

Flemish Education Council

Participation from civil society for high-quality education

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The Vlor is the strategic advisory council for the education and training policy field for the Flemish (Dutch-speaking) community.

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This contribution expresses a belief in the democratic value of participation of civil society in preparing education policy. It demonstrates the added value of the Vlor as a strategic advisory council embedded formally and by decree. The Vlor remains convinced of the absolute added value of the representation model (in comparison with a sheer expert model), which structurally gives organized civil society a say in the advisory process. Based on experiences and evaluation of its own functioning, the Vlor identifies several arguments that are in favour of this model.



Introduction

This contribution is based on an ongoing reflection process among members and staff members of the Flemish Education Council (Vlor) on how the advisory council functions, but it primarily expresses a belief in the democratic value of participation of civil society in preparing education policy. The international network of education councils has always been an inspirational factor and has helped us build the advisory council into what it has become today.

The Flemish Education Council: a short description

The Vlor dates back to 1991, when several (level-related) education councils were united into a single structure. Belgium already had a long history of policy participation in education, aimed at pacifying the ideological differences of opinion after the school funding controversy in 1959. The foundation of the Vlor was rendered possible and was given a strong boost by the new state reform of 1988 under which the education authority was almost completely transferred to the three language communities in Belgium: the French-speaking, Dutch-speaking and German-speaking communities.

The Vlor is the strategic advisory council for the education and training policy field for the Flemish (Dutch-speaking) community. As an advisory and consultative body, it plays a major part in preparing education policy, but it is independent of the competent Minister and the Education Administration.

The Vlor may advise or organize consultations on all education matters within the competence of the Flemish community: education in its narrow sense as well as other sectors in the education and training policy field, such as the centers for student guidance and part-time training. Additionally, initiatives from other policy fields that have a clear impact on education are assessed by the council on its own initiative or on request.

Policy making is – mostly - based on a cyclic process (Plan, Do, Check, Act). The Minister of Education and Training prepares a policy proposal (white paper, concept note, decree) in collaboration with his staff and advisors

and the education administration. During or at the end of this conceptual phase, he gathers advice amongst others of the Flemish Education Council, and based on this broader information he can adjust some measures. The Flemish Parliament (decree) and the Flemish Government (implementation decree) finally approve the policy measure, after which it is implemented in education. The education administration and other education support services may support schools during the implementation phase. Next, in a model of good policy practice, the impact of the policy conducted is reviewed with the help of input from the inspectorate, the reactions from schools, education networks and other organisations. An advice of the Vlor might be relevant, also in this evaluation process. In its advice, the Vlor may include evaluative considerations concerning current change processes. This may result in adjustments to the policy and the preparation of new policy measures.

The Vlor offers advice on request of the decision makers (Minister, public administration, Parliament) or on its own initiative. In the latter case, or when the Vlor reviews policy letters and policy documents, it takes on its task at an early stage in the policy preparation. In other cases, the Vlor is consulted at the end of the policy preparation process.

Besides, the Vlor can be asked to execute renewal projects, in which case it is also involved in the policy implementation.

The identity of the Vlor

The Vlor has both an advisory and a deliberative function. These functions have been laid down in the decree on participation at school and the Flemish Education Council (2 April 2004) and in the governance decree of 7 December 2018.

The Vlor operates based on formal and structured advisory procedures. These guarantee that stakeholders and experts are consulted in a transparent, independent and efficient way. As views on the Flemish policy are formulated collectively, the common positions endorsed within the advisory council prevail over individual interests. This is reflected

in motivated and substantiated advice that has a public character and therefore a specific place in the public and political debates.

A specific function of the Vlor is its deliberative function that is embedded by decree (Article 74 of the decree on participation at school and the Flemish Education Council). These deliberations may serve various objectives and have different output. In the complex education landscape, the deliberations make it easier to create active support, to promote cooperation between groups of actors and to encourage the implementation of renewal projects and this with respect for the freedom of education and with respect for the decision-making processes of every actor in the system.

'The Flemish Education Council brings together all important players in education policy. Education providers, trade unions and civil society deliberate together and render advice about all relevant education policy. Contributing to this puts OVSG (Education organized by municipalities) on the map of the educational landscape.'

