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## **EDUCATION IN THE SCOTTISH PARLIAMENT**

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### **PREAMBLE**

This paper follows on from the previous bulletin (Redford 2015), which covered the education remit of the Parliament's Education and Culture Committee between September 2014 and January 2015. The following bulletin covers the remit of the Education and Culture Committee from February 2015 to August 2015.

### **FEBRUARY 2015 - AUGUST 2015**

The Education and Culture Committee had the following members during this period: Stewart Maxwell (Convener), Siobhan McMahon (Deputy Convener), George Adam, Colin Beattie, Chic Brodie, Mark Griffin, Gordon MacDonald, Liam McArthur and Mary Scanlon. Full records of the Committee meetings, including minutes, official papers and transcripts of proceedings can be found on the Scottish Parliament website at:

<http://www.scottish.parliament.uk/s4/committees/ellc/meetings.htm>

In this period the committee returned to Curriculum for Excellence to take evidence relating to the new Higher qualifications. They took evidence at Stage 1 of the British Sign Language (Scotland) Bill and the Education (Scotland) Bill. In a busy period they heard six sessions of evidence on the Educational Attainment Gap and held a short inquiry on the attainment of pupils with sensory impairments. They debated the implications of new powers with Scotland's Commissioner for Children and Young People, agreed their approach to the budget, addressed Petition PE1530 and approved a range of subordinate legislation. The committee agreed their work programme in private at their meetings on the 17 March 2015 and 23 June 2015. They considered a draft annual report for the parliamentary year 2014-15 on the 26 May 2015 and agreed their approach to the Higher Education Governance (Scotland) Bill, in private on the 23 June 2015.

### **CURRICULUM FOR EXCELLENCE**

The committee returned to Curriculum for Excellence at their meeting on the 3 February 2015 when they took evidence on the implementation of the new Higher qualifications. The papers for this meeting included written submissions from all those giving oral evidence, invited submissions from headteachers

(EC/S4/15/3/1) and questions and comments collected through social media. This material can be viewed through a direct link from EC/S4/15/3/1.

Date of Committee	Witnesses
3 February 2015	<ul style="list-style-type: none"> <li>• Dr Janet Brown, <i>Scottish Qualifications Authority (SQA)</i></li> <li>• Larry Flanagan, <i>Educational Institute of Scotland</i></li> <li>• Graeme Logan, <i>Education Scotland (ES)</i></li> <li>• Jane Peckham, <i>National Association of Schoolmasters Union of Women Teachers</i></li> <li>• Robert Macmillan, <i>Scottish Secondary Teachers' Association</i></li> </ul>
3 February 2015	<ul style="list-style-type: none"> <li>• Angela Constance, <i>Cabinet Secretary for Education and Lifelong Learning, Scottish Government</i></li> <li>• Alan Johnston, <i>Learning Directorate, Scottish Government</i></li> <li>• Dr Janet Brown, <i>Scottish Qualifications Authority</i></li> <li>• Graeme Logan, <i>Education Scotland</i></li> </ul>

Mary Scanlon began the first session of evidence with a question about articulation between the old higher and the new advanced higher for STEM subjects. In response Graeme Logan outlined the 'enhanced package of support' (Logan, 03.02.15, Col 2) given to science subjects. Mary Scanlon then quoted from evidence submitted by Madras Parent Council to demonstrate the concern in school communities about the articulation between old and new examinations. Chic Brodie followed this with a question for ES about tackling un-necessary bureaucracy in schools and local authorities. In reply Graeme Logan noted that ES had seen 'significant progress' (Logan, 03.02.15, Col 7) in addressing this, but Larry Flanagan disagreed and said that, 'progress had been patchy at best' (Flanagan, 03.02.15, Col 8). The discussion in the meeting then moved between the shortage of teachers in Moray Council, the lack of past papers for the new exams and teacher workload. The meeting followed this with a discussion about the way in which careers advice would be offered in schools through the structures of Curriculum for Excellence and then returned to reasons why schools had chosen to continue with the old higher in 2015 – 16.

In her opening remarks to the committee on the 3 February 2015, the Cabinet Secretary referred to a need, 'to address the attainment gap and promote equity for all our children' (Constance, 03.02.15, Col 36). Colin Beattie then asked about teacher workload in relation to the introduction of Curriculum for Excellence. In reply Angela Constance referred to the reduction in the verification processes by the SQA and the support of ES to tackle the issue of bureaucracy. Mark Griffin then focused on the workload of teachers introducing the new higher and new

advanced higher in the same year. The Convener followed this with a supplementary question about why schools could chose to delay the new higher but did not have the same choice in relation to the introduction of the new advanced higher. In her reply the Cabinet Secretary noted the smaller number of pupils who sat advanced higher, and that the provision involved less direct teaching. Mary Scanlon then asked this panel about the articulation between old higher and new advanced higher. In response Angela Constance talked about the change in content in STEM subjects and the support given through the SQA website. Janet Brown supported this and added that the similarities and differences between the old and new advanced higher would be posted on the website by the end of February 2015. The meeting concluded with a discussion about teacher shortages, and the Cabinet Secretary said that the Government was considering, 'how to help with teacher shortages in rural locations and for particular subjects' (Constance, 03.02.15, Col 47).

