretary for Education and Lifelong Learning' (Hayward, 2018). Thirty two education authorities have responsibility at a local level and are the employers of teachers, rather than individual schools though this is not the case in the independent sector. The creation of 6 Regional Improvement Collaboratives (RICS) in 2018 was intended to strengthen cooperation across local authorities and to generate new ways to collaborate in the implementation of a 'National Improvement Framework' and a commitment to closing the poverty-related attainment gap (SPICe, 2020).

Two key agencies tasked with accountability are Education Scotland and the General Teaching Council.

Unlike other education systems in the UK, Scotland does not have a separate agency for school inspection. **Education Scotland** functions as the national executive agency charged with supporting quality and improvement in Scottish education and thereby securing the

delivery of better learning experiences and outcomes for Scottish learners of all ages (Education Scotland, online). It does this through ‘scrutiny’ or school inspections and support and development for schools. Different members of Education Scotland’s staff are attached to each RIC. These include senior regional advisers, workstream leads and attainment advisers. Scotland’s ‘Curriculum for Excellence’ is overseen by Education Scotland while the Scottish Qualifications Agency (SQA) has responsibility for national qualifications and awards.

The General Teaching Council for Scotland (GTCS) is the regulatory body for the teaching profession. Established in 1965, the GTCS is one of the oldest teaching councils in the world. It has five statutory functions:

- Maintaining a register of teachers in Scotland
- Setting the Professional Standards expected of all teachers
- Accrediting programmes leading to the award of GTCS Standards, including ITE programmes at Scottish universities
- Advising the Scottish Government on matters relating to Scotland’s teachers and teacher professionalism
- Providing public protection and assuring the high quality of the teaching profession by investigating and adjudicating on the Fitness to Teach of registrants through robust and fair regulation processes (GTCS, 2021).

All teachers are required to be registered with the GTCS, having attained the Standard for Registration on completion of their initial preparation and a one-year teacher induction programme. As a consequence of the TSF report all teachers must demonstrate and evidence how they are maintaining and developing beyond the Standard for Registration through participation in a ‘Professional Update’ programme every five years. The GTCS oversees the suite of professional standards that reflect the professional continuum in teaching from early career to headship.

In addition to the bodies noted above there are also several bodies providing advisory functions across the education system but which could also be seen to be part of accountability architecture by proxy. These include:

International Council of Education Advisers

The International Council of Education Advisers (ICEA) was established in 2016 to advise Ministers on how best to achieve excellence and equity in the Scottish education system. The ICEA's role is:

- to advise on the Scottish Government's priorities for education and ensure policy and practice
- to ensure the actions set out in the Delivery Plan published in June 2016 are influenced by international best practice
- to advise on the reporting and planning cycle of the national improvement framework and improvement plan

The ICEA has two formal meetings a year, but will take forward a workplan between meetings.

Scottish Education Council

The 37 members of the GTCS Council have a significant role to play in shaping the teaching profession in Scotland, maintaining and improving professional standards, and contributing to the development of teacher professionalism and Scottish education.

Curriculum and Assessment Board

The Curriculum and Assessment Board aims to improve curriculum and assessment policy in education, what is working in the curriculum and where improvement is required. It provides advice and guidance to Scottish Ministers.

Teacher Workforce Advisory Group

The Teacher Workforce Planning Advisory Group considers:

- the workforce planning process: in particular, the distribution of secondary subjects amongst universities and that the process reflects geographical needs
- the requirement of teachers in denominational schools
- the impact of new routes into teaching
- refinement to the teacher vacancy survey

- the method of potential clawback of funding from universities for under-recruitment and penalties for over-recruitment to courses
- what further improvements should feed into the teacher workforce planning process
- the outcome of the teacher workforce planning projections, the key factors affecting teacher supply and the aspects which should be drawn to the Scottish Funding Council's attention in ministers' guidance on ITE
- advice on teacher recruitment publicity activity

Strategic Board for Teacher Education

The role of the Strategic Board for Teacher Education (SBTE) is to oversee and evaluate reforms to teacher education since the publication of *Teaching Scotland's Future*. It acts as a centre-point for national discussion related to the standards in teaching and teacher education.:

The board works in the spirit of partnership, providing an open and frank discussion forum for members and will engage with the teaching profession and other stakeholders.

Teacher Panel

The establishment of a panel of teachers to discuss key developments in Scottish education.

This was part of the Education Delivery Plan: <https://www.gov.scot/publications/delivering-excellence-equity-scottish-education-delivery-plan-scotland/> The panel meets on a quarterly basis.