PATRIEK DELBAERE, GENERAL DIRECTOR OVSG

The added value of the Vlor as a strategic advisory council embedded formally and by decree

The instrument of strategic advisory councils in their present form is described in research (SBOV, 2014) as follows: 'Strategic advisory bodies are used as a major instrument for the institutionalization of the consultation of stakeholders. They ensure a structural and structured commitment of primarily representative civil-society organizations in various phases of the policy cycle, supported by legal safeguards with respect to independence, composition, support, rights, authorities, etc. The system of advisory councils provides clear rules, a high level of continuity, expertise accrual, an intensive dialogue between various organizations and guaranteed transparency towards politics, parliament and citizens.'

A further explanation is provided below.

Contribution to the democratic nature of the policy

To begin with, a formal advisory procedure contributes to the democratic nature of the policy making process. The current decree ensures that the advisory procedure is transparent and safeguards the public status of advice. These principles of transparency and the public nature contribute to stronger confidence in the government.

Guarantee of participation

In addition, the current system offers the solid guarantee of participation. The consultation of the advisory councils is structurally embedded in the policy cycle and the regulatory process. In combination with the public nature of advice, this prevents too extensive a degree of permissiveness. Without formally stipulated participation, there is no guarantee that advice is requested or brought about.

Continuity in the policy process

The current advisory system may also encourage continuity in the policy process. Advisory councils have the possibility of rendering advice on their own initiative. Proactively and for the medium or long term, they may point out the possibilities and risks of the policy for the respective policy field.

Consultation at all crucial moments in the decree-based process

As the Government is obliged to consult the Vlor about drafts of decrees and strategic regulations, all represented stakeholders can express their point of view on new proposals at least just before the final approval by the Flemish Government or Parliament.

However, as an advisory council, the Vlor considers it important to be able to provide input or feedback at various strategic moments. Both the structure and the composition as well as the reference framework it uses make the Vlor an efficient forum to do so.

The Vlor can play a part in a very early phase, when developing the concept for a new policy, when policy-makers ask field workers for input or

want to test their own initial ideas among the stakeholders. When a more coherent framework is developed in a subsequent phase (in the form of a consultation paper, a white paper or a green paper, for instance), the Vlor can provide a forum to assess, via the stakeholders, whether proposals are desirable, feasible and acceptable.

At any rate, the Vlor wants to render advice at the moment when the policy is converted into a (draft) regulation. After all, a draft regulation may deviate essentially from the options proposed at an earlier stage. Also for the members of the Flemish Parliament who discuss these draft decrees, it is important that a formal Vlor advice is part of the policy making file.

'The Vlor guarantees continuity in participation, we have to deal with that with care'

ANN VERRETH, PRESIDENT OF THE VLOR SINCE 2018

Gathering knowledge systematically

The organization of the current advisory system also allows for knowledge to be gathered, accumulated systematically, made accessible and shared among the participants by the formal advisory bodies. This offers better guarantees for strong (evidence informed) advisory work.

Mandatory feedback from the Government

Compliance with and feedback on advice by the Government are also stipulated in the current framework. The requester of advice is formally obliged to give feedback on the advice received and to motivate at least why advice or elements of advice are not followed. This principle may increase the commitment and motivation of those participating in the advisory process.

The importance of the independence of the Vlor as a strategic advisory council

The independence of the Vlor has been laid down in the current advisory

system by decree. According to the Vlor, this independence is an absolute condition for the strategic advisory councils to function properly. The council emphasizes the importance of the independence of the secretariat and the autonomy of the policy field.

The independence of the Vlor secretariat

The current decree stipulates that the Vlor can organize its own internal functioning. When it comes to the details and administrative aspects, the council is supported by a secretariat that conducts an autonomous financial, operational and personnel policy and is only accountable to its members.

This independence and control by the stakeholders involved has the major benefit that the advisory council has every opportunity to gain expertise and embed it, with respect to both education itself and to supporting and facilitating the advisory process (as a major success factor for the quality of advice). High-quality advisory procedures can only be set up based on this independence, if the secretariat and the council members have access to all relevant information required for executing the advisory task.

The added value of the Vlor as a representation model

The Vlor consists of representatives from the educational field and broader civil society. 300 members have a mandate from their organization: school network organizations representing the education providers, teacher unions representing the teachers, pupil and student organizations, parents' associations, socio-economic organizations and socio-cultural organizations. Independent experts as such are not members of the councils. The Vlor is convinced of the added value of its present composition, certainly given the societal and historical context of the Flemish participation model. Based on experiences and evaluation of its own functioning, the Vlor identifies several arguments that are in favour of this model.

