

Isle of Man Government Review of DESC Management & Governance Arrangements

FINAL

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Executive Summary

- In the light of concerns expressed about the relationship between the department and schools, the Chief Minister and the Chief Secretary felt that it would be prudent to commission an independent review to examine the relationships between the DESC and Schools.
- The review was overshadowed by the on-going teachers' pay dispute which in many respects is symptomatic of a general deterioration of relationships between the department and schools. In our view, there are a number of management, organisational and cultural issues which have contributed to this deterioration. These can be summarised as follows:
 - Governing Boards: Apart from one or two notable exceptions, the role of governing boards in Isle of Man schools is weak. Governing boards play a pivotal role in governance and should be responsible for overseeing and holding to account the leadership and management side of a school.
 - Education Improvement Service: The role of EIS is conflicted. School Improvement Advisers (SIAs) are expected to provide advice to the School Leadership Team whilst being accountable for the school evaluation (SSRE) process which judges how well the school is performing.

Executive Summary

- Director of Education: The Director is line manager of 37 headteachers and the Principal of UCM. The Director is also accountable for EIS including line manager of 5 SIAs, and also acts as SIA to one primary and one secondary school. Rarely have we seen a role whose remit and responsibilities are this extensive. Put simply, the remit of the role makes no sense from an organisational, management or governance perspective.
- Policy: There is no identifiable policy hub or clear focal point within the department to consider, develop and support the implementation of education policy.
- Education Council: The role and remit of the Council is unclear and we could see no value in its long-term existence.
- However, in our view, the most significant weakness in the present arrangements is not management or organisational it is cultural.

Executive Summary

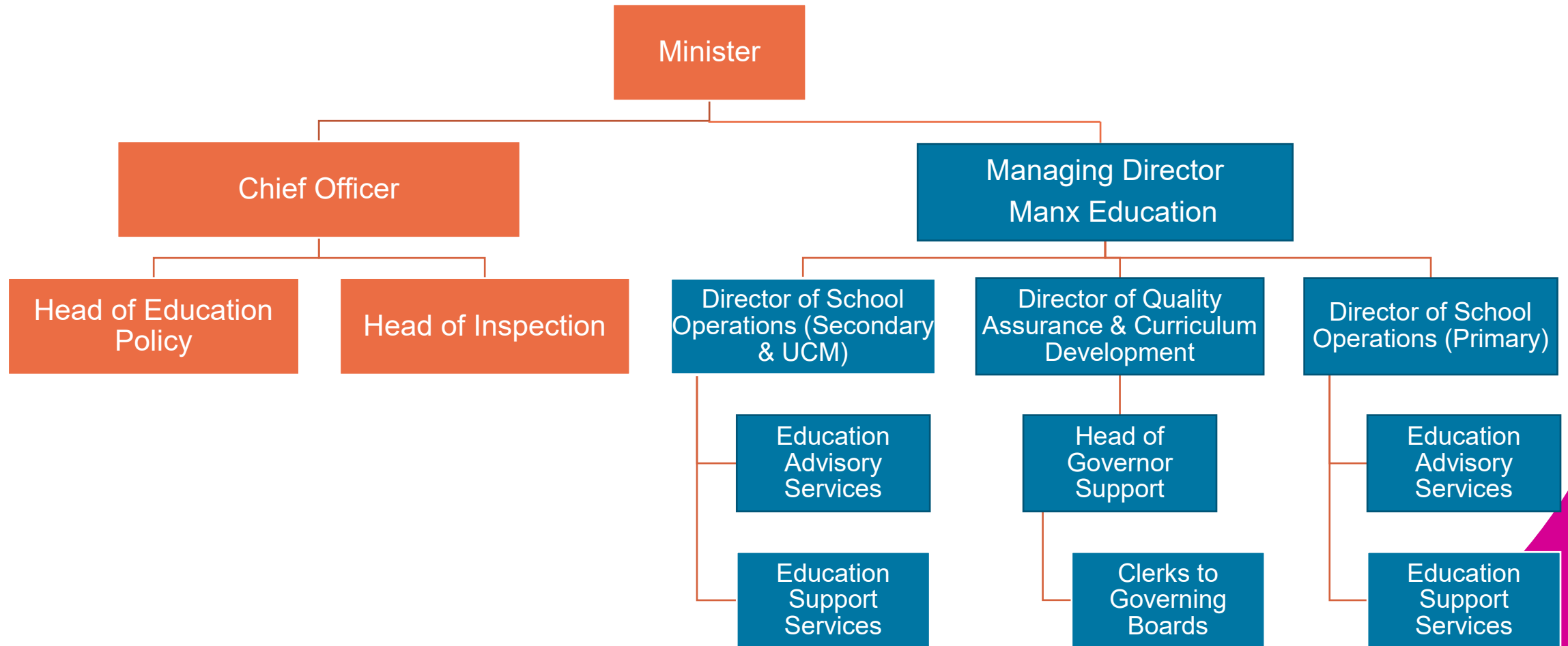
- Culture is probably the most difficult managerial issue and yet, in many ways it is often the most important determinant of whether an organisation succeeds or not. We noted that interactions between the department and schools particularly at senior levels are:
 - Formalised through meetings (with each party doubting their value)
 - Collaboration is variable and, in some instances, non-existent.
 - There are no key common values
 - Critical behaviours seem to predominate over collaboration and supportive behaviours
 - Each party highlights instances of what they consider to be inappropriate behaviours
- In short, there has been, and continues to be, a long-standing battle of wills particularly between the department and secondary school teachers as to 'who's in charge'. For too long the mindset of senior departmental staff and secondary school headteachers has been focused on levels of autonomy and control when both parties should have been working together to agree how their respective roles should complement and support one another, and not how one party should exercise control over the other.
- In our view, this issue is the root cause of the cracked relationship between the department and schools which we believe is fractured and must be repaired.

Executive Summary

- Moving forward, we believe the best way to reset the relationship between the department and schools, and to address the management, organisational and governance issues we have identified, is to establish a Manx Education Board following the same principles that Sir Jonathan Michaels outlined for DHSC.
- Based on these principles this would require the establishment of a separate board which would be responsible for the delivery of all primary and secondary education – a school led system not a department led system. An outline organisational model is shown on page 7.
- Key features of this model would be:
 - Manx Education Board accountable to the Minister.
 - Governing boards accountable to the Manx Education Board with a new Head of Governor Support to be appointed to support and strengthen the role of governing boards.
 - Headteachers accountable to their governing boards – not line managed by the department.
 - EIS (renamed Education Advisory Services) to focus on providing advice and support to schools not inspection.
 - Education Support Services to be managed as part of the schools framework and not separately.
 - Policy to be managed and co-ordinated by a departmental policy hub.
 - Independent review and inspection to be managed and co-ordinated by the department.

Executive Summary

Manx Education Board – An Outline Model

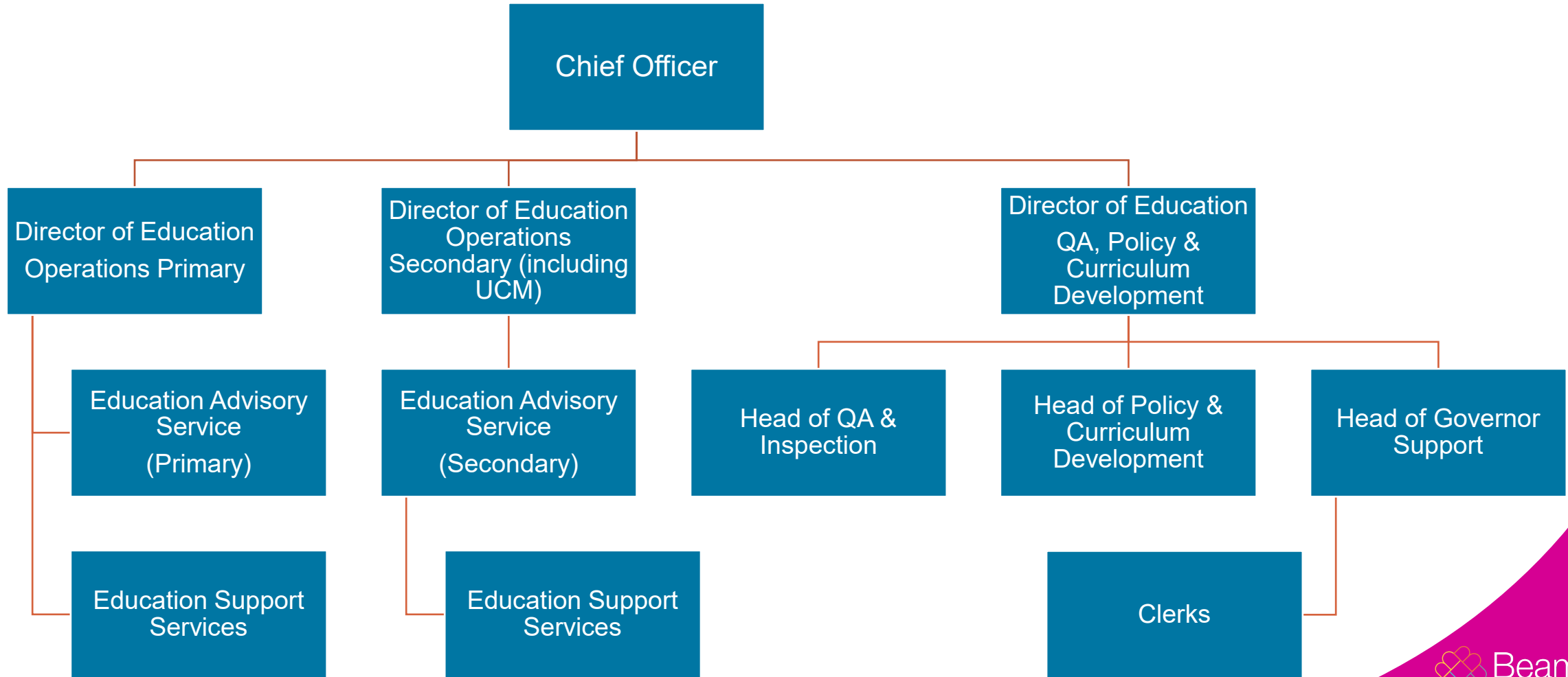


Executive Summary

- However, whilst we believe the establishment of a Manx Education Board will provide the best framework to manage, co-ordinate and support the delivery of education, and separate out responsibilities for policy, we also recognise that the legal, administrative and management arrangements needed to be put in place to establish a board framework will take time.
- We therefore propose that an interim organisational framework should be put in place to deal with the management, organisational and governance issues we have identified, and most importantly, start the process of resetting the relationship between the department and schools.
- An illustration of this interim organisational framework is shown overleaf on page 9.
- In the short term we believe that this framework can be put in place relatively quickly and will also support the transition to, and establishment of, a Manx Education Board.
- Key features of this framework are highlighted on page 10.

Executive Summary

The Organisational Model (Interim Framework)



Executive Summary

- Key features of the interim framework include the following:
 - Headteachers accountable to their governing boards.
 - Responsibilities for managing, co-ordinating and supporting delivery of primary and secondary education to be managed separately with greater focus on providing more effective support.
 - EIS (renamed Education Advisory Services) to focus on providing advice and support to schools not inspection
 - Education Support Services to be managed as part of the schools framework and not separately.
 - Quality assurance, policy and curriculum development to be managed and co-ordinated by a separate Director with no advisory responsibilities.
 - A new Head of Governor Support to be appointed to support and strengthen the role of governing boards (we also make separate proposals on how the role of governing boards can be strengthened to enable them to fulfil their remit more effectively).

Executive Summary

- In putting forward this proposal we make no reference to the departments' responsibilities for Sport & Culture. It is beyond our Terms of Reference to comment on how these functional elements of activity should be integrated into the organisational and management framework of the department. We would also acknowledge that many contributors argued for these functional elements of responsibility to be integrated elsewhere in government. Again, whilst we are happy to reflect this argument and acknowledge that it is a pertinent consideration, it is not a question that falls within the scope of this review process.
- Similarly, we also acknowledge that wider departmental responsibilities for Policy & Strategy and Corporate Services (which also encompass responsibilities for Sport & Culture), will need to be reviewed in the light of CoMin decisions on how it wants to re-shape the department's responsibilities for Education.
- Finally, we believe the approach we have outlined in this report will support better strategic leadership, more accountability and provide a clear structure which will better support the management, co-ordination and delivery of education. Most importantly, it will provide a better framework to reset the relationship between the department and schools and ultimately, to support the development of more collaborative values and behaviours.

Introduction

- Beamans Management Consultants were invited by the Chief Minister and Chief Secretary to carry out a review of the Dept. of Education, Sports & Culture (DESC) to review the approach of the department to managing the interface with primary and secondary schools, including an assessment of policies, practice, procedures, and protocols which form part of those arrangements.
- In particular, the Chief Minister and Chief Secretary were keen to explore how existing management and organisational arrangements could be improved to provide more effective governance and accountability.
- In commissioning the review the Chief Minister and Chief Secretary were also conscious of the fact that concerns had been expressed about the relationship between the department and schools, and therefore felt that an independent review would be helpful in establishing whether there were any grounds for those concerns.