### **BRITISH SIGN LANGUAGE (SCOTLAND) BILL**

The committee took evidence at Stage 1 of the British Sign Language (Scotland) Bill at their meeting on the 24 February 2015. The supporting papers for this meeting included a SPICe summary of the submissions received for the bill, a summary of Facebook comments and a note of two fact-finding visits carried out by members of the committee (EC.S4/15/4/1). They returned to the bill at their meeting on the 17 March 2015 when they took evidence from the Scottish Government and Parliament (EC/S4/15/6/2). The committee considered and agreed, in private, a draft Stage 1 Report for the bill at their meeting on 21 April 2015.

<b>Date of Committee</b>	<b>Witnesses</b>
24 February 2015	<ul style="list-style-type: none"> <li>• Alan Drew, <i>Deaf BSL user</i></li> <li>• Heather Gray, <i>National Deaf Children's Society</i></li> <li>• Avril Hepner, <i>British Deaf Association</i></li> <li>• Frankie McLean, <i>Deaf Action</i></li> <li>• Nicola Mitchell, <i>Deaf BSL User</i></li> </ul>
24 February 2015	<ul style="list-style-type: none"> <li>• Pauline Craig, <i>NHS Health Scotland</i></li> <li>• Nigel Firth, <i>NHS Grampian</i></li> <li>• Lorraine Vallance, <i>Heriot Watt University</i></li> <li>• Robert Nicol, and Maria Dick, <i>COSLA</i></li> </ul>
24 February 2015	<ul style="list-style-type: none"> <li>• Carly Brownlie, <i>Scottish Association of Sign Language Interpreters</i></li> <li>• Clark Denmark, <i>BSL Broadcaster</i></li> <li>• Professor Rob Dunbar, <i>University of Edinburgh</i></li> <li>• Professor Graham H Turner, <i>Heriot Watt University</i></li> </ul>
17 March 2015	<ul style="list-style-type: none"> <li>• Dr Alasdair Allan, <i>Minister for Learning, Science and Scotland's Languages, Scottish Government</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Hilary Third, <i>Scottish Government</i></li> </ul>
17 March 2015	<ul style="list-style-type: none"> <li>• Mark Griffin, MSP, <i>Member in Charge of the Bill</i></li> <li>• Joanna Hardy, and Neil Ross, <i>Scottish Parliament</i></li> </ul>

Siobhan McMahon opened the first session of evidence with a question about the necessity of the legislation. In reply Heather Gray commented that it would ensure that British Sign Language (BSL) had the status of a language in Scotland and Frankie McLean said it was about legislation for deaf people who, ‘do not consider ourselves disabled’ (McLean, 24.02.15, Col 1). For all witnesses in this session, the bill was seen as a first step towards an improvement in services for BSL users. ‘The bill is about recognising our language and our linguistic rights, and that is the focus, rather than our disability (Hepner, 24.02.15, Col 4). The meeting then considered points made in the opening statements about the lack of support for BSL users from the 2010 Equality Act. The meeting considered the resource implications of the proposal and possible costs. This led to a detailed discussion about the proposal for a national plan, with each local authority providing a statement about how it would achieve the outcomes. In response to a question from Gordon MacDonald, Avril Hepner outlined five key areas to be included in the plan: education, social care, support for elderly deaf people, inclusion in leisure and the arts, and employment. Frankie MacLean agreed, and added early years and early intervention. The Convener ended the session by asking about the Government proposal to use a five or seven year cycle for plans, in line with the Gaelic Language (Scotland) Act 2005. The witnesses agreed that it would be best to follow a similar structure for BSL.

The committee debated the reasons for the bill with the second panel and considered the resource implications for local authorities. The panel then considered the promotion of BSL and the availability of interpreters. The witnesses did not have a strong view on the role of ministerial responsibility but questioned the size of a national advisory group. They felt that a local authority statement could be a positive support for BSL and welcomed the idea of a planning structure similar to that for Gaelic.

The third panel on the 24 of February 2015 began with a statement from Graham Turner supporting the bill and the difference it could make to related legislation such as the Equality Act and Human Rights Framework. Clark Denmark talked in particular about the importance of the comparison with the Gaelic Language (Scotland) Act 2005 and that the deaf community ‘does not accept the disability label and we see ourselves as a linguistic minority or community’ (Denmark, 24.02.15, Col 53). Colin Beattie then asked about the effectiveness of the Gaelic Language (Scotland) 2005 Act in promoting Gaelic. In reply Rob Dunbar talked about the visibility of Gaelic and the need to prioritise services for people who use Gaelic. The panel supported the planning process proposed in the bill and felt that a five or seven year planning cycle was too long.

The Convener opened the meeting on 17 March 2015 with thanks to everyone, ‘ who has taken time to give us their views and comments’ (Maxwell, 17.02.15, Col 2). The Minister began his opening statement by noting that BSL was formally recognised as a language by the Scottish Government in 2011. He informed the committee that the Scottish Government supported the principles of the bill and had been working with Mark Griffiths, to ‘simplify and streamline the requirements in the bill and reduce any bureaucratic burden on public bodies, while making the bill more action oriented and outcome focused’ (Allan, 17.03.15, Col 3). The committee then debated the membership of the proposed national group, the financial implications of the bill and the costs of implementing national and local plans with the Minister. This was followed with a final session of evidence with Mark Griffin, the MSP in charge of the bill. Questions from the committee focused on what was meant by promotion of BSL and the responsibilities of public bodies in relation to BSL.