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The accountability context in Wales - Emmajane Milton and Alexandra Morgan

A brief and recent historical context

Wales is a small country serving a population of approximately 3.13 million. There are around 1400 maintained schools and approximately 26,400 teachers. Education policy in Wales has been devolved since 1999 when there was a strong and clear commitment to the prioritisation of equality of outcome for learners' and a rejection of marketisation and choice (Morgan 2002). Initially following devolution there was a move to establish educational policy that was tailored to Wales and the removal of what was perceived to be excessive accountability measures. This stance on accountability changed again in 2010, following Wales' poor performance in relation to the other UK nations in the 2009 PISA assessments (Andrews, 2011). Consequently, Welsh Government initiated a range of reforms and re-introduced significant accountability and challenge into the system.

These included:

- the establishment of the School Standards and Delivery Unit;
- the creation of four regional consortia to oversee school improvement, across local authorities;
- the introduction of a system of national testing for pupils Year 2 (aged seven) upwards, and
- the introduction of performance-based school 'banding' put in place between 2011 and 2015, which has since evolved into a 'categorization' system.

(Milton et al. 2020)

It seems this shift had the effect of realigning the lived role and identity of educational practitioners towards a more managerial, technical, bureaucratic and hierarchical type of professional practice (Connolly et al., 2018) leveraging more accountability back into the system. Against the backdrop of a perception that the Welsh education system had been underperforming a series of reviews were commissioned by Welsh Government to explore what might be needed in terms of both the future workforce and a new national curriculum (Furlong 2015; Donaldson 2015).

With the launch of a new National Mission (Welsh Government, 2017), Wales entered a different phase of educational policymaking (Titley et al., 2020). This brought a number of reforms, based on working in collaboration with the profession and co-constructing policy with the educational workforce. In tandem there was a strong commitment in policy documents to moving away from some measures of external accountability, particularly with regard to performance management (National Assembly for Wales, 2018). In this way there was an apparent emphasis on support for professional agency within the workforce and internal accountability (Biesta et al., 2015; Cochran-Smith et al., 2018). The planning and preparation stages for the new educational policy reforms were punctuated by the impact of the global pandemic.

Despite the well-documented and widespread disruption of COVID-19 the cornerstone policy of the National Mission – the new Curriculum for Wales commenced statutory roll-out from 2022 (Welsh Government 2024) even though practitioners reported feeling unclear and confused about the expectations of the new Curriculum for Wales (Duggan et al., 2022). Two years on concerns remain about how practitioners will be able to support learners to meet the new assessment arrangements (Crehan, 2024; ESTYN, 2024) which are still yet to be finalised at GCSE in some subject areas (Qualifications Wales, 2024). ESTYN (the inspectorate in Wales) have committed to working to support schools in realising the vision for Education in Wales however their most recent annual report highlights the complex and enduring issues faced as a result of the pandemic,

“Welsh education and training providers face the dual challenges of recovering from the COVID-19 pandemic whilst also working to implement improvement focused policy reforms. The shadow of the pandemic remains apparent on learners’ wellbeing and the progress that they make. Learner attendance, attitudes to learning and aspects of learners’ knowledge and skills remain weaker than pre-pandemic norms.”

(Estyn 2024, p.2)

and acknowledges Wales’ worst performance to date in the OECD PISA tests (Sibieta 2024). This clearly outlines an extremely challenging context in which teachers and leaders in Wales find themselves accountable for the wellbeing and learning of those they teach.

In order to support the profession to meet the policy vision for Education in Wales, Welsh Government in 2018 committed to investing in supporting some staff to undertake approved postgraduate qualifications (e.g. the National MA) and more recently they have offered funding for 30 places on a newly established National EdD to commence in 2025 (National MA Education, 2024). Despite this national commitment there has been some critique of the limited and delayed nature of the professional learning offer more broadly and the need for this to be prioritised for all teachers and leaders in Wales (Evans, 2022; Evans, 2023; Jones and Evans, 2023) has been highlighted as essential in realising the National Mission in Education (Welsh Government 2023).

What seems clear over the last 25 years since devolution in Wales is how challenging it is for policy makers to get the balance right between external and internal accountability for the teaching profession in order to best support and deliver on meeting learners needs.

Accountability regulatory bodies

In Wales, the Welsh Government tasks ‘arms-length’ bodies to oversee certain aspects of accountability. These are:

ESTYN established 1992 is the education and training inspectorate for Wales, responsible for inspecting maintained and independent schools, and other educational institutions.

Qualifications Wales established in 2015 to regulate qualifications, other than degrees, in Wales.

The Education Workforce Council (EWC) established in 2015 (from the re-configured General Teaching Council for Wales (GTCW)) is the independent regulator for the education workforce in Wales, covering teachers and learning support staff in school and further education settings, qualified youth/youth support workers and work-based learning. As the regulator of professional conduct for teachers and leaders it has responsibility for the regulation of the teaching profession, including misconduct hearings and the maintenance of the database of qualified teachers.

In Wales, teachers who work in a maintained or voluntary-aided school are also accountable to the employer, typically the local authority.

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