Introduction

- The fundamental aim of the review was therefore to consider and report on:
 - The effectiveness of the existing governance model including departmental systems for setting goals and evaluating the performance of primary and secondary schools.
 - The extent to which the DESC provides effective oversight of schools and whether the roles and responsibilities of those exercising oversight are clear.
 - The effectiveness of current DESC policies, practice, and protocols (including management mechanisms) for managing the interface with schools including relationships with governing boards and school leadership teams.
 - Changes or improvements which might be made to the way in which existing functions are delivered including changes to individual roles and responsibilities
- However, in setting out the terms of reference for the review, it was acknowledged that this is not a review of the effectiveness of educational performance or attainment; it is a review of the effectiveness of DESC's management and governance arrangements for managing the interface with primary and secondary schools.

Introduction

- The full Terms of Reference are shown at Annex A. The review was carried out by Michael Bourke, David Conroy and Peter Wiles.

Our Approach

- We conducted focused interviews with all relevant parties in order to collect, understand and evaluate key information and data. A full list of consultees is shown at Annex A. To supplement the interview programme we also collected, analysed, and assessed a range of documents and data on current management and governance arrangements.

Acknowledgements

- We are grateful for the co-operation we received from all the individuals we spoke to individually and collectively during the course of the review. We would also like to acknowledge the helpful contributions and insights provided by those we spoke to on the issues and challenges facing the department and schools (including UCM). For these contributions we are grateful.
- Particular thanks to Andrea Tabb and Ruth Hannah from the Office of Human Resources for all their hard work in managing and co-ordinating all the logistical and administrative arrangements for the review.

1. Background & Context

- The review has been overshadowed by the teachers' pay dispute, although many have argued that the dispute was the catalyst or trigger point for the review.
- From our perspective whilst we are clear that our role is not to mediate, resolve or otherwise comment on the merits of the dispute, we cannot ignore it as it goes to the heart of the relationship between the department, schools and trade unions.
- It also highlights a number of issues that the review does need to address in terms of management and governance.
- Before moving on we offer some observations on the issues the dispute has highlighted. We also address these issues in more detail in the later stages of our report.

1. Background & Context

In headline terms the dispute has highlighted:

- Lack of trust between the department, teachers and the unions.
- The long-standing battle of wills with teachers (and in particular secondary headteachers) has created a vacuum which the trade unions have stepped into. And whilst the headteachers may not all always be on the same page as the trade unions, they're not supporting or endorsing the department's position.
- This is an important point because the dispute goes beyond pay. It has escalated because the teachers are unhappy with the department (and there are reasons for this) and have turned to the trade unions for support.
- Our findings suggest that the department is not particularly good at consulting, negotiating and communicating.
- There is a lack of understanding and appreciation, and in some instances a lack of self-awareness, on the part of the department that the present dispute is largely a result of alienating their key constituents – headteachers and teachers.

1. Background & Context

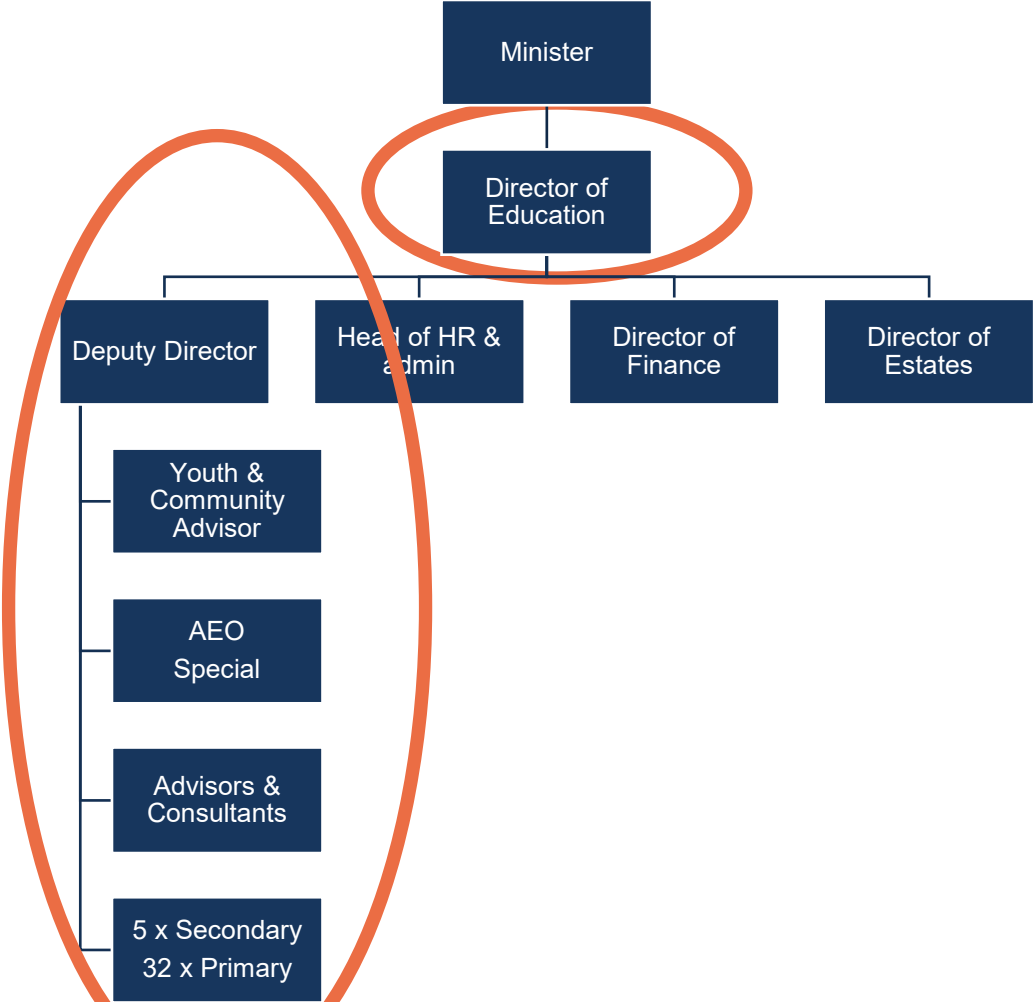
- Before looking at the issues relating to management and governance it is also worth noting that the department – its organisational structure, processes and resource requirements (posts) – was last reviewed in 2002 by Ofsted.
- This is unusual in that most, if not all, Isle of Man government departments will have gone through at least one (if not more) fundamental reviews since that time.
- The organisational structure of the department has never changed save in terms of nomenclature. The Director of Education (as was) is now referred to as the Chief Officer, and the Deputy Director (as was) is now referred to as the Director of Education.
- The earliest organisation chart we could find dates to 2003. The structure shown on page 19 pre-dates 2003 but we are unsure how far back it goes.

1. Background & Context

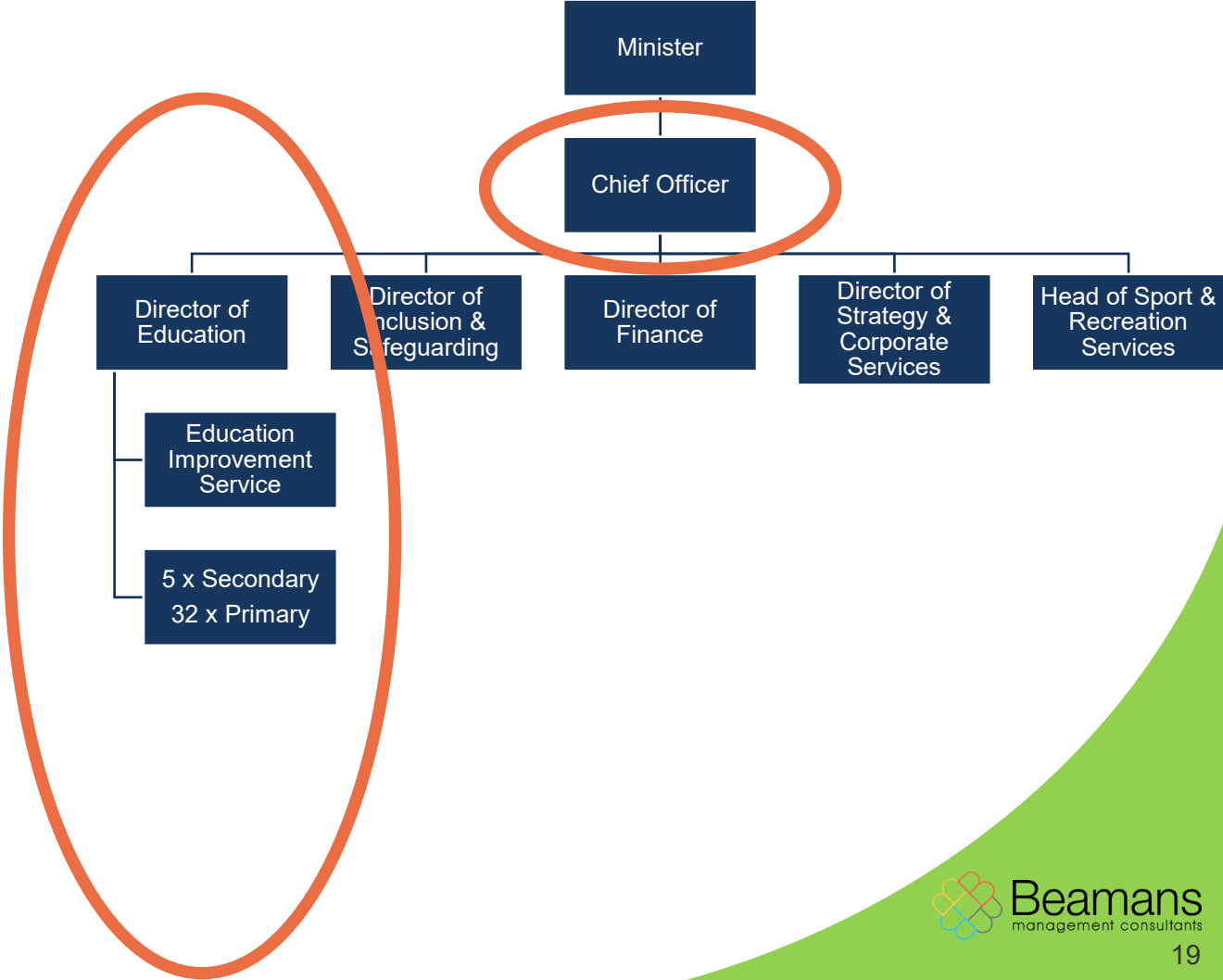
- It is also worth noting that in the Isle of Man, whilst Graham Reeves Ltd provides inspectorial services, as far as we can tell the department's delivery of service provision i.e. Educational Improvement Services, have not been subject to review since 2002. Whereas in the UK service delivery by Local Education Authorities (LEAs) are subject to regular external review by Ofsted.
- The only review of note we could identify was an Internal Audit report of 2018 which focused on how the EIS support schools through the use of the SSRE to monitor, evaluate and improve attainment.

1. Background & Context

The Dept of Education 2003



The Dept of Education, Sport & Culture 2020



1. Background & Context

- In policy and operational terms educational strategy, policy and operational delivery has always operated around 2 pivotal roles – the Chief Officer and the Director. We doubt whether this is a result of any carefully weighted judgement that the department's organisational structure provides the most effective means to manage, co-ordinate and deliver education, but simply an acceptance of the status quo.

1. Background & Context

- Finally, by way of background we highlight an extract from a job evaluation profile compiled for the then Director of Education in 2003. In our view the same statement could be written for the current Director of Education in 2020.
- *As stated earlier there are also a number of operational issues which the role holder will need to steer or lead personally. A particularly important initiative relates to corporate governance at schools' level where the department is keen to promote greater levels of responsibility and accountability amongst head teachers and Governors. In overall management terms the role of Governors in Isle of Man schools has been weak. As part of the Schools Improvement Strategy the department is keen to strengthen the Governors' management role so that they take more responsibility for the overall stewardship of the school. Equally the department is keen to promote more autonomy for schools with more emphasis on schools managing, controlling and being held accountable for budgetary and financial matters. Taken together these two initiatives represent a cultural shift away from a centrally managed model to a locally managed model.*

2003 JESP Profile for the post of Director of Education

1. Background & Context

- We have highlighted this quote specifically because the role of governing boards and governors is fundamental to good governance.
- In an education delivery context the lack of effective governing boards represents a significant failure of governance and should be a major concern.
- In any corporate risk assessment process we would expect a situation like this to be highlighted as a priority area for action and mitigation. We would expect this to be at very top of the departmental risk register with a red RAG rating.
- We return to this issue and how it needs to be addressed in section 8.

2. Our Approach

- The review has revealed a large number of issues that need to be addressed ranging from levels of educational provision and delivery of services, to the development and delivery of policy.
- As part of the review process we have not set out to analyse how each of these issues should be addressed but have focused on ensuring how the department should be structured and equipped to deal with those issues.
- Put simply, we have focused our attention on how the department needs to be structured to deliver its educational policy, operational, management and governance remit, and most importantly, do so in collaboration and harmony with schools.
- However, at Annex B we have highlighted issues that we were made aware of and do need to be addressed by the department regardless of the outcome of this review process.

2. Our Approach

- Against this backdrop we have focused on the key interfaces between schools and the department:
 - Governance – the relationship between schools, governors and the department including mechanisms for the management, monitoring and evaluation of schools.
 - Operations – the delivery of educational and corporate services by the department (and more widely other departments).
 - Policy – the framework for the development and delivery of education strategy & policy.