The committee considered the Bill at Stage 2 at their meeting on 2 June 2015 and agreed the following amendments:

<b>Amendments</b>	<b>Action taken by the committee</b>
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 63, 59, 60, 61 and 62.	Agreed to (without division)
2A	Moved and withdrawn
Sections 9 and 10, and the long title	Agreed to without amendment
Sections 1, 3, 4, 5, 8 and Schedule 2	Agreed to as amended

## **EDUCATIONAL ATTAINMENT GAP**

The committee took evidence on the attainment gap in relation to Developing Scotland’s Young Workforce at their meeting on the 10 March 2015. This session was part of the on-going work of the committee on educational attainment. The papers submitted for this meeting included written submissions from those giving oral submissions, a supporting paper from SPICe, a note of a committee visit to Wester Hailes Education Centre on the 3 March 2015 (EC/S4/15/5/2). They continued their investigation of the educational attainment gap at their meeting on the 24 March 2015 when they took evidence in relation to the private and third sectors (EC/S4/15/7/1) and heard a final session of evidence at their meeting on 31 March 2015 (EC/S4/15/8/2).

They discussed the evidence heard from the first three panels in private, after the evidence sessions on the 31 March 2015 and agreed to write to the Scottish

Government to highlight the issues raised in the evidence. The committee took further evidence at their meetings on 21 and 28 April 2015 from employers and representatives of sports and the arts (EC/S4/15/9/1 and 2); the Electric Theatre Workshop, the Scottish Football Association and sportscotland (EC/S4/15/10/3).

Date of Committee	Witnesses
10 March 2015	<ul style="list-style-type: none"> <li>• James Bream, <i>Aberdeen and Grampian Chamber of Commerce</i></li> <li>• Terry Lanagan, <i>Association of Directors of Education in Scotland (ADES)</i></li> <li>• Professor Alan Gilloran, <i>Queen Margaret University</i></li> <li>• Kevin Lowden, <i>University of Glasgow</i></li> <li>• Mhairi Harrington, <i>Colleges Scotland</i></li> </ul>
24 March 2015	<ul style="list-style-type: none"> <li>• Susan Quinn, <i>Educational Institute of Scotland</i></li> <li>• Angela Morgan, <i>Includem</i></li> <li>• David Watt, <i>Institute of Directors</i></li> <li>• Allan Watt, Director, <i>The Prince's Trust Scotland</i></li> <li>• Susan Hunter, <i>Youthlink Scotland</i></li> </ul>
31 March 2015	<ul style="list-style-type: none"> <li>• Dr Sarah Morton, <i>University of Edinburgh</i></li> <li>• Iain Ellis MBE, <i>National Parent Forum of Scotland</i></li> <li>• Jackie Tolland, <i>Parent Network Scotland</i></li> <li>• Eileen Prior, <i>Scottish Parent Teacher Council (SPTC)</i></li> <li>• Shona Crawford, <i>West Dunbartonshire Council</i></li> </ul>
21 April 2015	<ul style="list-style-type: none"> <li>• Grahame Barn, <i>Civil Engineering Contractors Association (CECA) Scotland</i></li> <li>• Phil Ford, <i>Construction Industry Training Board (CITB) Scotland</i></li> <li>• Barry McCulloch, <i>Federation of Small Businesses</i></li> <li>• Paul Mitchell, <i>Scottish Building Federation</i></li> </ul>
28 April 2015	<ul style="list-style-type: none"> <li>• Brian Caldwell and Stephen Gallacher, <i>St Mirren Football Club</i></li> <li>• Chris Smith, <i>Scottish Football Association (SFA)</i></li> <li>• Colin Thomson, <i>Scottish Rugby Union (SRU)</i></li> <li>• Graham Main, <i>Electric Theatre Workshop</i></li> <li>• Ruth Wishart, <i>Broadcaster and Journalist</i></li> </ul>
12 May 2015	<ul style="list-style-type: none"> <li>• Dominic Everett, <i>Royal National Institute of Blind People</i></li> <li>• Dr John Ravenscroft, <i>Scottish Sensory Centre</i></li> <li>• Sally Paterson, <i>Scottish Association for Visual Impairment Education</i></li> <li>• Tracy Christie, <i>Hazelwood School Parent Council</i></li> <li>• Heather Gray, <i>National Deaf Children's Society</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Rachel O'Neill, <i>Moray House School of Education</i></li> <li>• Dr Audrey Cameron, <i>Child Protection Research Centre</i></li> <li>• Catherine Finestone, <i>British Association of Teachers of the Deaf</i></li> </ul>
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The meeting on the 10 March 2015 opened with a discussion about making attainment more meaningful for young people. The meeting then considered, 'the impression that people must go to university' (Brodie, 10.03.15, Col 13) and identified a need to work with children and their families in primary school to develop understanding of different career trajectories. The panel acknowledged that there were differences in the value given to vocational qualifications, and the Convener suggested that the problem came from the way that parents connected status and financial security with academic success. In reply Rob Gilloran acknowledge the underlying hierarchy but suggested that views were changing and the situation was 'more fluid' (Gilloran, 10.03.15, Col 20) than in previous generations. The meeting then moved on to discuss the ways in which schools worked directly with colleges and the challenges of combining school and college timetables. The meeting concluded with a series of questions from Gordon MacDonald about ways to involve employers in the attainment agenda.