Ever since Belgium was established, the freedom of education has been codified in the Belgian Constitution. It means that everyone may found a

school but also that the freedom of choice between public schools and confessional education must be safeguarded. This context of (active) freedom of education allows for diversity in available education. The legitimacy and impact of the advisory system partly depends on the extent to which it gives account of this diversity.

By involving the stakeholders working as field workers in the organization of education or being educated themselves, the Government also puts the expertise, knowledge and information they have at their disposal to good use. In this way, the Government can identify the bottlenecks and obstacles in advance and establish possible alternative solutions to achieve the same policy objective. All this information can contribute to the quality of regulations.

This way, we turn our schools into meaningful learning and living environments where people really meet each other on the basis of equality, reciprocity and respect, and thus contribute to a more just society. That is our societal task, which is more relevant today than ever. I also show this ambition in my work in the Vlor, where I take the values of the pedagogical project of the GO! forward in the cooperation with colleagues from the broad educational field. Together we strive for quality education for all pupils, to maximize opportunities by giving each young person the opportunity to develop his or her own talents.

RAYMONDA VERDYCK, MANAGING DIRECTOR OF THE GO! EDUCATION OF THE FLEMISH COMMUNITY

Due to this composition model, the councils of the Vlor have a wide diversity of hands-on expertise. Participants from various levels, sectors and interests from education and beyond consult each other in a structural way.

Participants are not active in the Vlor as individuals but they represent an organization with structured decision making processes. So, they function

as a serving hatch between the education field and the Government. They translate signals from their field into relevant policy advice. This principle works in two ways: representatives are legitimized by the group they represent and must justify themselves, but conversely these representatives can feed their group with views gained in a collective Vlor advice.

By involving various stakeholders in the advisory process, especially when the process leads to unanimous advice, an initial step is made in creating consensus and wide social support. In a sector such as the education sector, where some of the organizations represented in the Vlor will need to focus more on implementing this policy, working on this support is essential. Without this support, acceptance will be a harder and slower process, leading to greater risks of a policy implementation falling short. The consultation process allows policy makers to assess in advance where bottlenecks may occur and to adjust proposals.

Thanks to the Vlor, I have the opportunity to question critically policy developments in education, and to participate in the advisory work. The striving for consensus in a multitude of perspectives is very enriching and important.

ISABEL ROTS, STUDY DEPARTMENT COV, CHRISTIAN TEACHERS' UNION

The representation model helps to find a balance between the various groups of stakeholders where policy influencing is concerned.

The organizations participating in negotiations in one of the subsequent phases of the policy process will feel more strongly committed to what has been gained in the collective advice (and which is also shared by other stakeholders). Civil society organizations consult their basis (schools, staff, pupils, parents, socio-cultural organizations, minority associations, employee and employer organizations, etc.) with respect to policy preparation and for passing on signals of what is going wrong in the field.

'Independent experts' are formally not members of the councils. However, that does not exclude scientific expertise from playing a part in the advisory process. On the condition that the policy has sufficient leeway (in terms of time and resources, for instance), the council can include this input in drafting an advisory procedure: via seminars, hearings, participation of experts in preparatory working groups, via the preparatory work by the staff (literature research).

The system of advisory councils in Flanders has lately come under pressure. Organizations based on representativeness are questioned increasingly, with a shift towards other forms of participation as a result. The Vlor has the intention to move along in the new public governance by making optimum use of the uniqueness/strength of representative organizations and simultaneously seek the connection with other forms of participation in advisory processes. In the first place, the representatives from civil society are mandated by the group they represent and use the signals from the field in their views. Within the contours of this representation model, the Vlor also wants to decide to organize a form of direct consultation of stakeholders when designing an advisory procedure. Here, too, the Vlor has established a tradition in recent years by organizing focus groups, surveys, round-table sessions, etc. The results of such processes will be reinforced if they can be incorporated in an advisory process and become part of formal advice to the Government based on a wide consensus.