2. Our Approach

- In considering these key interfaces we have also looked at the following elements of departmental organisation:
 - Structure – how the department is structured to deliver its education remit including the roles and responsibilities of those responsible for delivering that remit.
 - Systems & Processes – the systems and processes in place to support the department in delivering that remit.
 - Communications – how the department interacts with schools across each core interface.
 - Culture – the culture of the department and its inherent behaviours and values.

2. Our Approach

- Annex A sets out a complete list of those we spoke to as part of the review process .
- The purpose of these discussions was to obtain as many perspectives on the relationships between the department and schools, as well as an understanding of the type, quantum and level of interaction that takes place between the department and schools.
- However, in considering the issues raised we recognise that schools are not homogenous and whilst there are obvious differences between secondary and primary schools, within these cadres there are also distinct differences. We also recognise that headteachers, as individual autonomous senior managers, may share similar views to their colleagues on particular issues, but by the same token, their views may differ quite markedly on others.
- Similarly, individual teachers will also have differing views in relation to management, governance and departmental relationships.

2. Our Approach

- However, the purpose of the consultation was not to conduct an opinion poll, it was to try and identify the key issues that impact on the relationship between the department and schools, and how they impact on schools collectively and individually.
- What was clear from this process was the most significant relationship, and the one which is clearly the most fraught, is that between the department and secondary school headteachers. However, in commenting on this relationship we have taken an objective view as to how the relationship works and operates collectively, recognising that some relationships between individual headteachers and the department may differ.
- By contrast the relationship between the department and primary schools is less fraught. Again, in commenting on this relationship we have taken an objective view as to how the relationship works and operates collectively, but recognising that individual relationships between 32 primary school headteachers and the department will differ.

2. Our Approach

- Finally, some points on references in the following sections of the report:
 - We recognise that the department's responsibilities extend beyond education and also encompass responsibilities for sport and culture. However, for ease of reference when we refer to the department we do so solely in relation to its responsibilities for education unless otherwise stated.

3. The Governance Interface - Introduction

- The current governance model for schools is shown on page 33.
- This is the most significant interface between schools and the department.
- In considering this interface it is important to remember that there are differences in the level of autonomy afforded to secondary and primary schools, mainly with regard to delegated financial management.

3. The Governance Interface

- In headline terms the model operates on the following basis:
 - The **Minister** is accountable to Tynwald for Education.
 - The **Chief Executive Officer** is accountable to the Minister for departmental performance.
 - The **Articles of Government** for schools define the **headteachers** remit – role & responsibilities.
 - All headteachers (5 x secondary; 32 x primary) plus the Principal of UCM report to the **Director of Education** who is their line manager. The **Director of Education** is accountable to the **Chief Executive Officer**.
 - The **School Governors'** remit is to oversee schools' management & governance.

3. The Governance Interface

Governance Model (cont.)

- The **Education Council** advises the department on any matter of educational policy. Education Council members also attend meetings of the governing boards as a representative of the department.
- There is a **School Improvement Adviser** (SIA) for each school appointed by the department. The **SIAs** are accountable to the **Director of Education**.

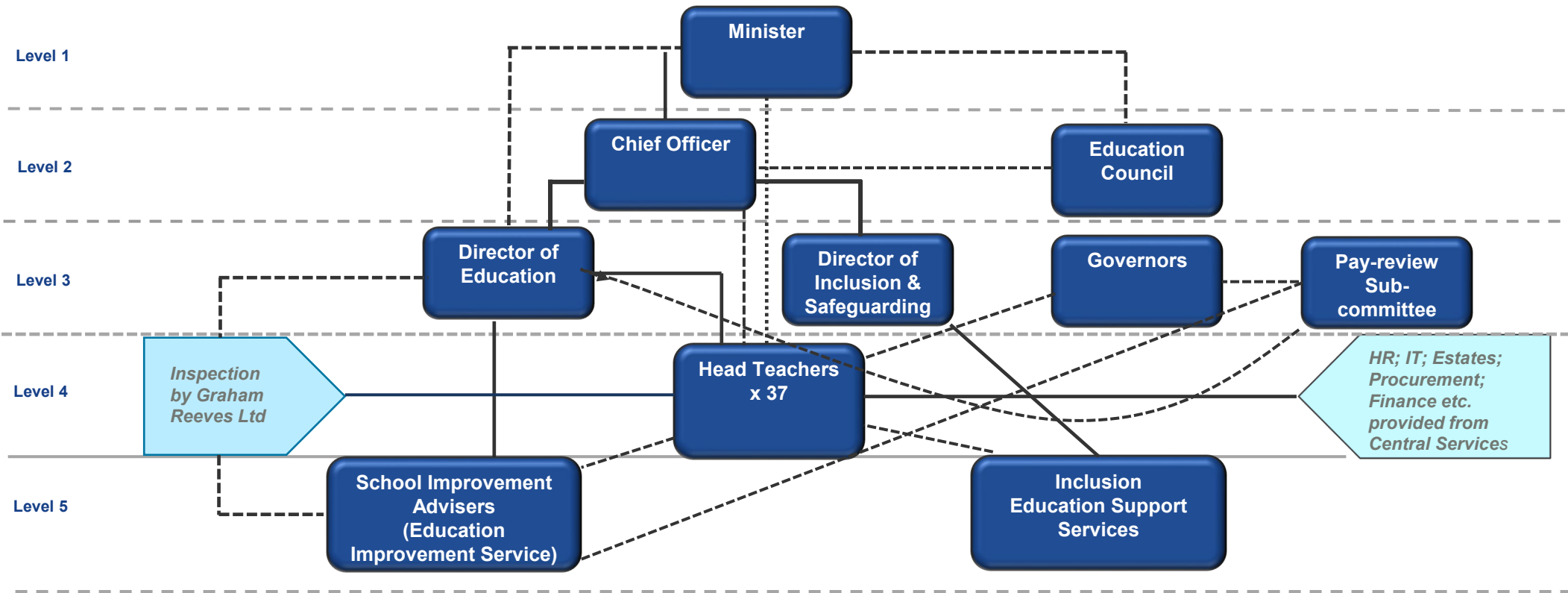
3. The Governance Interface

Governance Model (cont.)

- All schools are required to undertake on-going school self-review and evaluation (**SSRE**).
- In order to test out the judgements schools are making about themselves **a validator from Graham Reeves Ltd** then visits the school with a **SIA** from the department. An **SIA, and on occasion the Director**, also accompany and work alongside the **validator from Graham Reeves Ltd** on every external validation.
- The performance and pay of the **headteacher** is determined through a review process involving **the SIA, the Director of Education, Governors & a member of the Education Council** who sits on the governing board of each school.

3. The Governance Interface

Governance Model – Lines of Accountability



3. The Governance Interface

- In the following pages we comment on each main element of the governance model and the part each individual, group or policy is expected to play in relation to the governance of schools.
 - Minister
 - Chief Officer
 - Director of Education
 - Education Council
 - Governors
 - Headteachers (Articles of Government for Schools)
 - Governors' Pay-review sub committee
 - Education Improvement Service – SIAs
 - Inspection – Graham Reeves Ltd

3. The Governance Interface

Minister

- The Minister is the political head of the Department and is supported by departmental members Mrs Marlene Maska MLC and Mrs Ann Corlett MHK.
- The Minister determines the policies of the Department and works in accordance with the Government Departments Act 1987.
- The Minister is also expected to answer questions in Tynwald and in front of select committees, take legislation through Tynwald and negotiate with other parts of government.

Chief Officer

- The Chief Officer is accountable to the Minister for the management and organisation of the department.
- The department's draft strategic plan for 2019-2023 states that the Chief Officer heads a small Senior Leadership Team, who, along with headteachers and the Principal of the University College, Isle of Man (UCM), advise on policy formulation, implement the policies adopted and provide leadership and management to the staff.

3. The Governance Interface

Director of Education

- In relation to the governance model the Director of Education is:
 - Line manager to all 37 headteachers, 32 x primary and 5 x secondary.
 - SIA to one secondary and one primary school.
 - Accountable for the Education Improvement Service and line manager of the 5 SIAs.
 - Responsible for the appraisal of 2 headteachers (one primary, one secondary) as a SIA.
 - Responsible for determining any question as to the operation or application of any of the provisions set out in the Articles of Government for schools.

- Additionally, the Director is also the line manager of the Principal of University College, Isle of Man (UCM).

- More widely, the Director is also responsible for providing advice to the Minister and departmental members on educational strategy and policy.

3. The Governance Interface

Articles of Government for Schools

- Each individual school has its own articles.
- The Accounting Officer for the department is the Chief Officer.
- Headteachers are not Accounting Officers, but the Articles state that the headteacher is accountable for all income and expenditure. The Accountable Officer for the department (Chief Officer) delegates budget and budget authority to headteachers as budget holders. Each headteacher and holds a formal letter of delegation signed by the Chief Officer.
- As designated budget holders they are personally responsible for ensuring that the designated budget area for which they are responsible has adequate controls in place to provide a reasonable assurance that it complies with Financial Regulations.

3. The Governance Interface

Articles of Government for Schools (cont.)

- The Articles also state that the headteacher in collaboration with the governing board are responsible for:
 - Direction & Conduct of the School
 - Curriculum
 - Organisation and Management
 - Standards
 - School Improvement Plan
 - Reports to the Governing board
 - Attendance at meetings of Governing board
 - Attendance at meetings of Governing board
 - Visits and Inspections by Governing board
 - Reports by Governing board
 - School Discipline
 - Bullying
 - School Uniform
- However, the Articles also state that any question as to the operation or application of any of these provisions shall be referred to and determined by the department.

3. The Governance Interface

Headteachers

- The Articles of Government for each school state headteachers are responsible for:
 - The internal organisation of the school.
 - Formulating aims and objectives, policies and targets for the governing board to consider adopting.
 - Giving the governors the information they need to help the school raise its standards.
 - Reporting on the progress pupils make at least once every school year.
 - Undertaking the School Self Review and Evaluation Process (SSRE) and keeping the governors informed of the outcomes.

3. The Governance Interface

School Governors

- The Articles of Government for each school mandate the following as the responsibility of governing boards:
 - Standards - ensure a strategic and systematic approach to promoting high standards of educational achievement.
 - Policies - deciding how, in broad strategic terms, the school should be run.
 - Targets - ensuring that targets are challenging.
 - Curriculum - ensuring that the curriculum is balanced and broadly based and that the statutory curriculum is taught.
 - Finance - monitoring the expenditure of the budget allocated to the school.
 - Appointments – supporting the department in the appointment of the head teacher and deputy head and appointing all other staff.
 - Discipline - carrying out the procedures for staff conduct and discipline.
 - Appraisal - of the headteacher.

The Governance Interface

School Governors (cont.)

- The task of appraising the headteacher, and the setting of targets and objectives, is undertaken by any two members of the governing board, usually the Chair and Educational Council representative.
- The two members of the governing board tasked with the appraisal are supported by a SIA. In secondary schools a suitably qualified and experienced external adviser, who is, or has been, a secondary headteacher is employed to support governors and the SIA in appraising the headteacher.
- A pre-review report is produced by the SIA with the external adviser (in secondary schools) and the headteacher. This is given to governors
- After governors have discussed the report, the SIA and headteacher meet with the Governing Board to confirm the headteacher's appraisal outcomes.
- Based on a satisfactory appraisal outcome, future targets are then discussed and agreed for the next appraisal cycle by governors. A post-review report is prepared for governors and given to the headteacher and the Director
- Recommendations are made by governors on any appraisal-related salary enhancement.
- Final sign-off of all headteachers' salary enhancements are made by the Chief Officer.
- In the event of a dispute resulting from the appraisal process the Director sets up an appeal panel with another headteacher, a union representative and the Director.

3. The Governance Interface

The Education Improvement Service (EIS)

- The EIS is responsible for the quality assurance of education delivered through schools. This is managed through the School Self Review & Evaluation Framework (SSRE) (see following pages).
- The EIS School Improvement Advisers (known as SIAs) have a monitoring and evaluation role, gaining an overview of the performance of schools, and ensuring that the department fulfils its responsibilities in relation to Section 50 of the Education Act 2001, which describes the arrangements for the inspection of schools.
- Individual SIAs also have various line management responsibilities for some education support services such as Music, ICT and Manx language. Careers and Health-Education are also included within the EIS. There are also a number of Advisory Teachers and Support Officers in post (and who form part of EIS) who offer specialist expertise to schools, and support the development of classroom practice.
- EIS SIAs both advise and inspect and contribute to the pay review process for headteachers (see page 41 for details of the pay review process for headteachers) .

3. The Governance Interface

School Self Review & Evaluation Framework (SSRE)

- All schools on the Isle of Man maintain an on-going process of School Self Review and Evaluation (SSRE). Schools produce a summary document, which provides judgements for each section of the SSRE together with a supporting commentary.
- This involves a programme of monitoring against a range of factors relating to the school's work, performance of all aspects of their own work, and a self-evaluated judgement about the quality of that work. Headteachers are supported in doing this by SIAs from the Education Improvement Service (EIS).
- This self assessment process is validated, by an external validator from Graham Reeves Ltd appointed by the department and supported by the headteacher of the school, a SIA and the Director of Education. The external validation focuses solely on the SSRE factors and parameters and does not bring any independent, external standards regime to the process.

3. The Governance Interface

School Self Review & Evaluation Framework (SSRE) (cont.)