The evidence session on the 24 March 2015 opened with a question from Mary Scanlon taken from an Audit Scotland report about spending on education and improved attainment. In reply Susan Quinn said that there was more to the question than spending on education and stressed the need for longer term sustainable projects. The meeting then discussed the role of early intervention in raising attainment and the ways in which local authorities record pupil achievement. Panel members gave detailed examples of the ways in which their organisations worked with various award structures for young people and the meeting concluded with a discussion about the role of employers and the ways in which they supported young people within the workplace.

The focus of the final evidence session on the 31 March 2015 was on the ways in which parents and schools, 'can best work together to raise the attainment of all pupils, particularly those whose attainment is at the lower end of the scale' (Maxwell, 31.03.15, Col 2). The meeting began with a discussion about the survey of parents/ carers undertaken by SPICe (EC/S4/15/8/2) on behalf of the committee. In reply Sarah Morton referred the panel to the issue of culture in schools:

There is still a sense that parents are seen as a bit of a nuisance in lots of schools here, and that there is a bit of trying to hold people at arm's length. We do not have a culture that is focused on keeping parents on side, (Morton, 31.03.15, Col 3).



This was supported by Eileen Prior who talked about a lack of partnership between schools and parents, 'education of our children should be a shared endeavour—it is an area in which both parents and professionals have an interest' (Prior, 31.03.15, Col 4). Colin Beattie followed this with a question about the most effective way to involve parents. In reply Eileen Prior described the partnership schools model, from John Hopkins University USA, that the SPTC intended to take forward in Scotland. Sarah Morton then spoke about her research into family engagement and described six dimensions of family engagement.

The dimensions are: making sure that parents have enough opportunities to understand their child's education and development needs; collaborating with the community and co-ordinating resources across community groups; providing opportunities for volunteering; making sure that there is good information about learning at home—the learning at home dimension is important not just at primary school but right through school; communication, which is about listening as well as getting information out there; and involving parents in decision making (Morton, 31.03.15, Col 8).

The meeting then considered a number of ways in which schools were engaging with parents, the structure of parents' evenings and the leadership role of the headteacher. The discussion concluded with a number of questions about ways to develop teacher understanding of working in partnership with families.

The committee collected evidence from employers at their meeting on the 21 April 2015. Mary Scanlon began the session with a series of questions about the skills employers were looking for when recruiting young people. In reply Barry McCulloch referred to a key point in the outcomes of the Scottish Government Report (2014) *Developing Scotland's Young Workforce*; that 'until now, schools and colleges have not been adequately preparing young people for the world of work' (McCulloch, 21.04.15, Col 3). Grahame Barn added that there were barriers between schools and employers, although there was a willingness on both sides to work together. The meeting then discussed the different qualifications available and the ways in which business was working with Colleges to provide that. This led to a discussion about the role of vocational education in the school curriculum. Grahame Barn then described the CECA project called Bridges to Schools:

The Institution of Civil Engineers has a bridge kit—it is not a silly wee bridge; it is 7m long—that it takes to schools. For two days, primary 6 and 7 kids work as a team to overcome difficulties and assemble this huge bridge that they can walk across. We are trying to show kids in primary schools that this is what construction is about (Barn, 21.04.15, Col14).

The committee then considered other ways in which employer organisations supported companies to engage with schools. The evidence from the panel concluded with a discussion about the need to engage with children and young people before decisions about career pathways were made.

The final evidence session for this bill was a meeting with witnesses from sports and the arts at the committee meeting on the 28 April 2015. This meeting opened with a discussion about work with, 'hard-to-reach children and young people and hard-to-reach parents' (Adam, 28.04.15, Col 30). Stephen Gallacher described the Street Stuff programme run by St Mirren Football Club and Chris Smith, work that the SFA was supporting through other football clubs. Colin Thomson then provided information about the 30 schools of rugby and street rugby supported by the SRU. The meeting then moved on to discuss the arts and the role of creativity in Curriculum for Excellence. Ruth Wishart drew the attention of the committee to longitudinal research carried out in the USA, which demonstrated the positive impact of creative projects on attainment. The meeting then considered the ways in which sports and arts projects connected with the school curriculum. This led Stewart Maxwell to suggest:

That there is a challenge with raising attainment, which is that we do not necessarily know how to value or give credit for what young people are achieving in the environments that the witnesses are involved in (Maxwell, 28.04.15, Col 47).

This led to a discussion about evidence and the need to look at the process of participation rather than outcome when considering attainment. The meeting concluded with a discussion about the need for skilled project workers in sport and the arts.

