

## UHI Research Database pdf download summary

### Education in the Scottish Parliament 2016 (2)

Redford, Morag

*Published in:*  
Scottish Educational Review

*Publication date:*  
2016

### [Link to author version on UHI Research Database](#)

*Citation for published version (APA):*  
Redford, M. (2016). Education in the Scottish Parliament 2016 (2). *Scottish Educational Review*, 48(2), 108 - 121. [http://www.scotedreview.org.uk/media/schools/social-sciences/2016\\_48-2\\_Nov\\_08\\_Parliament.pdf](http://www.scotedreview.org.uk/media/schools/social-sciences/2016_48-2_Nov_08_Parliament.pdf)

#### **General rights**

Copyright and moral rights for the publications made accessible in the UHI Research Database are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights:

- 1) Users may download and print one copy of any publication from the UHI Research Database for the purpose of private study or research.
- 2) You may not further distribute the material or use it for any profit-making activity or commercial gain
- 3) You may freely distribute the URL identifying the publication in the UHI Research Database

#### **Take down policy**

If you believe that this document breaches copyright please contact us at [RO@uhi.ac.uk](mailto:RO@uhi.ac.uk) providing details; we will remove access to the work immediately and investigate your claim.

## **EDUCATION IN THE SCOTTISH PARLIAMENT**

**Morag Redford**

University of the Highlands and Islands

---

### **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 February 2015 to August 2015. The following bulletin covers the remit of the Education and Culture Committee from September 2015 to February 2016.

### **AUGUST 2015 – FEBRUARY 2016**

The Education and Culture Committee had the following members during this period: Stewart Maxwell (Convener), Siobhan McMahon (Deputy Convener to 15.09.15), Mark Griffin (Deputy Convener from 15.09.15), George Adam, Colin Beattie, Chic Brodie, Gordon MacDonald, Liam McArthur, John Pentland (from 15.09.15) 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 heard further evidence on the Education (Scotland) Bill and agreed amendments to Stage 2 of the Bill. They concluded their inquiry on the attainment of pupils with sensory impairment and published a report in September 2015. They took evidence from the Scottish Qualifications Authority (SQA), the Scottish Further and Higher Education Funding Council (SFHEFC), Education Scotland (ES) and Skills Development Scotland (SDS) as part of their work to examine the spending decisions made by public bodies within their remit. They began work on Stage 1 of the Higher Education (Scotland) Bill, took evidence on student support, reviewed the Draft Budget and considered a wide range of subordinate legislation. The committee considered their work programme in private at their meeting on the 15 September 2015, and reviewed the programme in private at their meetings on the 6 and 27 October 2015.

### **EDUCATION (SCOTLAND) BILL**

The committee considered a draft report, in private, at their meeting on the 1 September 2015. They returned, in a private meeting, to a revised draft at their next meeting on the 8 September 2015. The committee returned to stage 2 of the Bill SM4-14740 on the 10 November 2015 when they considered in private the order in

which they would consider the bill. The committee took evidence to inform their decision on Stage 2 amendments at their meeting on 17 November 2015. They received written submissions from those attending the meeting (EC/S4/15/27/1 - 4) with further submissions available through the committee website.

Date of Committee	Witnesses
17 <sup>th</sup> November 2015	<ul style="list-style-type: none"> <li>• Susan Quinn, <i>Educational Institute of Scotland</i></li> <li>• Iain Ellis MBE, <i>National Parent Forum of Scotland</i></li> <li>• Craig Munro, <i>Association of Directors of Education in Scotland</i></li> <li>• Professor Cate Watson, <i>University of Stirling</i></li> </ul>
17 <sup>th</sup> November 2015	<ul style="list-style-type: none"> <li>• John Edward, <i>Scottish Council of Independent Schools</i></li> <li>• Terry Lanagan, <i>Association of Directors of Education in Scotland</i></li> <li>• Greg Dempster, <i>Association of Headteachers and Deputes in Scotland</i></li> <li>• Audrey Edwards, <i>Shetland Islands Council</i></li> </ul>
17 <sup>th</sup> November 2015	<ul style="list-style-type: none"> <li>• Angela Constance, <i>Cabinet Secretary for Education and Lifelong Learning, Scottish Government</i></li> <li>• Donna Bell, David Roy, and Lorraine Stirling, <i>Scottish Government</i></li> </ul>