- In the periods between external validations (3-year cycle), SIAs are charged with on-going review and assessment validation of the various SSRE factors during their normal visits to schools.
- As noted earlier, EIS SIAs act as both adviser and inspector.
- The Director of Education also acts as a SIA. We are also given to understand that the Director also regularly accompanies the validator from Graham Reeves Ltd on validation visits.

3. The Governance Interface

The Education Council (EC)

- The EC came into existence on 1 January 2016. It sits as an advisory board to the department.
- The EC consists of volunteers whose role is to discuss and advise the department on any matter of educational policy.
- The EC members are typically allocated to three schools and attend meetings of the governing boards as a representative of the department.
- Beyond this it is not clear what remit the EC fulfils.

3. The Governance Interface

- There are a number of issues we would highlight in relation to the existing governance arrangements. These are set out in the following pages.

3. The Governance Interface - Conclusions

Accountability – Articles of Government

- The boundary lines between the department and schools in terms of operational responsibilities and accountabilities are blurred. It was not clear to us where the responsibility and accountability of headteachers begins and ends and what, if anything, should be referred to the Director of Education.
- In practice there seems to be a marked difference between the formal boundaries that schools operate within i.e. delegations as set out in the Articles and Financial Regulations, and the informal boundaries that schools actually work within i.e. what has to be approved by the department and what the department expects to approve.
- In our view, the Articles of Government need to be replaced by an agreed protocol (charter or framework) which makes clear where departmental, governors and headteachers' responsibilities and accountabilities begin and end.

3. The Governance Interface - Conclusions

Director of Education & Education Improvement Service (EIS)

- It is difficult to comment on the Director's role without commenting on the role of EIS and that of the SIAs. This is largely because the Director is a SIA and accountable for the work of EIS including line management of the 5 SIAs. For that reason we have combined our comments on the remit and role of the Director with that of EIS.
- However, before looking at that particular role and remit, we need to reflect on the Director of Education's role as line manager of 37 headteachers. This would appear to be based on the traditional civil service model of line management which focuses on managing people effectively on a day-to-day basis.
- Whether this model of line management is appropriate is a moot point, but even accepting this approach, this is an impossible line management remit for any individual to fulfil in any meaningful way.

3. The Governance Interface - Conclusions

Director of Education & Education Improvement Service (EIS) (cont.)

- Turning now to the role of the EIS and the Director's role as a SIA.
- An individual cannot be responsible for providing advice to a School Leadership Team as a SIA whilst being accountable for the school evaluation (SSRE) process which will judge how well the school is performing; particularly as those performance levels could be directly linked to the advice provided by the Director as a SIA.
- Put simply, the existing governance arrangements which allows the Director and EIS to both advise and then subsequently assess the performance of schools through the SSRE process represents a weakness in the system. These responsibilities should be segregated in the interests of good governance.
- Moreover, as we noted earlier, we are also given to understand that the Director regularly accompanies the validator from Graham Reeves Ltd on validation visits. The reasons for this are unclear but, in our view, this undermines the independence and objectivity of the validation process. The Director should not play, or be seen to play, any part in the external validation process.

3. The Governance Interface - Conclusions

Director of Education & Education Improvement Service (EIS) (cont.)

- A consequence of this mixed advisory and inspectorial role, is that it offers headteachers no access to help or support. If a headteacher turns to EIS for advice, guidance and support, or seeks to discuss issues which may be causing them concern, there is a risk that they will be being judged through the SSRE process, or by the Director of Education acting in a line management capacity.
- In short, there is no incentive for any headteacher to interact with EIS on any issue, personal or otherwise, for fear it could have negative consequences.
- Neither the headteacher or EIS Advisers (including the Director) should be placed in a position where they are expected to have confidential and candid conversations on a range of issues some of which might be highly personal, and then in a separate capacity advise on that individuals' relative levels of performance. And also support the annual appraisal-related pay award for headteachers.

3. The Governance Interface - Conclusions

- There is an urgent need to separate out the EIS advisory role from its school evaluation role – a matter of organisational design we comment further on in section 9.
- We also note that the role of EIS has not been subject to any scrutiny or review since the Ofsted review of 2002 which at the time highlighted a number of deficiencies which are still evident notably that relating to its dual advisory and evaluation role.
- It is also noticeable that headteachers are not asked to comment formally on the performance of EIS (and the services provided by EIS including those of the SIAs) except through a general survey, last conducted in 2018. Yet, SIAs are invited to comment on the performance of individual headteachers.
- Going forward whatever model of delivery is preferred, a 360° appraisal process should be put in place for SIAs.

3. The Governance Interface - Conclusions

The Education Council

- It is not clear to us what the role and remit of the Education Council is, and whether as presently constituted, the Council should continue to operate.
- It does not operate as a traditional non-executive Board as it has no remit to maintain an oversight of departmental management and governance.
- Its role is purely advisory but the extent to which the Council influences (if at all) educational policy and strategy is unclear.
- In our view, the Council should be abolished and a new board put in place to provide oversight of educational service delivery (see page 89).

3. The Governance Interface - Conclusions

School Governors

- In theory the governing board should be responsible for overseeing and holding to account the leadership and management side of a school including issues relating to strategy, policy, budgeting and staffing.
- The governing board should enable their school to run as effectively as possible, working alongside the schools' senior leaders and supporting teachers to provide excellent education to children.
- The governing board should consider issues such as setting the school vision, mitigating financial risk and scrutinising educational outcomes.
- There is no doubt that a governing board operating effectively can transform the running of a school. However, in an Isle of Man context it has long been acknowledged that with one or two notable exceptions, there are few governing boards that fulfil the remit as defined in the Articles of Government.

3. The Governance Model - Conclusions

School Governors (cont.)

- In 2002 Ofsted identified the role of governing boards in Isle of Man schools as weak.
- In 2003 the then Director of Education acknowledged that in overall management terms the role of governing boards in Isle of Man schools is weak.
- In 2020 all parties including the department, headteachers and in some instances, governors themselves, acknowledged that most governing boards do not fulfil the remit required of them by the Articles of Government for their schools.

3. The Governance Model - Conclusions

School Governors (cont.)

- Clearly, governing boards are pivotal to good governance. However, recruitment and retention of governors represents a serious challenge. In the long-term a strategy needs to be put in place to tackle this issue (see section 8).
- In the UK where there is, and continues to be, a general recognition of the need to professionalise governance, given the increased demands on governors, payments have been introduced in some cases, to reduce problems in governor recruitment, retention, knowledge, skills and commitment.
- At the moment school governors receive a nominal attendance allowance. It is outside the scope of our Terms of Reference to recommend that governing boards should be paid (and, if so, some or all members of that board) but this question should be addressed as part of a long-term strategy to address weaknesses in school governance
- However, in the short-term this issue needs to be addressed starting with a skills audit (see page 74).

3. The Governance Model - Conclusions

SSRE & The Role of Graham Reeves Ltd

- In governance terms this is perhaps the most significant element of the framework.
- However, whilst those we spoke to during the course of the review acknowledged that Graham Reeves Ltd operates professionally and independently, many observed that the school evaluation process was solely based on the SSRE framework which they regard as weak.
- This was not a criticism of Graham Reeves Ltd but a reflection of the SSRE framework of school evaluation which in turn, dictates the scope, scale and level of scrutiny required through the validation process.

3. The Governance Interface - Conclusions

SSRE & The Role of Graham Reeves Ltd (cont.)

- The department view the absence of an Ofsted style inspection approach as a positive, as indeed do many teachers and the trade unions.
- But by the same token, many we spoke to said they would welcome a more rigorous approach – including inspections by Ofsted – with more emphasis on inspection rather than validation.
- However, from a governance perspective the question is not whether Ofsted should or shouldn't be invited to undertake inspections, it's whether the SSRE process is rigorous enough to lead to improvements in the quality of education.
- We have not reviewed the SSRE process so are unable to comment on whether it enables the department to compare, track and contrast performance over time. Nor can we comment on whether it provides the level of assurance required to set goals, measure progress and support the on-going development of schools, and of teaching and learning. However, the fact that many we spoke to during the course of the review regard the process as weak indicates that it should be reviewed.

4. The Operational Interface

Inclusion & Safeguarding

- Inclusion and safeguarding is a broad-based service delivered by the department under the management of the Director of Inclusion and Safeguarding who is accountable for service delivery.
- Services provided to school pupils by the directorate include:
 - SEN pupil support.
 - Education welfare services.
 - A range of specialist provisions including visual, hearing, and bilingual support.
 - Autism support
 - Educational Psychology Services
 - Management and coordination of Special Units

4. The Operational Interface

- The services, which are provided by a range of specialists, are well regarded within the schools.
- However, stakeholders we spoke to consider that the level of funding needs enhancing in a number of areas, in particular Special Education Needs (SEN) pupil support.
- We are not in a position to judge the adequacy of funding support for SEN needs. However, when we looked at the funding formula for Inclusion and Safeguarding which includes provision for SEN we were surprised by its level of complexity.
- We did not understand it and we doubt whether it is easily understood by those who are responsible for SEN pupil support. Indeed, we were left wondering as to how anyone could determine whether needs in these areas were being met if no one understands the funding mechanisms. There may, of course, be perfectly good reasons why the funding for Inclusion & Safeguarding needs to be underpinned by such a complex formula. However, those reasons were not immediately apparent to us.

4. The Operational Interface

Corporate Services

- Finance, HR, IT and other corporate services are provided through the department or various arms of government. HR provision is the responsibility of the Office of Human Resources (OHR). We are unsure whether a headteacher can determine the numbers and grades of teachers required for their school, or make quick changes to the staffing profile to meet urgent or unforeseen priorities. Again, it is unclear what a headteacher has to seek departmental or OHR approval for or whether in practice, such decisions would not be taken without prior consultation with the department.
- Finance services are also provided by the department or in the case of transactional financial services e.g. payment of invoices etc., Isle of Man government's shared-services facility. Secondary schools have a Business Manager. All financial planning and budgeting is managed and co-ordinated through departmental finance officers.
- In effect, whilst headteachers can influence the construction of the schools' budget the actual budget itself is compiled and agreed by the department, and subsequently, negotiated and agreed by the department with the Treasury.

4. The Operational Interface

Corporate Services (cont.)

- Whilst there is delegated financial management for secondary schools the scope for flexible financial management by schools appears to be limited. The vast majority of the schools' budget consists of staff costs and the staff allocation is governed by the department via the annual staffing formula. Similarly, budgets for most building works are held within the Department for Infrastructure, and bids need to be made by schools for essential works. So, if, for example, the headteacher wished to purchase an additional piece of equipment or spend monies to deal with an unexpected contingency whilst not technically subject to departmental approval (headteachers in a primary school can commit £5k in a single transaction and headteachers in a secondary school can commit £15k in a single transaction) such decisions would not, in practice, be taken without the decision being reviewed by the department.
- In setting out these examples we recognise the argument that this simply reflects Isle of Man Government's financial and governance arrangements which apply to all departments. However, our argument here is not about complying with Isle of Man Government's financial governance arrangements it is about the autonomy of the headteacher to take management decisions within the wider parameters of those arrangements. In the illustrated examples it is the department that is effectively the decision maker not the headteacher. Whilst the headteacher should be accountable for the decisions that are taken, it should be left to the headteacher's discretion to take those decisions.

5. The Policy Interface

Introduction

- As outlined earlier, the department's Service Delivery Plan states that the Chief Officer heads a small Senior Leadership Team, who, along with headteachers and the Principal of the University College Isle of Man (UCM), advise on policy formulation, implement the policies adopted and provide leadership and management to the staff.
- The policy interface between schools and the department is one that has raised, and continues to raise, tensions between the department and schools particularly with the headteachers of secondary schools.
- However, before looking at the policy interface it is important to distinguish between matters of pure policy and matters of operational policy.

5. The Policy Interface

Pure Policy

- In a government context (any jurisdiction) pure policy is a series of activities intended to achieve the purposes of elected politicians in government. The 'policies' that this activity produces can be many different things including a formal expression of activities undertaken by government to achieve outcomes e.g. through strategies, announcements, or legislation
- Pure policy is political. The role of civil servants in that process is to support the decision-making process through:
 - Advising Ministers, honestly, impartially and objectively, on the options that will work to help Ministers make informed choices.
 - Considering and balancing evidence, politics and delivery at whatever stage the policy is at.
 - Bringing together often discordant information and managing the constraints of a given area and producing the 'best available' option.

5. The Policy Interface

Operational Policy

- By contrast operational policy is how pure policy is converted into robust delivery plans and then implemented and maintained collaboratively and accountably. This would naturally include working with delivery partners inside and outside of government to resolve problems effectively, identify common efficiencies, and advise Ministers on the changes that result.

The Departmental Context

- In a departmental context the term 'policy' is largely used to refer to issues of operational policy, the notable exception being the Education Bill 2020 which is clearly a matter of pure policy – the desired outcome being new legislation.
- In terms of structure to support the development and implementation of policy, we could not identify a policy hub or an identifiable point within the department with specific responsibility for policy be that matters of pure policy or operational policy.

5. The Policy Interface

- In the absence of any identifiable point within the department, our working assumption is that matters of policy, pure or operational, fall to the Director of Education.
- However, we did note that responsibility for The Education Bill was managed and co-ordinated through the Strategy and Corporate Services directorate of the department under the stewardship of the Legal & Administration Manager. We also note that policy development and review is a function that sits within the Strategy and Corporate Services directorate.
- There is no doubt that the absence of a focal point within the department to consider, develop and support the implementation of education policy has contributed to the present tensions between the department and schools around the policy interface.