## **EDUCATION (SCOTLAND) BILL**

The committee considered its approach to Stage 1 of the bill in private, at their meeting on the 31 March 2015, when they agreed their approach to taking evidence for the bill and to consider their Stage 1 report on the bill in private at future meetings. They took their first session of evidence at their meeting on the 28<sup>th</sup> April 2015 (EC/S4/15/10/1) and returned to it on the 12 May 2015 when they agreed, in private, a letter to the Scottish Government raising issues identified from the evidence session. They heard further evidence on 9 June 2015 (EC/S4/15/15/5/1), 16<sup>th</sup> June 2015 (EC/S4/15/16/A) and concluded the evidence sessions on the 23<sup>rd</sup> June 2015 (EC/S4/15/17/1). They considered the bill in private on 23<sup>rd</sup> June 2015 and agreed to invite written submissions on a proposed amendment to the bill.

<b>Date of Committee</b>	<b>Witnesses</b>
28 April 2015	<ul style="list-style-type: none"> <li>• Kit Wyeth, Douglas Ansdell and Laura Meikle, <i>Learning Directorate, Scottish Government</i></li> <li>• John Paterson, <i>Directorate for Legal Services, Scottish Government.</i></li> </ul>
9 June 2015	<ul style="list-style-type: none"> <li>• Keir Bloomer, <i>Reform Scotland</i></li> <li>• Professor Sally Brown, <i>Royal Society of Edinburgh</i></li> <li>• Professor Sue Ellis, <i>Joseph Rowntree Foundation</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Iain Glennie, <i>Scottish Secondary Teachers' Association</i></li> </ul>
9 June 2015	<ul style="list-style-type: none"> <li>• Sally Cavers, <i>Children in Scotland</i></li> <li>• Irene Henery, <i>Equality and Human Rights Commission Scotland</i></li> <li>• Jim Martin, <i>Scottish Public Service Ombudsman</i></li> <li>• Iain Smith, <i>Inclusion Scotland</i></li> </ul>
16 June 2015	<ul style="list-style-type: none"> <li>• Iain Campbell (Iain Caimbeul), <i>Bòrd na Gàidhlig</i></li> <li>• Kenneth A Murray (Coinneach A Moireach), Gaelic, <i>The Highland Council (Comhairle na Gàidhealtachd)</i></li> <li>• Magaidh Wentworth (Margaret Wentworth), <i>Comann nam Pàrant</i></li> </ul>
16 June 2015	<ul style="list-style-type: none"> <li>• John Wilson, <i>East Ayrshire Council</i>;</li> <li>Nicola Dudley, <i>Scottish Council of Independent Schools</i></li> <li>• Rod Grant, Headmaster, <i>Clifton Hall School</i></li> <li>• Dr Daniel Hovde, <i>International School of Aberdeen</i></li> <li>Ken Muir, <i>The General Teaching Council for Scotland</i></li> </ul>
23 June 2015	<ul style="list-style-type: none"> <li>• Bruce Robertson OBE, and John Stodter, <i>Association of Directors of Education in Scotland (ADES)</i></li> <li>• Councillor Michael Cook and Robert Nicol, <i>COSLA</i></li> </ul>
23 June 2015	<ul style="list-style-type: none"> <li>• Angela Constance, <i>Cabinet Secretary for Education and Lifelong Learning, Scottish Government</i></li> <li>• Kit Wyeth, <i>Learning Directorate, Scottish Government</i></li> <li>• Afson Barekat, <i>Solicitor, Scottish Government</i></li> </ul>
23 June 2015	<ul style="list-style-type: none"> <li>• Dr Alasdair Allan, <i>Minister for Learning, Science and Scotland's Language, Scottish Government</i></li> <li>• Kit Wyeth, Douglas Ansdell and Laura Meikle, <i>Learning Directorate, Scottish Government</i></li> </ul>

The committee began their consideration of Stage 1 of the Education (Scotland) Bill at their meeting on the 28<sup>th</sup> April 2015. In his opening remarks Kit Wyeth described the aims of the bill:

Specifically, the bill proposes a requirement for education authorities and the Scottish ministers to attach greater significance to narrowing the attainment gap, making it a priority for all. The introduction of reporting duties will ensure increased accountability at the local and national levels (Wyeth, 28.04.15, Col 1).

He followed this with a description of the content of the bill: the introduction of reporting on pupil attainment for schools and local authorities, new rights for

parents to request Gaelic-Medium Education (GME), new rights for children within the legislation for additional support needs, a requirement for compulsory registration with the General Teaching Council for Scotland for teachers in independent schools and a series of technical amendments in relation to guardianship of children. Mark Griffin then asked about the content of the new regulations on attainment. In reply Kit Wyeth said the detail would be developed from the work underway in seven local authorities as part of the Scottish attainment challenge. Chic Brodie then asked directly about target setting, 'I assume that there will be no target setting under this whole objective, and that we will be considering outcomes annually?' (Brodie, 28.04.15, Col 5). Kit Wyeth agreed and said that the focus of the legislation was, 'To have outcomes for all children in Scotland' (Wyeth, 28.04.15, Col 5). In answer to a follow up question about reporting Kit Wyeth added that the proposal in the bill was that local authorities and ministers would report on the outcomes every two years. The Convener then asked how an education bill could address inequalities for individual pupils, that came from socioeconomic disadvantage. Kit Wyeth responded that the bill would require local authorities and ministers, 'to have due regard to the issue when they make decisions about education' (Wyeth, 28.04.15, Col 7). He then added:

Individual teachers know their pupils and will, in any event, target support to children depending on their needs and abilities. This is just something else that we ask them to bear in mind when they make decisions about providing support to pupils (Wyeth, 28.04.15, Col 8).