The first evidence session on the 17 November opened with a question about the amount of data currently available in schools and whether legislation about new data was required. This led to a discussion about the creation of league tables and teaching in preparation for tests. Liam McArthur then asked participants to suggest, 'How can we ensure that legislation does not lead to those consequences, whether they are unofficial or otherwise?' (McArthur 17.11.15, Col 13). In her reply Susan Quinn referred to the EIS written submission and said, that it was about 'looking at a range of assessment strategies that clearly back up teachers' professional judgement' (Quinn 17.11.16, Col 15). The meeting then considered the information parents expected from schools and role of the Government in collecting data. This led the panel to identify a tension in the proposals between the accountability of Local Government in delivering education and the accountability of the Government who will collect the data.

The second panel on the 17 November discussed the proposed Government amendments to the Standard for Headship. Initial statements from Audrey Edwards and Terry Lanagan suggested the proposed changes would increase existing

recruitment problems for headteacher posts. The meeting debated aspiring headteachers gaining the proposed qualification after appointment and considered the support in local authorities for development of school leaders. The meeting considered the costs to local authorities of funding staff through the new programme and discussed the lack of incentives to take up headteacher posts.

In her opening remarks in the final session of evidence the Cabinet Secretary spoke about the development of the National Improvement Framework (NIF) and of the amendments to the Standard for Headship:

The idea that prospective headteachers should be qualified before they take up post is not new and has been Scottish Government policy since 2005. The amendment will clarify what already exists in guidance (Constance 17.11.15, Col 43).

The questions to the Cabinet Secretary from the committee focused on the use of existing data in local authorities and the development of national standardised assessments. The Convener was particularly concerned that the committee would return to Stage 2 of the NIF at their meeting on the 7 December, before the final version was published by the Government. In her reply the Cabinet Secretary apologised for the delay and reminded the committee that the amendments concerned creating the NIF; reviewing it annually and the Government and local authorities publishing their results annually.

The committee considered the Education (Scotland) Bill at their meetings on the 1, 7 and 8 December when they agreed the bill as below:

<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, 26, 27, 28, 29, 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, 58, 59, 60, 62, 63, 64, 65, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101,102, 103, 104, 105, 159, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 168, 169, 171, 133, 127, 128, 129, 135, 136, 137, 138, 139 and 174	Agreed to (without division)
24, 25, 130, 131, 30, 61, 66, 70, 71, 95, 104G, 106, 107, 164 and 173.	Agreed to (by division)
104A, 104D, 104E, 106A, 107E, 160, 161, 162, 163 and 172	Disagreed to (by division)
143, 147, 132, 150 and 158	Moved and withdrawn
140, 141, 142, 144, 145, 146, 148, 149, 151, 152, 50A, 153, 154, 155, 156, 157, 104B, 104C, 104F, 106B, 107A, 107B, 107C, 107D, 165, 166, 167, 170 and 134	Not moved
Sections 13, 14, 15, 17. 20, 21, 22, 23, 24, 26, 27, and 28.	Agreed to without amendment

Sections 5, 6, 7, 8, 9, 10, 11, 12, 16. 17, 18, 19, 25 and the schedule.	Agreed to as amended
--	----------------------

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

The committee considered a draft report, in private, at their meeting on the 1 September 2015 and approved a revised draft at their meeting on the 15 September 2015.

## **SCOTTISH QUALIFICATIONS AUTHORITY**

The committee took evidence from the Scottish Qualifications Authority (SQA) at their meeting on 22 September 2015. The papers for the meeting included written evidence from the SQA, seven public submissions and a SPICe briefing paper on the role and operation of the SQA (EC/S4/15/21/2).