5. The Policy Interface

- However, the source of those tensions is more than simply a matter of organisation. Again, the source of that tension goes back to the lack of trust between the department and schools, and this long-standing battle of wills as to 'who's in charge'.
- This point was clearly illustrated in the policy issue which arose in relation to the introduction of the Cambridge Examination Board for iGCSE Maths.
- Headteachers considered that the Cambridge Examination Board iGCSE Maths was too difficult. The department insisted that schools adopted the Cambridge Examination Board for iGCSE Maths.
- The headteachers appealed directly to the Minister who permitted schools to choose an alternative to the Cambridge Examination Board, for iGCSE Maths.

5. The Policy Interface

- As a result of the Ministerial intervention the department feel their position was undermined whilst the schools feel their position was vindicated. In short, both parties viewed this as a 'win/lose' scenario with a Minister effectively forced to take sides in what was clearly a battle of wills.
- This example was highlighted to us by both parties as an exemplar of the others' intransigence. It was also highlighted as an example of why there has to be a clear dividing line between the department's responsibility for policy and the schools' responsibility for delivery.
- However, to consider this issue as simply one of demarcation is to miss the point. In an education context there needs to be a commitment to seek consensus by engaging different stakeholders, and building ownership of the implementation of the policy between delivery partners – the department, schools (school leaders & teachers), governing boards, trade unions, parents, and pupils.

5. The Policy Interface

- The department argues that it consults and collaborates with schools in developing policy and largely leaves it to the schools to implement policy once established, whilst the schools' would argue that consultation is perfunctory, and that there is little meaningful collaboration with an expectation that schools will simply be passive implementers of policies determined by the department.
- Again, both parties view collaboration through different lenses. However, as we outlined earlier, in the absence of a focal point within the department to consider, develop and support the implementation of policy it is difficult to assert that the department has the mechanisms in place to support the effective development of policy.
- The working reality is that policy formulation, development and implementation falls within the Director of Education's remit even though there is no clear focal point within the Director's team for policy development. And whilst headteachers and the Principal of UCM are consulted on policy, they do not advise on policy (except through the consultation process) or formulate policy. That remit is fulfilled by the department.

5. The Policy Interface - Conclusions

- From our perspective the position is clear: Ministers ultimately determine policy supported by the department; the department support the implementation of policy by working collaboratively with delivery partners.
- Yet, we saw little evidence of collaboration between schools and the department on this or any other policy or related issue. Again, the department seems to equate collaboration to the number of meetings it arranges. This does not represent collaboration. A consistent theme throughout the review is that teachers (including headteachers) feel disengaged and demotivated because they are not given the opportunity to be consulted on, or to influence how professional issues are addressed.
- Unfortunately, relationships between the department and schools has now reached a point where every issue is now viewed through the prism of how it will impact on either parties' ability to control the other, and not what represents the best option or the best interests of pupils.

5. The Policy Interface - Conclusions

- This point was highlighted most recently by the Standing Committee of Tynwald on Public Accounts Emergency Scrutiny: Education During The Emergency. As the Committee remarked:

The constitutional issue about where the responsibility for education sits, and the respective roles of the Department and schools, has already been identified, but the strains of the current emergency have highlighted the cracks in the model.

- We agree that the model is cracked. We also believe that it is time to consider a new model.
- This new model needs to:
 - design policy smartly and create a conducive context;
 - follow a coherent implementation strategy and to engage with stakeholders throughout the process.
- Finally, in an education context it is important to remember that implementation is not about executing the policy, but more about building and fine-tuning it collaboratively with delivery partners

6. The Trade Union Interface

- This is not an interface between the department and schools per se, but in recent times has become the main conduit for interactions between the department and schools.
- It is beyond our remit to comment on the mechanisms for managing relationships with trade unions. However, we would make two observations.
- First, the department's relationship with the trade unions is as fractious as that with the secondary headteachers, if not more so. Clearly, the on-going pay negotiations which have over-shadowed the review have not helped.
- However, the department's relationships with the trade unions has been in the same downward spiral as that with the schools. The net effect of this has been to alienate both the teachers and the unions both of whom now view the department with varying degrees of antipathy.

6. The Trade Union Interface

- Clearly, the department's relationship with the trade unions needs to be reset in much the same way as it does with the headteachers and teachers
- In undertaking this review, we have focused on what needs to be reset and how it needs to be reset rather than pin-point who is responsible for this breakdown in relationships.
- However, what is striking is the lack of appreciation, and in some instances self-awareness, by some senior leaders in the department that it has lost the support of its key constituents – headteachers and teachers. Many we spoke to in the department believe relationships can simply be reset once the pay dispute is resolved. We doubt this will happen without fundamental change.

6. The Trade Union Interface

- In resetting this relationship consideration should be given to allowing the Office Human Resources (OHR) to take the lead on negotiations relating to pay and related terms and conditions of service. On this note, we are not suggesting that teachers become employees of the Public Services Commission (PSC), but that OHR take the lead on negotiations relating to pay and related terms and conditions of service.
- We recognise that OHR already lend support to the process through the HR Business Partner who supports senior departmental management in negotiations. However, negotiating on pay and related terms and conditions requires a level of technical and professional expertise and acumen that most employers, and trade unions for that matter, engage specialists to undertake.
- In an Isle of Man context that technical and professional expertise and acumen rests with OHR. In our view, OHR should take the lead on negotiations relating to pay and related terms and conditions of service, supported by the department not the other way round.

6. The Trade Union Interface

- However, not every issue of discourse with the Trade Unions relates to pay and conditions of service. Much of that discourse is to do with professional issues (and meeting the professional needs of teachers) as well as operational issues that may be causing concern.
- These are issues departmental senior leadership should take the lead on. In this context, we use the term senior leadership to include headteachers who as senior leaders should be directly involved in discussing and resolving professional and operational issues many of which relate to the management of schools for which they are accountable.
- Headteachers are senior leaders and managers yet their voices are seldom heard in a dialogue which is now almost exclusively conducted between the department and the Trade Unions. In our view, it is odd that those who are accountable for their schools are not part of the fora that seeks to address professional and operational issues that impact on schools.

7. The Issues - Culture

Introduction

- In the previous pages we have highlighted issues relating to each key interface between the schools and the department. There are, as we have highlighted, issues relating to the remit and responsibilities of individual posts, the structure of the department and the systems and processes the department adopt to manage, co-ordinate and support the delivery of education.
- However, before looking at what changes should be considered to individual posts, the structure of the department or systems and processes, we believe the fundamental issue the department needs to address, and the one that goes to the heart of the issues facing the department, relates to culture.
- In the following pages we explain what we mean by this and the changes that will be necessary to address this issue and change mind-sets.

7. The Issues - Culture

- Culture is probably the most difficult managerial issue and yet, in many ways it is often the most important determinant of whether an organisation succeeds or not. It comprises the inherent behaviours and values which pervade everything that is done.
- However, in the various discussions we held, the prevailing view was that the department has long been engaged in a battle of wills with headteachers particularly those with the Isle of Man's secondary schools as to 'who's in charge'.
- For too long, the mind-set of senior departmental staff and headteachers have been focused on levels of autonomy and control, when both parties should have been working together to agree how their respective roles should complement one another, and not how one party should exercise control over the other.

7. The Issues - Culture

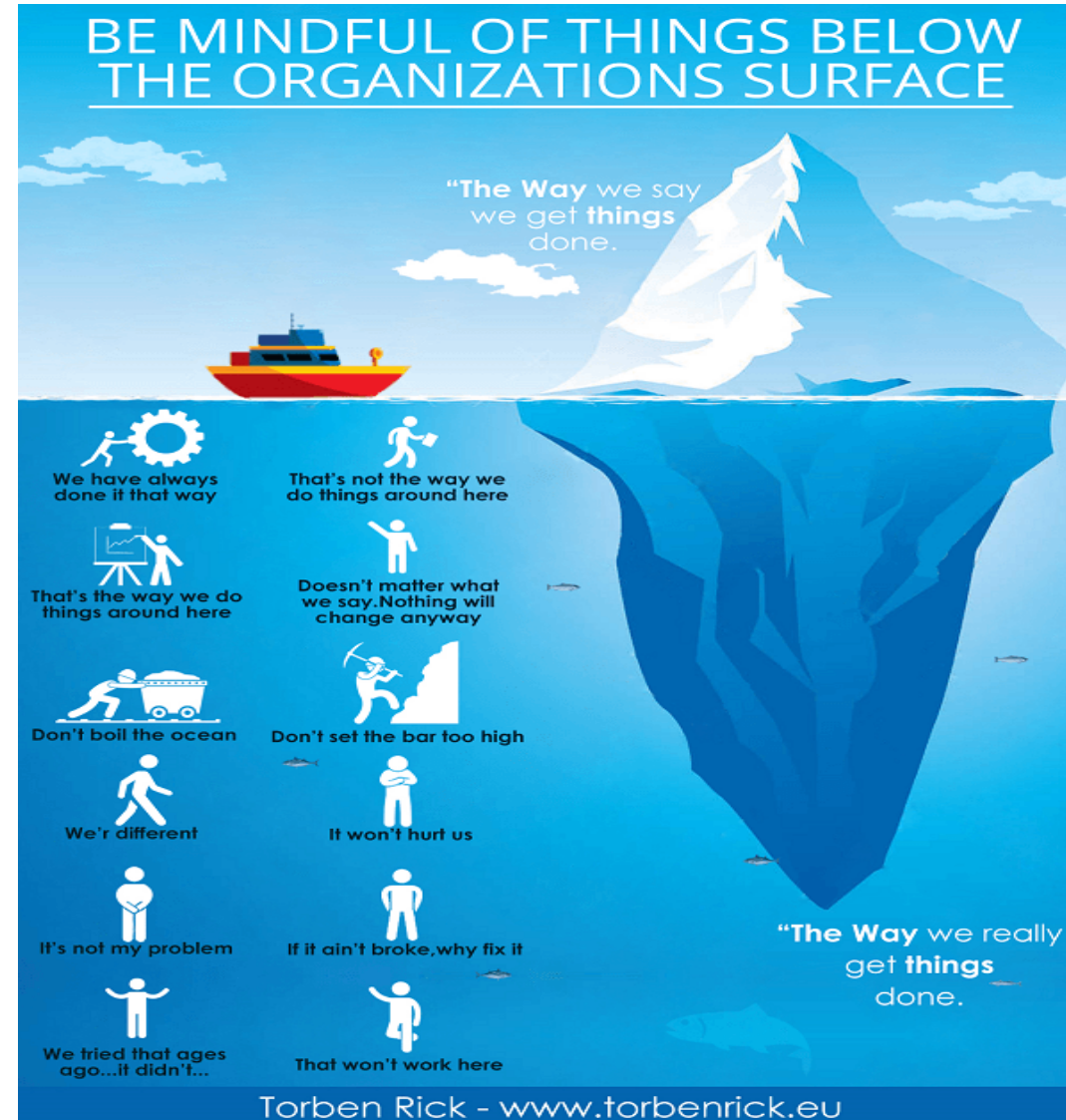
- We noted that:
 - Interactions are formalised through meetings (with each party doubting their value).
 - Collaboration is variable and, in some instances, non-existent.
 - There are no key common values.
 - Critical behaviours seem to predominate over collaboration and supportive behaviours.
 - Each party highlights instances of what they consider to be inappropriate behaviours.
- In short, the prevailing culture and behaviours of some senior staff in the department and headteachers has not been conducive to an open, supportive and collaborative culture. In our view, this has largely been generated and fostered by this long-standing battle of wills as to who exercises control over education.
- Moreover, as battle lines have become more deeply entrenched the behaviours and actions of both sides have become more combative which has culminated in the present pay dispute.

7. The Issues - Culture

- We cannot say that the present pay dispute is simply a result of a general deterioration in relationships between the department and schools. Clearly, there are issues relating to pay and terms of conditions of service that would have come to the fore even if the relationships between the department and schools was acknowledged by all parties as being open, supportive and collaborative.
- However, in our view the antipathy of schools towards the department has hardened support for the union position which is evidenced in the willingness of teachers to take industrial action, which hitherto has never happened before and is unusual in other jurisdictions.
- In this regard, we have heard from those that have joined a trade union because of their concern about the actions of management. By the same token, we have also heard from those leaving, or considering leaving, their trade union or criticising them because of concern about the attitude and actions of the union leadership.

7. The Issues - Culture

- Of course, we recognise that many will argue that the resolve of teachers to take industrial action is not linked to their views of the department.
- However, we would argue that many of the issues at play are not simply linked to pay; they are linked to the wider cultural iceberg and the views that lie beneath the surface.
- In our view, the cultural iceberg depicted opposite, although generic in nature, represents many of the cultural issues at play between the department and schools.



7. The Issues - Culture

- There are two obvious factors which exert a strong influence on culture and which need to be carefully addressed:
 - Leadership behaviour – those things that leaders pay attention to, measure, reward and control and their reactions to critical incidents.
 - Managers' behaviour – the style of management in terms of coaching and counselling or commanding and scrutinising.
- Changing the culture of an organisation is widely regarded as a significant management challenge. And in the context of the department it is the culture that needs to change as much as the processes, systems and structure of the department.