The Convener then asked if the expectation was to work to raise the attainment of all, or to close the gap between those with higher and lower attainment. Kit Wyeth acknowledged that this was challenging and said;

Ideally, we want the pupils who are performing at the top to continue to increase their performance but at a slower rate than those at the bottom do. We would like everyone to move up but to have the gap narrowing throughout that process (Wyeth, 28.04.15, Col 9).

The meeting then moved on to consider the legislation relating to GME and Douglas Andsell described the process to be introduced following a parental request for GME. He acknowledged that the new process could still lead to a refusal to provide GME, 'if there are not the numbers or if the local authority cannot secure a teacher' (Andsell, 28.04.15, Col 14). Members of the committee were concerned that the bill would raise the expectations of parents requesting GME while Douglas Andsell argued that the introduction of a process ensured that local authorities would respond to these requests. The panel then considered the need to consult children and young people about the proposal to introduce the term 'best interests' and extend the use of 'rights' to children aged 12 to 15. This was followed by a debate around the requirement for local authorities to identify a Chief Education Officer.

The committee took their next session of evidence at their meeting on the 9 June 2015. This meeting began with a series of questions to the first panel of witnesses about the use of legislation in relation to closing the attainment gap, this led to a discussion of practices which had supported changes in attainment. Sue Ellis recommended, 'Light –touch legislation that asks local authorities to collect hard-core outcome data about what is and what is not working' (Ellis, 09.06.15, Col 14). The meeting then discussed the use of early intervention strategies, different forms of testing and the proposed new role of Chief Education Officer. The evidence from the second panel on the 9 June 2015 focused on issues relating to additional support for learning and section 70 complaints. This was a matter raised by the Faculty of Advocates that, ' the definition of capacity is not consistent with the current law or the Equality Act 2010' (McArthur, 09.06.15, Col 32). The panel raised a number of concerns about the proposed section 70, and in particular a lack of compatibility with existing legislation

The evidence sessions on the 16 June 2015 addressed the proposals in the bill relating to Gaelic and the proposed requirement for all teachers teaching in Scotland to be registered with the GTCS. The witnesses in the first panel drew the attention of the committee to the need to consider work to support early years and secondary education in Gaelic Medium provision. The meeting then spent some time discussing the bill as a first step towards legal rights for Gaelic-medium education and the costs to each council of Gaelic-medium provision. The second panel of witnesses on the 16 June 2015 discussed the proposed changes to the registration requirements for teachers in independent and grant-aided schools. The meeting acknowledged the progress made by a GTCS working group considering flexible routes to registration. The committee took evidence from three further panels at their meeting on 23 June 2015. The key points raised in discussion with the first panel were the attainment gap, the proposals in the bill relating to Gaelic-medium education and additional support needs. They then met with the Cabinet Secretary and her officers before concluding their evidence in a meeting with the Minister for Learning, Science and Scotland's Languages.

## **INQUIRY ON ATTAINMENT OF PUPILS WITH SENSORY IMPAIRMENT**

The committee began their inquiry into the attainment of pupils with sensory impairment at their meeting on the 12 May 2015 (EC/S4/15/11/1) and took evidence from two panels of witnesses. Following that meeting the committee visited the Dundee multi-sensory service at Craigie High School. They took further evidence from witnesses on the 19 May 2015 (EC/S4/15/12/1) and concluded the evidence for the inquiry on the 26 May 2015. The papers submitted for this meeting were private. The committee returned to the inquiry, in private, at their meeting on the 23 June 2015 and considered the main points received from evidence during the inquiry.

<b>Date of Committee</b>	<b>Witnesses</b>
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12 May 2015	<ul style="list-style-type: none"> <li>• Dominic Everett, <i>Royal National Institute of Blind People (RNIB)</i> Dr John Ravenscroft, <i>Scottish Sensory Centre</i></li> <li>• Sally Paterson, <i>Scottish Association for Visual Impairment Education</i></li> <li>• Tracy Christie, <i>Hazelwood School Parent Council</i></li> </ul>
12 May 2015.	<ul style="list-style-type: none"> <li>• Heather Gray, <i>National Deaf Children's Society</i></li> <li>• Rachel O'Neill, <i>Moray House School of Education</i></li> <li>• Dr Audrey Cameron, <i>Child Protection Research Centre</i></li> <li>• Catherine Finestone, <i>British Association of Teachers of the Deaf</i></li> </ul>
19 May 2015	<ul style="list-style-type: none"> <li>• Alison McGillivray, <i>East Renfrewshire Council</i></li> <li>• David Watt, <i>Education Scotland</i></li> <li>• Brian Shannan, <i>Fife Council</i></li> <li>• Eileen Burns, <i>Hamilton School for the Deaf</i></li> <li>• Richard Hellewell, <i>Royal Blind</i></li> </ul>
26 May 2015	<ul style="list-style-type: none"> <li>• Dr Alasdair Allan, <i>Minister for Learning, Science and Scotland's Language, Scottish Government</i></li> <li>• Colin Spivey, <i>Learning Directorate, Scottish Government</i></li> <li>• Lesley Brown, <i>Education Scotland</i></li> </ul>