<b>Date of Committee</b>	<b>Witnesses</b>
22 September 2015	<ul style="list-style-type: none"> <li>• Dr Janet Brown and Linda Ellison, <i>Scottish Qualifications Authority</i></li> </ul>

The meeting on the 22 September 2015 began with opening remarks from Janet Brown in which she described the functions and operation of the SQA. The first questions from the committee focused on the difficulty of the Higher Maths paper in 2015 and the different application of grade boundaries for different subjects. In replies Janet Brown acknowledged the importance of undertaking a national rating across the subjects examined, with the aim to have the ratings for all subjects to be within one grade band. Liz Smith responded with a comparison of the banding for an A pass in classical studies (83%) with the much lower banding for an A pass in Higher Maths. Janet Brown's reply was:

Although an A-grade boundary set at 80 per cent might appear to be very different from one set at 70, what we are saying is that the assessment that has been undertaken by those candidates means that those who are at an A standard in the first subject should be getting 80 per cent while those at an A standard in the other subject should be getting 70, because of the level of difficulty and coverage of the particular assessments (Brown 22.09.15, Col 7).

Mary Scanlon then asked for a copy of the minutes of the 2015 SQA grade boundary meetings. In reply Janet Brown said that the decisions made in the grade boundary meetings would be published in October, adding that they were published for teachers. The convener then asked about the appeals process and the way in which the SQA had responded to the issue of an early question in the Higher Maths paper, 'caused individual pupils to be distressed' (Maxwell 22.09.15, col 13). In reply Janet Brown said:

We looked at performance on each individual question, and we did not see evidence that early questions caused changes to the way in which people performed later on in the paper (Brown 22.09.15, Col 13).

She went on to explain that this data was now available electronically to the committee setting the grade boundaries, due to the introduction of e-marking, but that it was not information that was published.

Chic Brodie followed this with a series of questions about the information technology systems used by the SQA and queried the use of, a '20-year-old IT system' (Brodie, 22.09.15, Col 16). In reply Janet Brown expressed confidence in the IT structure and Linda Ellison described the way in which other services were being relocated to provide a system, 'stripped back to the information that is critical to an awarding organisation' (Ellison 22.09.15, col 18). Chic Brodie then expressed his concern about the ability of the SQA to guarantee decisions they made when working with such a system. This led to a series of questions about value for money and entry fees for examinations. In reply Janet Brown argued that the main diet of national qualifications was only part of their work, 'Every week we also certificate HNDs, HNCs, SVQs, vocational qualifications and other awards,' (Brown, 22.09.15, Col 22). In reply to a question from Chic Brodie about international activity, Janet Brown acknowledged that it was more profitable than Scottish business but added:

We have a broad portfolio in Scotland, as we should have. It requires a significant amount of money to keep it going. We should keep that portfolio (Brown, 22.09.15, Col 24).

The meeting then discussed the role of the SQA in reducing the attainment gap and in particular the cost of appeals to poorer households. The Convener followed this with a request that SQA provide the committee with information as to how the appeals process worked and the number of appeals made. The meeting concluded with specific questions about the presentation of the accounts and the ways in which the SQA dealt with deficits and liabilities and a request from the committee for information about all the overseas activity the SQA were currently involved in.

### SCOTTISH FUNDING COUNCIL

The committee met with representatives of the SFHEFC at their meeting on the 29 September 2015. Papers provided for that meeting included a written submission from the SFEHEFC and a SPICe briefing on the role of the SFHEFC (EC/S4/15/22/4). Eight public submissions were received and these can be accessed through a direct link on the committee papers (EC/S4/15/22/4).