7. The Issues - Culture

- In making these observations we are not seeking to attribute blame or support one side over the other. We make these observations to highlight the point that until a more collaborative working relationship between the department and schools based on shared values and shared goals can be established, then changing the remit and responsibilities of individual posts, the structure of the organisation or the systems and processes that underpin delivery will make little difference
- Of course, changes to roles, structures, systems and processes can support more collaborative working relationships – and in the following section we make proposals on the changes that we believe are necessary to facilitate that change.
- However, unless there is a change in the key dynamic and interface between the department and headteachers, organisational changes will not cut it.

8. The Reform Agenda

- There are many models similar to the one opposite that highlight various elements of an organisational system that link together. There are many more models with different elements and sub-elements depending on which model you choose as a template.
- We have highlighted what we consider to be the key elements of the organisational system that need to be addressed if the department is to create a more effective management and governance framework.
- In short, it is what we would consider to be a department specific model designed to address the challenges the department currently faces.
- Central to the model is culture. This can only be changed through changes to values and behaviours.
- However, we can align culture with strategy and processes, and connect culture and accountability through people, structure and systems.
- In the following pages we look at two options which we believe will provide a more effective management and governance framework.

Organisational Reform Framework



8. The Reform Agenda - The Role of Governing Boards

- However, before looking at each of our proposed options in detail, there is one feature which is germane to both – and indeed any alternative options that CoMin might be minded to consider – and that is the role of governing boards.
- In our view, responsibility for accountability, oversight and assurance for educational and financial performance of individual schools should be firmly in the hands of governing boards.
- However, we also recognise that there are long-standing issues relating to the effectiveness of governing boards in the Isle of Man. Indeed, it was acknowledged during the course of this review that with a few notable exceptions, there were relatively few, if any, examples of governing boards that can and do fulfil the remit that is expected of them, much less the remit we have outlined for them in both our preferred options.
- We would also acknowledge that finding people to appoint who have the required expertise for the role and who were willing to take on the responsibility and be accountable, is difficult.

8. The Reform Agenda - The Role of Governing Boards

- Yet, persuasive as these arguments may be to look at alternative models of governance, we believe the answer is to adopt a long-term strategy to build a governance model which has as its focal point effective governing boards.
- However, we also recognise that this will take time.
- In the short-medium-term we outline overleaf the steps that should be considered to develop the role of governing boards regardless of the option CoMin chooses to adopt.

8. The Reform Agenda - The Role of Governing Boards

- In the short-medium-term we believe the strategy should focus on the following:
 - A skills-audit to enable each governing board to explore its skills and knowledge base as part of an overall assessment of the governing board's effectiveness. This should be undertaken as a priority with each board working in tandem with the department to fill the gaps which are identified through the audit process.
 - Putting in place a mandatory training framework on a range of topics, including induction, safeguarding, school finance, understanding data, holding the school to account, the legal framework for governance and the curriculum.
 - Ensuring governing boards have on-going access to advice and guidance.
 - Securing an independent, external review of effectiveness of governing boards to pin-point those governing boards which will need additional help and support to work effectively with headteachers and school leaders.

8. The Reform Agenda - The Role of Governing Boards

- Additionally, and where necessary e.g. in the absence of a Chair or where there are express concerns that a governing board cannot fulfil its remit, a Non-Executive Director or an individual with the requisite expertise could be appointed as an interim Chair.
- This does, of course, raise the question of payment for those acting in a significant governing capacity. In the UK a small number of local authorities have implemented policies of paying members of governing boards in specific circumstances where schools are underperforming.
- However, this approach is not widely used and the prevailing view in the UK still remains that being a member of a governing board is a way of giving something back to the community and that should not be undermined. There are also concerns that paying governors could change the motivation of governors into one of self-interest, rather than one that places the interest of the school and pupils first.

8. The Reform Agenda - The Role of Governing Boards

- However, whilst payment of governors in particular circumstances maybe controversial it is, in our view, also a secondary consideration.
- The first consideration is to put in place an active campaign to support governor recruitment as part of a long-term strategy to build a governance model which has at its focal point effective governing boards. In this latter respect, we have not seen any evidence of any active campaign much less a strategy to improve the effectiveness of governing boards in the Isle of Man.
- We believe that a centrally managed island wide recruitment programme should be launched to promote the role of school governor and to encourage applicants. Applicants could then be selected against common and consistent criteria and appointed to a central panel. New governors would then be placed with schools in consultation with their governing boards.
- Alongside this initiative should be a plan to formalise the tenure of governors. We recommend that governors once placed with a governing board would be appointed for a set three-year term. This would potentially be renewable for a second and possibly a third term, subject to criteria such as attendance, completion of mandatory training and contribution.

8. The Reform Agenda - The Role of Governing Boards

- Consideration should also be given to the role of Clerks to the governing board. In the UK, the role of effective Clerks has been acknowledged.
- Effective Clerks ensure that governors fulfil their legal responsibilities, take accurate minutes and provide governors' papers in a timely fashion, devise and keep a log of when governors are due to carry out their roles and responsibilities, remind governors when events were due to take place and ensure that governors report back to the appropriate committee following visits to schools.
- We see no reason why Clerks could not be employed directly by the department to support the role of governing boards.

9. Delivering Reform - Introduction

Introduction

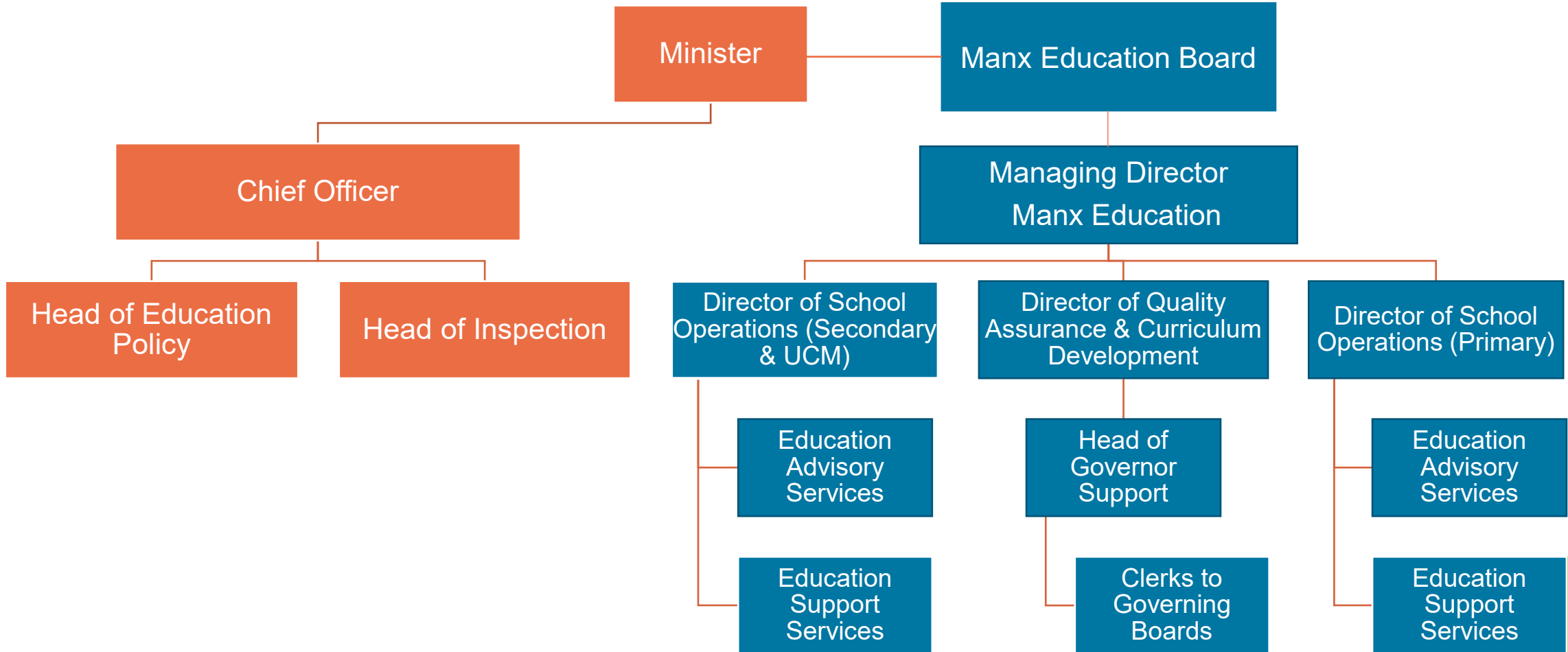
- In our view, Sir Jonathan Michael's Independent Report of the Isle of Man Health & Social Care System (April 2019) points the way forward.
- The Michael's report recommended that the officers of the DHSC should focus on strategic policy, regulation, overall finances and supporting the Minister and Members in order to facilitate better analysis and more insightful policy development. Meanwhile health and care providers should be allowed to focus exclusively on the delivery of high quality, integrated care, based on clinical need, as opposed to any undue, external influence.
- The same is true of the DESC. Officers of the DESC should focus on strategic policy, regulation, overall finances and supporting the Minister and Members. Meanwhile, delivery partners should be allowed to focus exclusively on the delivery of high-quality education.
- Of course, all aspects of the Michael's report on the management, co-ordination and delivery of the Island's health and social care services do not translate precisely to education services. But the core principles and approach advocated by Michael's do.

9. Delivering Reform - A Manx Education Board

- Based on those principles and approach, this would involve the setting-up of a separate board, perhaps to be known as Manx Education in keeping with the Michael's proposal, which would be responsible for the delivery of all primary and secondary education. In short, a school-led system not a department led system.
- Whether Manx Education should be set-up as an arm's length board and run by a board appointed by Government and approved by Tynwald would be a matter for CoMin. In our view, Manx Education should be operationally independent from the department and run by a board accountable to the Minister for the performance and delivery of education. However, whether it should operate as a fully-fledged arm's length board is a moot point. As a clearly separate operational entity it could still operate independently within the overall departmental framework.
- In putting forward this option we are conscious of the fact that the key challenge facing the department is to change the dynamic between the department and schools.
- And to do this we believe a more radical approach such as this is needed.

9. Delivering Reform - A Manx Education Board

The Michael's Model – Manx Education Board



9. Delivering Reform - A Manx Education Board

- Key features of this model:
 - The accountability of headteachers will no longer be in doubt. We expect a new framework to be in place which will make clear the governance responsibilities and duties which the headteacher owes to the board (see page 89). This may vary between primary and secondary school headteachers as it currently does, but should make clear where responsibilities between the board and the school begin and end.
 - Headteachers will no longer be line managed by the department. They will be accountable to their governing boards who will in turn be accountable to the board of Manx Education.
 - The appraisal of headteachers will be undertaken by the governing board and moderated by the board of Manx Education. Similarly, the appraisal of each school in terms of its performance will be undertaken by the governing board and moderated by the board of Manx Education.
 - Additionally, and where necessary e.g. in the absence of a Chair or where there are express concerns that a governing board cannot fulfil its remit, a Non-Executive Director of the Board could be appointed as an interim chair.
 - Governing boards would be supported by a Head of Governor Support responsible for providing any information, advice, guidance and assistance that the governing board may require.

9. Delivering Reform - A Manx Education Board

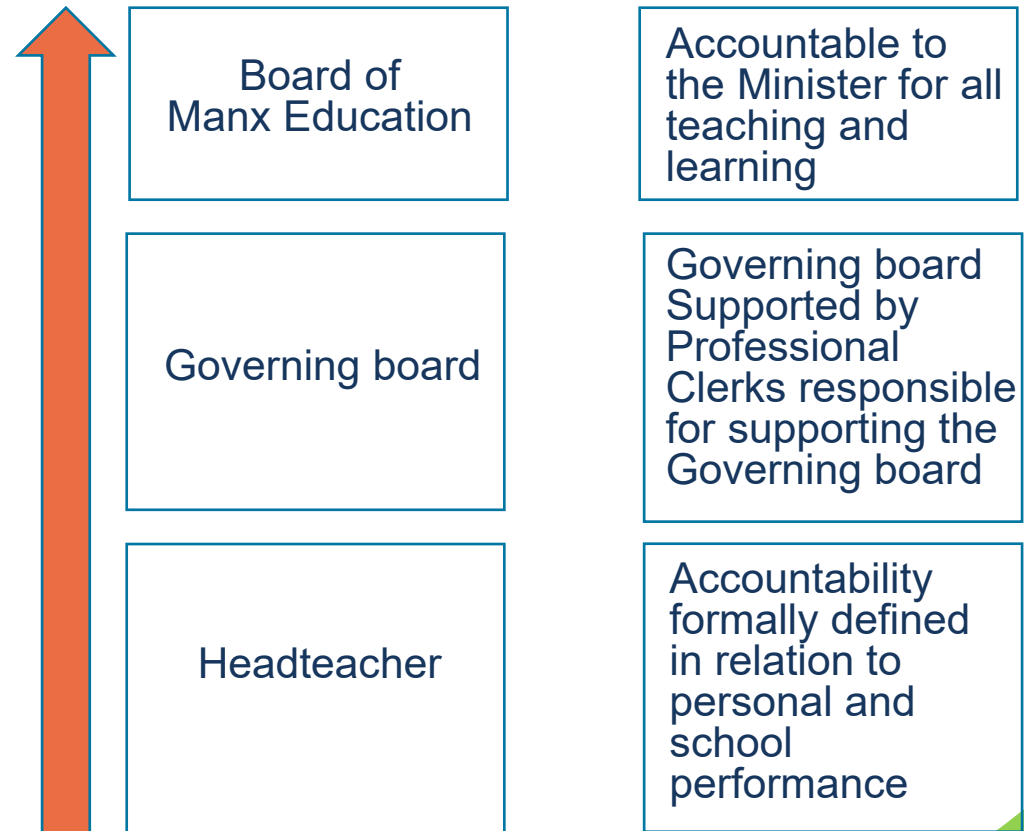
The Governance Model

- In terms of governance there are three key elements to this model.
- First, the board of Manx Education will be accountable to the Minister. Our proposal is that this will be a unitary board made up of a Chair, a number of Non-Executive Directors (NEDs) (we would suggest no more than three to begin with), the Managing Director and Directors. In unitary boards, all Directors are collectively and corporately accountable.
- Second, headteachers will be accountable to the board of Manx Education through their governing boards for both personal performance and the performance of their schools. We would also expect that the accountability of the role is set out formally so there are no misunderstandings as to where accountability begins and ends. Similarly, we would expect performance expectations to be clearly articulated.
- Third, the governing boards will be accountable to the board of Manx Education for ensuring they discharge their responsibilities. The board of Manx Education will moderate all performance assessments both school and personal. This could be done either by the main board or more likely by a board sub-committee.

