

Agenda Item	13.
Report No	EDU/27/25

# The Highland Council

**Committee:** Education

**Date:** 27 August 2025

**Report Title:** Education Bill: Update

**Report By:** Assistant Chief Executive - People

## 1. Purpose/Executive Summary

- 1.1 On 4 June 2025, Stage 3 of The Education (Scotland) Bill was passed by the Scottish Parliament by 69 votes to 47. At the time of writing, it is expected that the Bill will become Law, following Royal Assent in July 2025.
- 1.2 The Bill introduces significant structural reforms to Scotland's education system. It establishes:
  - Qualifications Scotland, replacing the Scottish Qualifications Authority (SQA), with responsibilities for devising, awarding, and accrediting qualifications (excluding university degrees).
  - His Majesty's Chief Inspector of Education in Scotland (HMIE), a new independent body responsible for inspecting educational establishments and reporting on the performance of the education system.
- 1.3 This report provides more detail on the new legislation and also a summary of wider education reforms that are underway relating to curriculum development and qualifications & assessment.

## 2. Recommendations

- 2.1 Members are asked to:
  - i. Note the briefing report.

## 3. Implications

- 3.1 Resource
  - Staffing and Training: There will be a need to support staff in adapting to new inspection frameworks and qualification standards. This may include:
    - Updated inspection protocols
    - Learner and teacher/practitioner charters for Qualifications Scotland
    - Collaboration with the new bodies

- **Data and Reporting:** Increased reporting obligations to Qualifications Scotland and the Chief Inspector may require enhanced data systems and administrative support.
- **Financial Pressures:** COSLA has highlighted ongoing funding constraints, particularly in light of teacher pay negotiations and increased employer costs.
- **Implementation Support:** Transitioning from SQA to Qualifications Scotland will require guidance dissemination.

### 3.2 Legal

- **Statutory Duties:** The Highland Council must comply with new inspection protocols and enforcement mechanisms.
- **Information Sharing:** The Council will be legally required to provide data and cooperate with inspections.
- **Charters and Rights:** The Act will mandate learner and teacher charters, which may have implications for service standards.

### 3.3 Risk

- **Compliance Risk:** Failure to meet inspection or qualification standards could trigger enforcement actions.
- **Industrial Relations:** Ongoing tensions around pay and workload (e.g., class contact time) may lead to industrial action.
- **Capacity Risk:** There may be challenges in resourcing the transition and meeting new expectations.
- **Reputational Risk:** Public reporting by the Chief Inspector could impact perceptions of local education quality.

### 3.4 Health and Safety (risks arising from changes to plant, equipment, process, or people)

There are no known risks.

### 3.5 Gaelic

The Act will explicitly require Qualifications Scotland and the Chief Inspector to:

- Promote Gaelic Learner and Gaelic Medium education.
- Consider the needs of Gaelic language users in publications and inspections.
- Support the teaching of Gaelic in further education.

The Highland Council must ensure alignment with these duties, potentially requiring curriculum development, staff training, and community engagement. These duties align with the Scottish Languages Bill.

## 4. Impacts

### 4.1 In Highland, all policies, strategies, or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

- 4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.
- 4.3 This is an update report and therefore an impact assessment is not required.

## **5. Overview of The Education (Scotland) Bill**

- 5.1 Part 1: Establishes Qualifications Scotland, with functions including:
- Awarding and accrediting qualifications.
  - Quality assurance.
  - Publishing learner and teacher charters.
  - Operating with transparency and inclusivity.
- 5.2 Part 2: Establishes His Majesty's Inspectorate of Education in Scotland (HMIE), with powers to:
- Inspect educational establishments.
  - Publish inspection plans and reports.
  - Refer underperforming schools or authorities to Ministers.
  - Issue enforcement directions.

Thereby removing the inspection function from Education Scotland.

- 5.3 Part 3: Covers transitional arrangements, including the dissolution of the SQA and transfer of staff and assets.
- 5.4 Two elements of reform activity are not part of the Bill's provisions. These are the revised remit of Education Scotland, which will see it continue as the national education agency but with a focus on the curriculum, and the establishment of a Centre for Teaching Excellence, which will be launched at the start of the new academic year and help support teachers' professional development.

## **6. Governance and Accountability**

- 6.1 Qualifications Scotland will be overseen by a board with representation from learners, teachers, and industry. It will have at least the following:
- Learner Interest Committee
  - Teacher/Practitioner Committee
  - An independent Accreditation Committee covering:
    - Accrediting qualifications
    - Assessing suitability of establishments that provide accredited qualifications
    - Advising Ministers on accreditation matters

Qualifications Scotland is required to consult widely and publish corporate plans and annual reports. The Chief Inspector operates independently but must report to Parliament and Ministers.

## **7 Stakeholder Engagement**

- 7.1 COSLA has expressed concern over the financial sustainability of reforms, especially in the context of teacher pay. Trade unions have welcomed aspects of the legislation

but remain critical of delays in workload reforms and class contact time reductions. The Scottish Government maintains that the Bill is a key step in modernising education and restoring trust in qualifications and inspections.

## **8 Implementation Timeline**

- 8.1 The Bill is expected to become law in July 2025. The Scottish Government has indicated the intention for Qualifications Scotland and the new Inspectorate to be established and operational by Autumn 2025. Transitional arrangements will be put in place to ensure continuity of qualifications and inspections.

## **9. Wider Education Reforms**

### **9.1 Curriculum Review**

Education Scotland (ES) will become a curriculum focused organisation, centring on design, delivery and improvement of the curriculum. ES initiated the Curriculum Improvement Cycle (CIC) in early 2024 and renewed curriculum guidance is anticipated to be available to teachers and practitioners in 2027. Implementation is planned from the beginning of the 2028/29 academic year for those up to Third Level (P1 to S3), with the adoption for Fourth Level and beyond (S4 to S6) taking place in the 2029/30 academic year.

### **9.2 Qualifications and Assessment**

Qualifications and assessment reform will be led by the SQA, with the involvement of delivery partners such as Education Scotland, the Scottish Credit and Qualifications Framework Partnership (SCQF) and Skills Development Scotland (SDS).

Qualifications currently used in the Senior Phase (S4 to S6) will be reviewed and reformed, with work also being undertaken to ensure parity of esteem between qualification types. This will inform changes to qualifications and assessment with approaches to assessment in the senior phase to have a reduced focus on exams, where appropriate, and to include digital assessment. The Scottish Government's stated intention is to have the new curriculum formally adopted in 2028 with associated qualifications becoming available in 2031.

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Appendices: None