Date of Committee	Witnesses
29 September 2015	<ul style="list-style-type: none"> <li>• Laurence Howells, Professor Alice Brown, Professor Paul Hagan and Dr John Kemp, <i>Scottish Further and Higher Education Funding Council</i></li> </ul>

In her opening remarks to the committee Alice Brown reminded the meeting that the council was formed following a merger of the Scottish Further Education Funding Council and the Scottish Higher Education Funding Council in 2005:

Our function is to secure the coherent provision of high-quality further and higher education and research, and we have a duty to ensure that provision is made for

assessing and enhancing the quality of funded post-16 education (Brown, 29.09.15, Col 35).

She went on to describe the wide range of stakeholders the council worked with and the changes brought through the 2012 outcome agreements and college regionalisation. The session began with a discussion about widening access through outcome agreements and then moved on consider the income of University based knowledge exchange activities and returns to the funding council. Paul Hagan replied that the focus of the council was about supporting the interactions between those businesses and industry. He then went on to describe the eight innovation centres provided by the council, 'to feed the demand from industry for research and development' (Hagan, 29.09.15, Col 43). The Convener followed up a point made by Chic Brodie about the funding council taking equity shares in businesses they supported to which Laurence Howells replied that the council usually funded infrastructure in the universities rather than specific projects. Gordon MacDonald then asked about the need for IT specialists and engineering vacancies and if they would be included in a widening access project. In response John Kemp said that they were expanding the number of STEM graduates and that the challenge was to increase the proportion of graduates applying for jobs in those areas. This led to a question from Colin Beattie about the relationship between the funding council and the Government. In his reply Laurence Howells talked about the two roles held by the council: to put into operation Government priorities for the sector and to provide advice to the Government. He noted that the convention followed in relation to advice was that it was given in confidence. Colin Beattie then quoted from a letter of guidance from the Government, issued on the 10 September 2015 in which the Cabinet Secretary said:

I consider it essential that you accelerate your efforts to reform and strengthen your own organisation to ensure it is attuned to the evolving political and economic environment and the needs of our communities; capable of acute analysis and effective and efficient ways of working; and of delivering effective, high-quality leadership to the HE and FE sectors it funds, ensuring that public investment delivers for learners and, ultimately, grows the economy (Constance as quoted by Beattie, 29.09.15, Col 41).

Laurence Howells replied that it was the aspiration of the council to be viewed in that way and outlined ways of partnership working which he felt were taking that forward. The meeting then discussed the use of the global excellence fund as additional investment in Universities prior to the Research Assessment Exercise in 2014.

## EDUCATION SCOTLAND

The committee continued with their review of the public bodies in their responsibility when they met with ES on the 27 October 2015. Education Scotland provided a written submission for the meeting (EC/S4/15/24/1).

Date of Committee	Witnesses
27 October 2015	<ul style="list-style-type: none"><li data-bbox="534 1633 1153 1696">• Dr Bill Maxwell and Alastair Delaney, <i>Education Scotland</i></li></ul>

In his opening remarks to the committee Bill Maxwell reflected on the development of ES in 2011 as, ‘a bold and progressive step that has given us a unique form of national improvement agency’ (Maxwell 27.10.15, Col 2). He then went on to describe to the committee the core functions of Education Scotland as: national leadership for the curriculum, promoting professional learning, promoting self-evaluation, inspection and providing professional advice to policy making bodies. He closed with a reference to the end of the first three year planning cycle for the organisation and consultation about the direction of Education Scotland between 2016 – 2019. Chic Brodie then asked why ES sat in the portfolio of the Director General Learning and Justice in the Government. In response Bill Maxwell explained that the current relationship with the Government followed the relationship of that of Her Majesty’s Inspectorate of Education (HMIE) had with the Government before the creation of Education Scotland. The meeting then spent some time considering the lines of accountability for the organisation and the way it worked with Ministers alongside that. The Convener then asked about concerns expressed by the Educational Institute of Scotland (EIS) that the support work, led by Learning and Teaching Scotland to 2011, had been marginalised within ES. Bill Maxwell disagreed with the statement and gave the committee examples of the way in which ES had worked with the EIS to tackle bureaucracy in primary schools. The Convener then quoted from The Association of Directors of Education in Scotland (ADES) that ES developmental activity did not reach all areas of the country. Bill Maxwell also disagreed with that statement and listed development work in Orkney and Shetland and concluded:

ADES may be confused by the fact that our staff are predominantly based in the central belt, but we maintain offices around Scotland—in Inverness, Aberdeen and elsewhere—and all our staff range across Scotland and do not necessarily work where they are based (Maxwell, 27.10.15, Col 9).