9. Delivering Reform - A Manx Education Board

- The model opposite illustrates the key elements of governance in relation to headteacher accountability.
- The board of Manx Education will be accountable to the Minister for all teaching and learning for children in early years, primary schools, secondary schools and UCM.
- Governing boards will be accountable to the board of Manx Education for holding headteachers to account for the educational performance of the school and its pupils; the effective and efficient performance management of staff; and overseeing the financial performance of the school
- Headteachers will be accountable to their governing board for the performance of their schools.

Option 2 – The Governance Model - Accountability



9. Delivering Reform - A Manx Education Board

- More widely, with responsibility for evaluating performance now resting elsewhere, the Directors and their teams responsible for the provision of Education Advisory Services and Education Support Services can focus on working in collaboration with headteachers to deliver those services without any conflict of interest or requirement to judge the performance of schools or headteachers.
- Those operational services currently under the Director of Inclusion and Safeguarding will move to be managed between the two operational Directors of Education.
- On policy issues matters of pure policy such as the Education Bill will be managed and co-ordinated by the department ensuring that appropriate mechanisms are in place to inform the development of that policy – a defined policy hub and a complete separation of pure policy from operations.
- On matters of operational policy, this will be managed and coordinated by the Director of Quality Assurance & Curriculum Development working in tandem and collaboration with fellow Directors and senior school leaders. We would envisage this being managed through defined operational policy fora not ad-hoc meetings. However, this level of operational detail we leave for senior leaders to determine collaboratively.

9. Delivering Reform - A Manx Education Board

- We now turn to the issue of regulation and inspection. In our view, it will be for the board of Manx Education to determine what mechanisms it wants to put in place to provide assurance to the Minister that there is confident and strong strategic leadership in place and robust accountability, oversight and assurance of schools' educational and financial performance.
- However, in our view, it is for the department to determine the type and level of inspection regime that should be put in place to provide independent assurance to the Minister that the board of Manx Education is operating effectively, efficiently, and meeting the department's service delivery objectives for education.
- Put simply: Manx Education will focus on delivery and the department will focus on matters of supporting the Minister on matters of strategy, policy and assurance.

9. Delivering Reform - An Interim Approach

- In putting forward this option we recognise that it will take time to establish the legal, operational and administrative frameworks needed to create a board of the type outlined.
- We also recognise there is an urgent need to put in place more effective management and governance arrangements. We have therefore created an interim model which will allow the department's responsibilities for education delivery to be managed and co-ordinated more effectively whilst steps are taken to put in place a fully-functioning board structure
- Key features of this interim approach which is effectively part of a journey to facilitate the development of a board structure, are outlined in the following pages together with an outline organisational model on page 99.

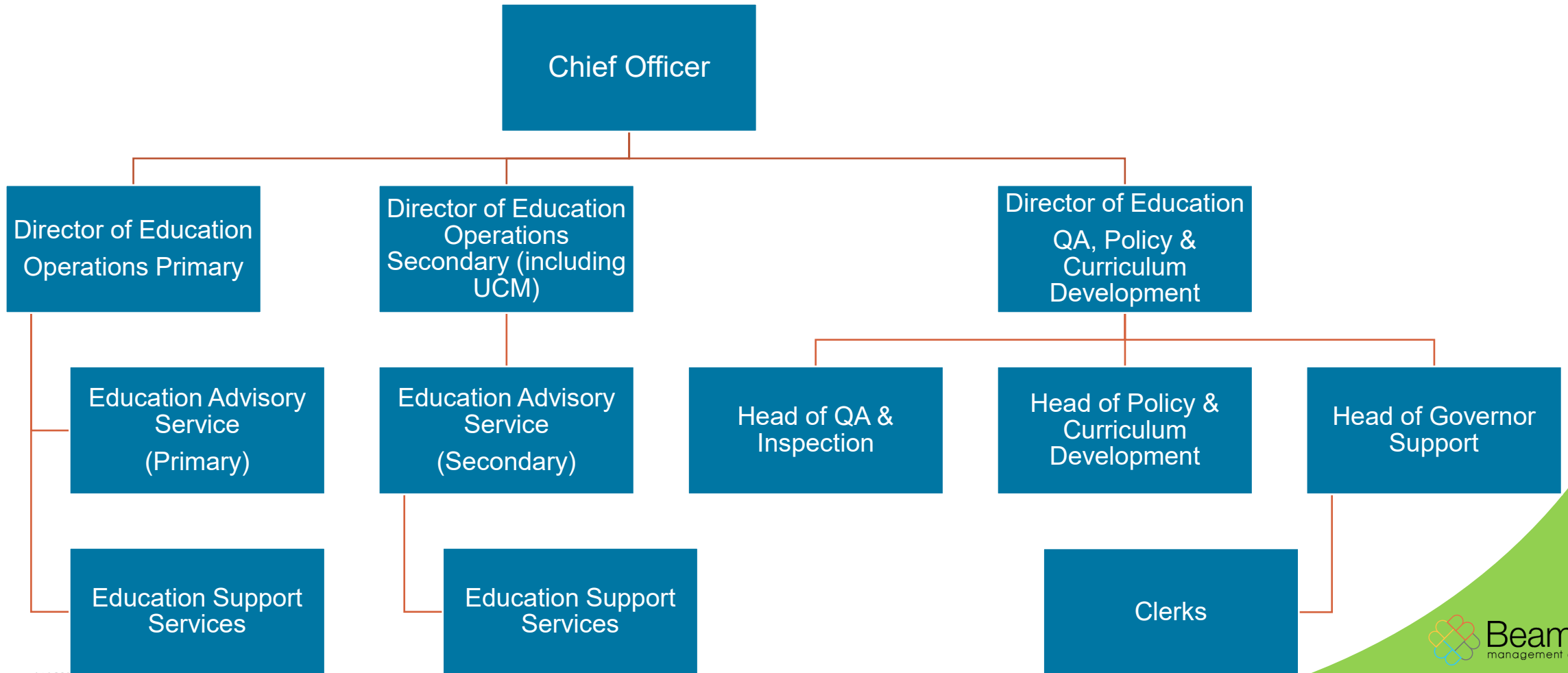
9. Delivering Reform - An Interim Approach

Key Features

- In terms of governance there are two key elements to this approach.
- First, headteachers will be accountable to their governing boards for both their own personal performance and the performance of their schools. We would also expect that the accountability of the role is set out formally so there are no misunderstandings as to where accountability begins and ends. Similarly, we would expect performance expectations to be clearly articulated.
- Second, the governing boards will be accountable for holding headteachers to account and for the educational performance of the school and its pupils; the effective and efficient performance management of staff; and ensuring that their school operates within departmental policies and parameters, particularly regarding budgets and also according to the requirements of the Education Act.
- Governing boards will be supported by Clerks, as mentioned previously, and the School Improvement Adviser (SIA) will attend meetings to provide additional support and advice.
- Where necessary e.g. in the absence of a Chair or where there are express concerns that a governing board cannot fulfil its remit, the department would have the power to appoint an interim Chair.

9. Delivering Reform - An Interim Approach

The Organisational Model (Interim Approach)



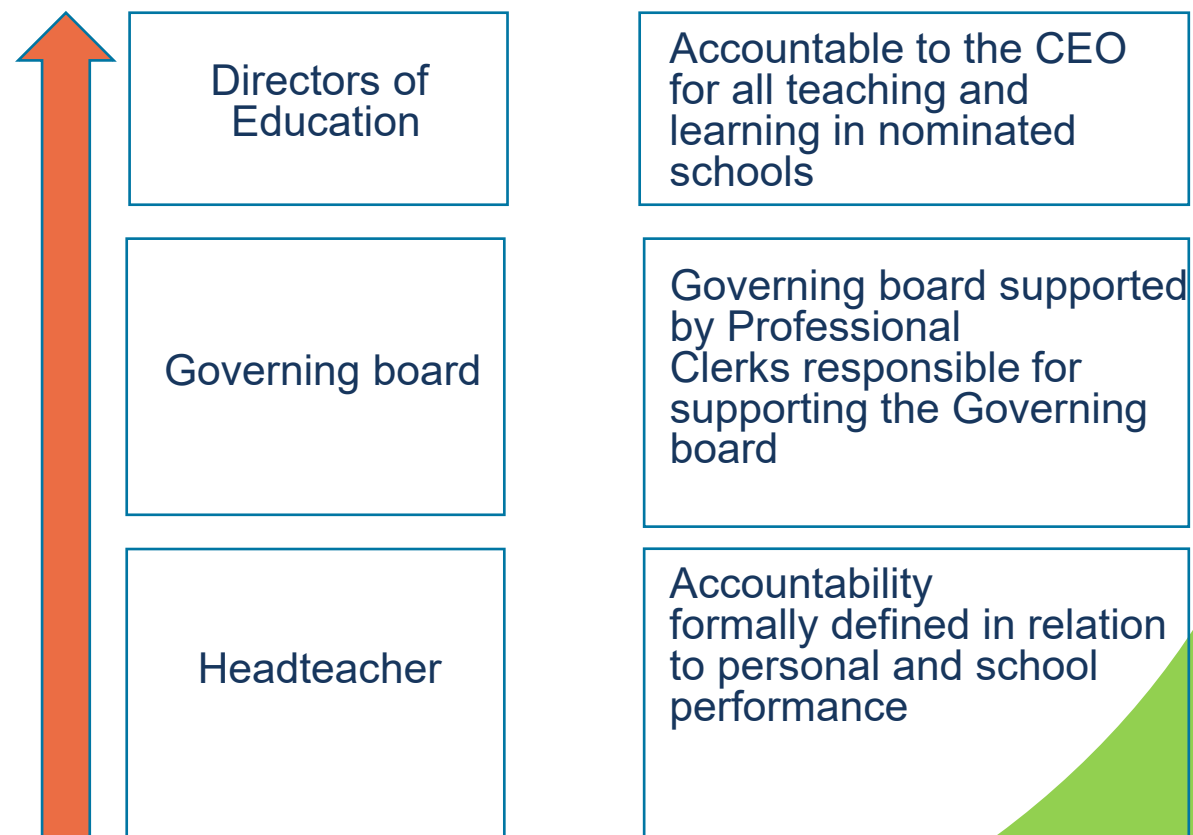
9. Delivering Reform - An Interim Approach

- This approach seeks to bring all the operational aspects of education together, which means that education support services as well as education advisory services would be in one place. This will leave quality assurance and inspection together with policy and curriculum development separate from operations within the department.
- **Education Advisory Service** – under this approach the SIA will not have any inspection role but will focus on assisting and supporting the headteacher in their school improvement work. Neither will the SIA have any line management role of education support staff (as they do at the moment) but will focus solely on their advisory role
- **Education Support Services** – these operational services currently under the Director of Inclusion and Safeguarding will move to be managed between the two operational Directors of Education.
- **Quality Assurance & Inspection** – this function will be separated from the schools advisory role and become part of the Director of Education QA, Policy & Curriculum Development remit. The Director concerned will either operate an in-house inspection service or will appoint and manage the contract of an external provider.

9. Delivering Reform - An Interim Approach

- The model opposite illustrates the key elements of governance in relation to headteacher accountability.
- Each Director of Education – Primary and Secondary, will be accountable to the Chief Officer for all teaching and learning for children in their respective schools and UCM.
- Governing boards will be accountable to the respective Directors of Education for holding headteachers to account for the educational performance of the school and its pupils; the effective and efficient performance management of staff; and overseeing the financial performance of the school
- Headteachers will be accountable to their Governing board for the performance of their schools.

Interim Governance Model - Accountability



10. Delivering Reform - Wider Considerations

- Finally, we make no reference to the departments' responsibilities for Sport & Culture. It is beyond our Terms of Reference to comment on how these functional elements of activity should be integrated into the organisational and management framework of the department.
- Similarly, we also acknowledge that wider departmental responsibilities for Policy & Strategy and Corporate Services (which also encompass responsibilities for Sport & Culture), will need to be reviewed in the light of CoMin decisions on how it wants to re-shape the department's responsibilities for Education.
- We would also acknowledge that many contributors argued for these functional elements of responsibility to be integrated elsewhere in government. Again, whilst we are happy to reflect this argument and acknowledge that it is a pertinent consideration, it is not a question that falls within the scope of this review process.