The meeting on the 12 May began with a discussion about the number of children with a visual impairment. John Ravenscroft explained to the committee that a child was certified as visually impaired by an ophthalmologist, but that some pupils recorded on the pupil census as visually impaired, might not be. He added that academics working in the field estimated that there were around 2,200 visually impaired pupils in Scotland. His remarks were supported by Dominic Everett who said that the RNIB were concerned about many children, particularly those with complex needs, who had a hidden sight loss. Both witnesses recommended that there should be a formal pathway through the visual impairment network for children and young people (VINCYP) to register visual impairment. Tracy Christie then talked about the support she had sought as a parent of a visually impaired child and the lack of appropriately trained staff in education. The meeting then discussed the leaver destinations of visually impaired young people. The panel acknowledged that the majority of young people went on to college and raised concerns about support for the transition from school to college. The meeting then discussed the specialist qualifications available and the lack of qualified teachers in Scotland before concluding with a discussion of the professional learning opportunities available to teachers of children and young people with visual impairments.

The second panel of witnesses on the 12 May 2015 were representatives from the deaf community and of those working with hearing impaired children and young people. This session opened with a discussion about the qualification available for teachers of the deaf, the age profile of these teachers in Scotland and the lack of support available for teachers to obtain the postgraduate diploma to qualify as a teacher of the deaf. Mark Griffin then asked why the level of BSL skill required by teachers of the deaf was set at level 1. Rachel O'Neill replied that the level applied across the UK but that teachers themselves who work with signing pupils felt that level 2 was more appropriate. She went on to point out to the committee that level 3 in BSL was equivalent to a Higher, with BSL interpreters requiring level 6 qualifications. Colin Beattie then moved the discussion onto the use of technology and the meeting spent some time considering the supports available for children through radio aids and GLOW. The meeting concluded with a series of questions about the ways in which hearing impairments were recorded and how support was arranged through health and education services.

The third session of evidence began with a discussion about the assessment of children and young people who had a sensory impairment. This led to a discussion about the role of early intervention in relation to sensory impairment and in particular the importance of newborn screening for hearing impairment. Colin Beattie followed this with a question about attainment, and David Watt acknowledged that the outcomes, 'for deaf children and those with visual impairment are not good enough' (Watt, 19.05.15, Col 14). This led to a question from Gordon MacDonald about the lack of specialist teaching staff. In response Richard Hellewell and Eileen Burns both talked about the lack of incentives for staff to gain additional qualifications and the need for professional learning opportunities once in post. Mark Griffin then asked about the acceptable levels of skills in BSL for teachers of the hearing impaired, which David Watt did not answer directly. The meeting concluded with a discussion about the use of technology and the sharing of resources between local authorities.

The committee held a final evidence session for this inquiry at their meeting on the 26 May 2015. The Minister made an opening statement to the meeting in which he highlighted areas of good practice and recognised, 'that there is still significant room for improvement' and noted the issues raised in previous meetings; 'on support data, the training of staff, inclusive education and transitions' (Allan, 26.05.15, Col 3). Chic Brodie then asked about the variation between local authorities in the support offered to children and young people with sensory impairments. In reply Alasdair Allan said that education was the responsibility of local authorities and they made decisions about the use of resources. The committee followed this with a series of questions about young people in college, the destination of college leavers with sensory impairments and the reasons why they chose to go to college. The meeting continued with a question from Gordon MacDonald about workforce planning and the lack of teachers becoming specialist teachers. In reply Colin Spivey said, 'I think that there are 58 specialist teachers of visual impairment and around 80 teachers of hearing impairment' (Spivey, 26.05.15, Col 14). The meeting then considered the

evidence from previous panels about the need for more specialist staff and the lack of notice of that from local authorities, or as Alasdair Allan concluded:

What Colin Spivey and I were trying to get across is that there is no indication that local authorities feel that they cannot find teachers. There is a debate to be had about whether the right number of teachers is in the system, but there is no evidence that local authorities cannot find qualified teachers (Allan, 26.05.15, Col 16).

Mark Griffin then asked the Minister about the level of BSL knowledge required by teachers of the deaf. This led to a request from the Convener to the Minister, for Government to undertake to collect information about the number of teachers of the deaf who held BSL level 1 and the number who worked at a higher level. The Minister agreed that the Government would collect the information and share it with the committee. The evidence session closed with a discussion about the presumption of mainstream education for children and young people with sensory impairment.

### **SCOTLANDS’S COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**

The committee took evidence from Tam Baillie, Scotland’s Commissioner for Children and Young People (SCCYP) and his staff at their committee meeting on the 2 June 2014. This meeting was held to consider the new power of investigation held by the Commissioner and the work involved for SCCYP (EC/S4/15/14/1). They then considered the matter in private at their next meeting on the 9 June 2015.