Gordon MacDonald then asked a series of questions about budget overspends which Alistair Delany explained were due to the merger of a non-department public body with civil service bodies and described the way in which the Education Scotland budget was managed as part of the Government budget for Education and Lifelong Learning. Gordon MacDonald asked specifically about the ICT budget and the cost of GLOW. Mark Griffin asked about the financial impact on the organisation of their response to the attainment challenge. In reply Bill Maxwell talked about refocusing resources, ‘using our business planning system to see where we can stop doing something or downsize an activity to free up staff time’ (Maxwell, 27.10.15, Col 16). Colin Beattie asked about the independence of the inspection process and the low level of complaints received about inspections. In response Alistair Delany outlined the adjustment process followed to take account of the issue raised. The Convener then summarised the tensions within ES as:

... the tension between being responsible for delivering Scottish Government priorities and dealing with the support needs of teachers and learners in schools, and there is also the issue of being able to criticise as well as support Government policy. Maxwell, S. 27.10.1, Col 22).

In his reply Bill Maxwell used funding for health and wellbeing to illustrate the way in which Education Scotland worked with those tensions. This led the Convener to ask if Education Scotland was, ‘completely free to make constructive criticism to



drive or change Government policy? (Maxwell, S. 27.10.15, Col 24). Bill Maxwell's response was, 'Yes' (Maxwell, 27.10.15, Col 24). The meeting concluded with a discussion of the role of partnership between Education Scotland and Local Authorities.

## **SKILLS DEVELOPMENT SCOTLAND**

The committee held an evidence session with SDS at their meeting on 3 November 2015. SDS submitted a written report for the meeting (EC/S4/15/25/1) and the SDS Operating plan for 2104 – 15 (EC/S4/15/25/2).

Date of Committee	Witnesses
3 November 2015	<ul style="list-style-type: none"> <li>• Damien Yeates, John McClelland CBE, Katie Hutton, and Danny Logue, <i>Skills Development Scotland</i></li> </ul>

In his opening remarks to the committee John Clelland highlighted the SDS goal to ensure, 'That employers are better able to recruit the the people with the right skills at the right time' (Clelland, 03.11.15, Col 1). He went on to describe the ways in which SDS was working to increase opportunities and support people into work. The committee asked questions about implementing Government policy and the ways in which SDS reported to the Government. The meeting then moved on to discuss the role of Scotland's Colleges in delivering modern apprenticeships. Mary Scanlon asked specifically about the reasons that 8% of apprenticeships were awarded to the college sector, although, 'they had bid for 44% more than that' (Scanlon 03.11.15, Col 7). In reply Katie Hutton said that they managed the process to ensure that all places were filled each year. Mary Scanlon then asked about the availability of modern apprenticeships for people with disabilities, to which Katie Hutton replied that there were difficulties with disclosure and the definition of disability used. Chic Brodie followed this with a series of questions about how SDS worked with the ICT and the haulage industry to provide people with the skills required by each industry. In reply Katie Hutton described the different planning processes used by SDS and concluded, 'but we do rely on the industry to identify its needs going forward' (Hutton, 03.11.15. Col 15). Liam McArthur asked the panel why work with schools and colleges was not identified in the corporate strategy. In reply Damien Yates said that SDS had over 400 school partnership agreements and described the ways in which colleges would be a key part of the delivery of work-based pathways for senior pupils in schools by 2020. The meeting concluded with a discussion about the development of leadership in small and medium sized businesses.