A major touchstone: impact and continued effect of the advisory council

The Vlor also tries to gain more insight into the continued effect and/or impact of advice and other results of its work. To this end, preparatory work has been done from a conceptual and procedural perspective. Every year, the results of this continued effect are included in the annual report. Continued effect is understood to mean all effects that occur as a result of the functioning of an advisory council. This is not only about advice but also about information and knowledge obtained from consultations, workshop days, explorations, reports, etc.

Gaining this insight is closely linked to the various views on policies and policy processes and on the way in which these are designed. In public administration, there are rational approaches with a logical order of structured processes on the one hand, and political approaches in which policy is brought about as a negotiation process between various social groups and based on negotiation processes on the other hand.

There are several layers of influencing: conceptual influence, influence on the agenda setting, political-strategic use.

A continued effect can also involve various target groups: the Minister and his staff and advisors, administration, members of Parliament, as well as an opinion-forming role towards civil society itself (broadening one's horizon, redefining an issue).

A continued effect may occur at various moments in a policy cycle: direct policy adjustment, or many years later on the school policy after regulations have been adjusted. The term curve plays a role with respect to the nature (instrumental/conceptual), size and impact of advisory work.

Continued effect and ownership: it is difficult to discern a one-to-one relationship between the work of the advisory council and the eventual policy decision. Policy is mostly the result of a multi-perspective approach involving various Government and administration levels and various actors (from local to European, lobby groups, political parties, etc.).

The Vlor, where all education stakeholders and opinions come together, is an example of democracy in action. The recommendations are the result of negotiations, of a conscious search for the common ground.

KRIS VERSLUYS, FORMER EDUCATION DIRECTOR AT GHENT UNIVERSITY

The Vlor also operates internationally

The Vlor sets great store by improving its vision with what is happening abroad. It is clear that international organizations like the OECD, UNESCO and the various UN committees expect education to make a major contribution when addressing societal challenges. Since 2000, the European Union has developed an education policy that is based on voluntary cooperation between member states (open coordination method). In its advisory work, the Vlor therefore devotes a great deal of attention to the international dimension of the dossiers. The council closely follows the latest international education topics and formulates advice concerning the major international dossiers on its own initiative. This advice is primarily intended for the Flemish decision-makers who defend the Flemish point of view at international forums.

The cooperation with other education councils in the context of EUNEC also broadens the horizon of the education council. With respect to setting relevant themes as well as to working methods and approach, it is very rewarding to achieve cross-border exchange and further professionalisation.

Today, nobody will deny that the Vlor, in changing circumstances and taking into account evolving policies, can look back to 25 years of good work as a strategic advisory council for the Flemish education policy. At the same time, the Vlor is a successful consultation platform for representatives of the member organizations. A platform where structural, ideological, pedagogical and societal differences can be bridged. The fact that the Vlor closely follows international developments, through intense international cooperation, deserves respect.

LOUIS VAN BENEDEN, FORMER PRESIDENT OF VLOR, FORMER PRESIDENT OF EUNEC

The Vlor: a strategic advisory council with several roles

Roles can be perceived differently. Advisory councils can be regarded as knowledge brokers, inspirators, agenda setters or policy analysts. In such perspectives, the council's role is associated with the nature of the continued effect of advice, and the emphasis is placed on the advisory council being instrumental with respect to the policy. Advisory councils, however, can also assume other roles, such as promoting mutual learning among stakeholders, stimulating adjustment and cooperation or providing a forum for consultation and negotiation purposes.

The Vlor must be instrumental towards both the Government and its members. Objectives may thus vary. Officials, for example, use participation to seek new insights, knowledge and perspectives or new policy input. Politicians specifically look for support for policies and social parties look for influence. Strategic advisory councils are organizations that establish connections between various worlds: government, civil society and science. And insofar as advisory councils manage to cater for all tastes, they succeed in performing their task.

It is a privilege to look, together with so many partners, each with their own expertise, to what is binding us: opportunities to grow for every learner

HILDE TIMMERMANS, STUDY DEPARTMENT GEZINSBOND – FAMILY UNION

Good advisory councils do more than merely render advice. 'They should be able to achieve the balance between critical distance from the Government and commitment to the Government, between being an instrumental provider of knowledge and being a critical thorn in the flesh, between giving answers and asking questions, between advisory tasks and other tasks.' (Van Damme, J. & al. (2011). *Burger, Bestuur en Beleid* 7(2):105-119)