11. Conclusions

- Effective governance is based on six key features:
 - **Strategic leadership** that sets and champions vision, ethos and strategy.
 - **Accountability** that drives up educational standards and financial performance.
 - **People** with the right skills, experience, qualities and capacity.
 - **Structures** that reinforce clearly defined roles and responsibilities.
 - **Compliance** with statutory and contractual requirements.
 - **Evaluation** to monitor and improve the quality and impact of governance.
- We believe the approach we have outlined in this report will support better strategic leadership, more accountability and a clear structure which will facilitate better compliance and evaluation. Most importantly, it will provide a better framework to support the development of more collaborative values and behaviours between the department and schools.

Annex A: Terms of Reference



June 2, 2020

By e-mail

Mr J Callister
Executive Director
Cabinet Office
Office of Human Resources
William Dhone House
2 Circular Road
Douglas
Isle of Man
IM1 1AG

Dear Jon,

Independent Education Review

Thank you for forwarding the Terms of Reference for the Independent Education Review you wish to initiate. As promised, I am now writing back to outline how Beamans would aim to take the review process forward.

Background, Context & Terms of Reference

The Cabinet Office is keen to review the approach of the Dept. of Education, Sport and Culture (DESC) to managing the interface with primary and secondary schools, including an assessment of policies, practice, procedures, and protocols which form part of those arrangements. In particular, the Cabinet Office is keen to explore how existing management and organisational arrangements could be improved to provide more effective governance and accountability.

In taking the review forward, two fundamental issues need to be addressed:

- Is the DESC providing meaningful governance and oversight of schools and ensuring proper accountability?
- How can the role of the DESC in providing that governance and oversight be improved?

In addressing these issues, the review will therefore need to review and report on:

- The effectiveness of the existing governance model including departmental systems for setting goals and evaluating the performance of primary and secondary schools.
- The extent to which the DESC provides effective oversight of schools and whether the roles and responsibilities of those exercising oversight are clear.
- The effectiveness of current DESC policies, practice, and protocols (including management mechanisms) for managing the interface with schools including relationships with governing bodies and school leadership teams.
- Changes or improvements which might be made to the way in which existing functions are delivered including changes to individual roles and responsibilities

In undertaking the review, the review team will also have regard to models of good practice in the UK and other jurisdictions.

However, in setting out what are effectively the terms of reference for the review, the Cabinet Office acknowledge that this is not a review of the effectiveness of educational performance or attainment; it is a review of the effectiveness of DESC's management and governance arrangements for managing the interface with primary and secondary schools.

The Review Process

The consulting inputs required for reviews of this type are set out in Table 1 overleaf. Our proposed approach is collaborative in that we would propose to check and validate emerging findings – test out assumptions, clarify particular issues and discuss areas, particularly in relation to any new developments, which may need to be taken into account in our final analysis.

Annex A: Consultees

Yvette Mellor	Director of Strategy & Corporate Services
Prof Ronald Barr	Chief Executive Officer, DESC
Chief Minister, Howard Quayle	Chief Minister, MHK
Geoff Moorcroft	Director of Education
Lawrie Hooper, MHK	Member of the House of Keys
Minister Allinson, MHK	Minister for Education, Sport and Culture
Mary Slater	DESC HR Business Partner
Sue Mowle	Director of Inclusion and Safeguarding
National Association of Schoolmasters Union of Women Teachers	
Wayne Bates	National Negotiating Official
Geraldine O'Neill	Local Negotiating Secretary
Damien McNulty	National Executive Member
Charlotte Metters	Regional Organiser
Darren Northcott	National Official Education
Paul Bridson	DESC SLT Member, Head of Sports and Recreation
National Association of Head Teachers	
Rob Kelsall	
Carol Walsh	
Adrienne Burnett	Head Teacher Ballakermeen High School
Margaret Mansfield	Chair of Governors at Ballasalla Primary School
Annette Baker	Head Teacher Ramsey Grammar
Sue Moore	Head Teacher Queen Elizabeth II High School
Ian Longshaw	Head teacher of Marown Primary School
Chris Coole	Head Teacher St Ninians
Ann Corlett, MHK	Departmental political member
Keith Winstanley	Head Teacher Castle Rushen

Debbie Halsall	Unite Representative
Chrissy Callaghan	School Improvement Advisor
Joel Smith	School Improvement Advisor
Mick Hewer	Prospect Union
Adrian Cowin	Chair of Governors at Castle Rushen High School
Primary Head Teachers Group 1	
Trish Dudley	Head Teacher, Andreas
Jayne Adamson	Head Teacher, Scoill yn Jubilee Infants
Anna Jackson	Head Teacher, Peel Clothworkers' School
Max Kelly	Head Teacher, Dhoon Primary School
Donna Martin	Head Teacher, St Marys
Primary Head Teachers Group 2	
Adrian Shorthouse	Head Teacher, Kewaigue School
Jo Richardson	Head Teacher, Onchan Primary School
Tracy Willoughby	Head Teacher, St. Johns Primary School
Will Nelson	Head Teacher, Jurby Community School
Jamie Cox	Head Teacher, Ballasalla Primary School
Rose Burton	Head Teacher, Willaston Primary
Andrew Shipley	Manager of Legal and Administrative Services
Minister Cregeen, MHK	Minister for Home Affairs, Former Minister DESC
Jan Gimbert	School Improvement Adviser
Primary Head Teachers Group 3	
Peter Lewis	Head Teacher, Ashley Hill
Jonathan Ayres	Head Teacher, Arbory School
Louise Oates	Head Teacher, Braddan
Carol Walsh	Head Teacher, Ballacottier
Ali Vondy	Bunscoill Rhumsaa

Annex A: Consultees

Primary Head Teachers Group 4	
Denise Lyon	Head Teacher, School Vallajeet
Clare Manser	Head Teacher, St Thomas'
Ian Postlethwaite	Head Teacher, Victoria Road School
Ange Callaghan	Head Teacher, Scoill Phurt le Moirrey
Louise Slater	Deputy Head, Henry Bloom Noble
National Education Union	
Allan Crebbin	Treasurer – IoM Branch Nat Education Union
Pauline Rodmell	NW Regional Officer
Inclusion and Safeguarding Group	
Shaun Morgan	SEN Services Manager
Jonny Fee	Senior Educational & Child Psychologist
Gráinne Burns	Child Protection & Safeguarding Officer
Karen Riordan	School Improvement Adviser
Caroline Savin	School Improvement Adviser
Primary Teachers Group 1	
Maire Stephens	Scoill Vallajeelt
Amy Wheeler	Year 1 Class Teacher, Peel Clothworkers' school
Mary Jane Douglas	Year 2/3 Teacher, St Johns School
Helen Moyer	Deputy Head, Marown Primary School
Max Kelly	Head teacher, Dhoon Primary School.
Julie Edge, MHK	Member of House of Keys
Secondary Teachers Group 1	
Matthew Long	IT Teacher, QE2
Paul Shimmin	Geography, Ballakermeen High School
Steve Slack	Director of KS5, Queen Elizabeth II High School
Alison Leadley	QE2 High School

Association of School and College Leaders	
Sara Ford	Deputy Director of Policy
Richard Tanton	Member Support Director
Chris Coole	Local Representative
Jason Moorhouse, MHK	Member of the House of Keys
Secondary Teachers Group 2	
Jonathan Brookes	Team Leader for Mathematics, Castle Rushen High School
Gareth Young	Head of Year 8, St Ninians High School
Elizabeth Bankes-Jones	Deputy Head Teacher, Ballasalla School
Abbie Kelsey	NQT Representative, Queen Elizabeth II High School
Conor Keenan	PE Teacher, Ramsey Grammar School
David Trace	External
Primary (Misc) Group 6	
Jo Radcliffe	Head Teacher, Pre School Assessment Centre
David Jenkins	Head Teacher, Bunscoill Rhumsaa
Sally Pringle	Year 5 teacher & Inclusion Manager, St Mary's R.C. Primary School
Alistair Ledger	Early Years Teacher, Willaston Primary School
Eleanor Marshall	Deputy Head Teacher, Ashley Hill Primary School
Jo Pretty	Principal, University College Man

Annex A: Consultees

Secondary Teachers Group 3	
Gwyn Davies	Ramsey Grammar School
Anne-Frances Royle	SEN Unit Manager
Richard Karran	Director of Sixth Form, Ballakermeen High School
Becky Stevenson	MFL Teacher, Ramsey Grammar School
Ballacottier Primary School	
David Partington	Ballacottier Primary School
Anne Morris	Ballacottier Primary School
Julie Butterworth	Ballacottier Primary School
Secondary Teachers Group 5	
Leona Bell	Team Leader of English, Ramsey Grammar School
Jenna Withey	Head of Performing Arts, QE2
Georgia Cassidy	English Teacher, PSHE Co-Ordinator, Ballakermeen High School
Secondary Group Session	
TBC	Attendees do not wish to be named
TBC	
TBC	
TBC	
TBC	
Jemma Strand	SENCO, Victoria Road Primary School

Primary School Session	
TBC	Attendees do not wish to be named
TBC	Attendees do not wish to be named
TBC	Attendees do not wish to be named
Secondary Group Session	
TBC	Attendees do not wish to be named
TBC	
TBC	
TBC	
TBC	
Secondary Teachers Group 6	
Nicola Kennedy	Deputy Head Teacher, Castle Rushen High School
Heike Perry	Subject Leader of Modern Foreign Languages, Castle Rushen High School
Ian Kay	Assistant Head Teacher, Castle Rushen High School
Secondary Teachers Group 7	
Laura Williams	Teaching and Learning Coordinator, Castle Rushen High School
Olivia Graham	Head of Maths, QE2
Jody Astin	Team Leader of CPD, Castle Rushen
Kate Lord-Brennan, MLC	Member of the Legislative Council
Jane Poole-Wilson, MLC	Member of the Legislative Council

Annex A: Consultees

Secondary Group Session- Ballakermeen High School	
Steve Pagan	Deputy Head Teacher
Peter Wiles	Deputy Head Teacher
Tracey Busby	Assistant Head Teacher
Mark Redmayne	Assistant Head Teacher
Sharon Gardner	Deputy Head of Science and Head of Biology, Ballakermeen High School
Chris Robertshaw, MHK	Member of the House of Keys
Daphne Caine, MHK	Member of the House of Keys
National Association of Schoolmasters Union of Women Teachers	
Peter Lovekin	
Darren Northcott	
Mark Redmayne	
Geraldine O'Neill	
Will Greenhow	Chief Secretary
Marlene Maska, MLC	Departmental Member, DESC; Member of Legislative Council
John Danielson	Curriculum Lead/Business Manager, Castle Rushen High School
University and College Union	
Kevin Stoutt	
Vance King	
Maggie Young	
Shaun Morgan	Special Educational Needs Development Manager

Annex B: Ancillary Issues

- During the course of the review we identified a number of issues that the department needs to address in relation to the management, co-ordination and delivery of education regardless of the outcomes of this review process.
- These issues are outside our Terms of Reference but are nevertheless issues that we consider pertinent and worthy of further consideration. We outline overleaf, in no particular order, the issues concerned, together with a brief synopsis of why we consider they require further attention.

Annex B: Ancillary Issues

- **Education Act 2020:** This is a major piece of legislation that has required, and continues to require, significant departmental input. Our concern is whether the legislation actually addresses the issues first raised by Ofsted in its 2002 report particularly in relation to good behaviour and discipline, and sharper accountability.
- **Succession Planning:** The Education Department should consider whether a policy needs to be put in place to bring in more skills from outside the Isle of Man, with experience of other educational systems, such as the developments in the curriculum in UK schools. In particular, it would supplement the existing talent pool by recruiting future headteachers with wider professional experience.
- **Planning:** There are some 32 primary schools, serving specific communities, many of which are economically too small. Good education practice may be limited by having to teach adjacent year groups together to maintain viable class sizes.
- **Student Behaviour:** To look again at the 2019 student-behaviour report and its recommendations to set up a working party to propose a new behaviour plan. To relate this plan to the needs of the high number of excluded and suspended students.
- **ICT including Visual Technology:** The recent pandemic has highlighted a number of issues relating to the use and application of ICT in schools, both in terms of the ICT infrastructure that is available to support delivery, and in terms of being able to use the ICT applications that are available to support that delivery.

Annex B: Ancillary Issues

- **Cambridge Board iGCSEs.** Many teachers we spoke to considered the iGCSE to be inappropriate for rural non-selective comprehensive high schools. They also highlighted the fact that it was a more expensive option than other boards but more significantly in their view, creates a discontinuity between Key Stage 3 and Key Stage 5 courses, where schools have freedom of choice as to which board to use.
- We do not know whether the use of the iGCSE creates a disconnect between Key Stage 3 and Key Stage 5 but if there is a disconnect then this does need to be reviewed particularly if this issue was not taken into account when the decision to use iGCSEs was taken.
- **Continuing Professional Development.** We understand that the department is responsible for funding and arranging Continued Professional Development (CPD) for teachers. However, many teachers we spoke to considered the choice of topics were not those that offered the most value in terms of meeting their needs. We are unsure what mechanisms are in place to support CPD for teachers but there appears to be a disconnect between the training that is required and the training that is actually provided. If this is the case, then there needs to be a review of how CPD is provided to ensure that it is actually meeting the needs of those for whom the CPD is intended.