<b>Date of Committee</b>	<b>Witnesses</b>
2 June 2015	<ul style="list-style-type: none"> <li>Philip Raines, <i>Scottish Government</i></li> </ul>
2 June 2015	<ul style="list-style-type: none"> <li>Tam Baillie, Pauline McIntyre and Nico Juetten, <i>Scotland's Commissioner for Children and Young People</i></li> </ul>

The meeting on the 2 June 2015 began with a single witness, Philip Raines who was acting head of children’s rights and wellbeing in the Scottish Government. In his opening remarks Philip Raines reminded the committee that the rights based approach to service delivery was now part of the role of SCCYP through the new powers assigned to the SCCYP in the Children and Young People (Scotland) Act 2014. The meeting then considered the ways in which the commissioner’s office supported children and young people, ‘within the existing complaints landscape’ (Raines, 02.06.15, Col 2). The discussion addressed the responsibilities of the commissioner and in particular the complaints procedures in parts four and five of the Act. Philip Raines highlighted to the committee that these parts were written in a way, ‘that is wholly consistent with children’s rights’ (Raines, 02.06.15, Col 7). He then explained that the complaints procedures given to the SCCYP in the



Act were in relation to children's rights and not in relation to the actions of any professional working with the child. The committee then debated the concerns of other organisations involved, such as the Care Inspectorate, and the need for a memorandum of understanding between them about complaints.

At the beginning of the second session of evidence on the 2 June 2015 Pauline MacIntyre described the ways in which the office of the SCCYP would also help other bodies to provide child-friendly structures within their complaints systems. Tam Baillie then talked about the ways in which the new support from SCCYP would support children and enable some matters to reach resolution without complaints procedures. The Convener questioned that the SCCYP should have such a 'mediation-type role' (Maxwell, 02.06.15, Col 21). In reply Tam Baillie talked the committee through examples of the way in which he felt the office of the SCCYP could help children and young people with complaints that it would not be easy for them to take to other bodies. The session concluded with a summary from the SCCYP of the staffing needs to support the new function of his office.

## **BUDGET**

The committee agreed, in private, their approach to their scrutiny of the Scottish Government's Draft Budget for 2016- 17 at their meeting on the 21 April 2015 and considered a paper from the clerk at their meeting on 23 June 2015.

## **EUROPEAN UNION**

The committee considered and agreed their response to the European and External Relations Committee in relation to its priorities in relation to the European Union at their meeting on 3 February 2015. At the same meeting they appointed Siobhan McMahon the European Union Reporter for the Education and Culture Committee.

## **PETITIONS**

The committee considered Petition PE1530 placed by Spencer Fildes, on behalf of the Scottish Secular Society, at their meeting on 10<sup>th</sup> March 2015. This petition asked Parliament:

... to urge the Scottish Government to issue official guidance to bar the presentation in Scottish publicly funded schools of separate creation and of Young Earth doctrines as viable alternatives to the established science of evolution, common descent, and deep time (EC/S4/15/5/A).

The committee agreed to write to the Scottish Government asking for clarification its' position in relation to the petition. They returned to the petition at their meeting on the 12<sup>th</sup> May 2015 when they noted the response of the Minister for Learning, Science and Scotland's Languages and agreed to close the petition.

## **SUBORDINATE LEGISLATION**

The committee took evidence on Post-16 Education (Scotland) Act 2013 (Modification of Legislation) Order 2015 [draft]; the Support and Assistance of Young People Leaving Care (Scotland) Amendment Regulations 2015 (SSI 2015/62), the Continuing Care (Scotland) Order 2015 [draft] and the Aftercare (Eligible Needs) (Scotland) Order 2015 [draft] at their meeting on the 24<sup>th</sup> March 2015. After debate, the committee approved the instruments. The committee received an update on issues arising from Continuing Care (Scotland) Order 2015 [draft] and the Aftercare (Eligible Needs) (Scotland) Order 2015 [draft] legislation at their meeting on the 28 April 2015. The committee took evidence on the Education (School Lunches) (Scotland) Regulations 2015 [draft] and the Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2015 [draft] at their meeting on the 2<sup>nd</sup> June 2015. After debate the committee approved the legislation.

The committee considered and made no recommendations in relation to the following negative instruments during this period:

- Children (Performances and Activities) (Scotland) Regulations 2014 (SSI 2014/372)
- Teachers' Pension Scheme (Scotland) Amendment Regulations 2015 (SSI 2015/97)
- Teachers' Superannuation (Scotland) Amendment Regulations 2015 (SSI 2015/98)
- Support and Assistance of Young People Leaving Care (Scotland) Amendment Regulations 2015 (SSI 2015/62)
- University of the West of Scotland (Amendment of the University of Paisley (Scotland) Order of Council 1993) Order of Council 2015 (SSI 2015/209)
- Education (Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2015 (SSI 2015/212)
- Protection of Vulnerable Groups (Scotland) Act 2007 (Fees for Scheme Membership and Disclosure Requests) Amendment Regulations 2015 (SSI 2015/223)

## REFERENCES

- Redford, M. (2015) Education in the Scottish Parliament, *Scottish Educational Review*, 47 (1)
- Scottish Government (2015) *Curriculum for Excellence Working Group on Tackling Bureaucracy*, Scottish Government, Edinburgh. From, <http://www.gov.scot/Publications/2013/11/5316>
- Scottish Government (2014) *Developing Scotland's Young Workforce*, Scottish Government, Edinburgh. Available From, <http://www.gov.scot/Topics/Education/edandtrainingforyoungple/commissiondevelopingscotlandsyoungworkforce/finalreport> (Book Reviews)
- Book Reviews *Scottish Educational Review*, 47(2): 123-131.