## **HIGHER EDUCATION GOVERNANCE (SCOTLAND) BILL**

The committee took evidence on Stage 1 of the Bill at their meeting on 6 October 2015. The papers provided for this meeting included written submissions from those giving oral evidence (EC/S4/15/23/1). The committee took evidence from the Cabinet Secretary and Government officials at their meeting on the 10 November 2015 and considered in private the evidence they had received. The committee considered a draft report, in private, at their meetings on 8 and 15 December 2015 after which the report was agreed for publication.

Date of Committee	Witnesses
6 October 2015	<ul style="list-style-type: none"> <li>• Emily Beever, <i>National Union of Students Scotland</i></li> <li>• Dame Jocelyn Bell Burnell, <i>Royal Society of Edinburgh</i></li> <li>• Jennifer Craw and David Ross, <i>Committee of Scottish Chairs</i></li> <li>• Ann Marie Dalton, <i>Heriot-Watt University</i></li> <li>• Robin McAlpine, <i>Common Weal</i></li> <li>• Professor Tim O'Shea, <i>University of Edinburgh</i></li> <li>• Mary Senior, <i>University and College Union Scotland</i></li> <li>• Professor Jeffrey Sharkey, <i>Royal Conservatoire of Scotland</i></li> </ul>
	<ul style="list-style-type: none"> <li>• Laura Duffy, Stephen White and Ailsa Heine, <i>Scottish Government</i></li> </ul>
10 November 2015	<ul style="list-style-type: none"> <li>• Angela Constance, Cabinet Secretary for Education and Lifelong Learning, <i>Scottish Government</i></li> <li>• Laura Duffy, Sharon Fairweather, Stephen White and Ailsa Heine, <i>Scottish Government</i></li> </ul>

The Convener opened the roundtable meeting on the 6 October with a statement about the amount of interest the Higher Education Governance (Scotland) Bill had generated, with over 300 written submissions received by the committee. He went on to assure participants that all written and oral submissions would be considered equally. He then asked Mary Senior to speak first, and she outlined the support of the University and College Union for most of the recommendations in the bill. This was supported by Emily Beever on behalf of the National Union of Students. David Ross responded on behalf of the Scottish Chairs and argued that the development of the Scottish Code of Good Higher Education Governance in 2012 and 2013 involved every University:

As a result, 94 per cent of universities already have two members of staff elected to their governing bodies, and 70 per cent already have two students on those bodies (Ross, 06.10.15, Col 3).

This was supported by Jeffrey Sharkey who described the way in which students had been involved in his appointment as Principal of the Scottish Conservatoire through use of the code of governance. Tim O'Shea supported the use of the code and argued that the introduction of the Bill would reduce the autonomy of the Universities. Robin MacAlpine of the Common Weal then argued for the bill and suggested that the changes might affect the autonomy of the senior management team in a University but it should not affect the autonomy of the University as a whole. Anne Marie Dalton spoke in favour of the bill and used as an illustration the involvement of all staff and every student in development of the most recent strategic plan at Heriott Watt University. Jocelyn Bell spoke against the bill from her experience in other countries and Jennifer Craw spoke on behalf of Robert

Gordon's University that the commitment to diversity was addressed by the code. Gordon MacDonald then asked why staff and students were not represented on all University committees. In reply David Ross said that the staff and student represented depended on the role of each committee and that all committees report to the Governing body, on which everyone was represented. The meeting then discussed the make up of various remuneration committees and the way in which decisions about salaries were made. Chic Brodie asked about the involvement of staff and students in appointments. In reply Ann Marie Dalton described the implementation of the code of governance and outlined the way in which that had changed the appointments process. George Adam followed this with a question about community representation and Ann Marie Dalton replied that the code required court and chairs of court, 'to take a lead role in engaging with all stakeholders in our local communities' (Dalton, 06.10.15, Col 26). The meeting then spent some time considering the proposal by the Office of National Statistics (ONS) to reclassify Universities as public bodies, which some saw as a risk to future investment. The Convener then turned the meeting back to the issue of trade union representation on governing boards. In reply Ann Marie Dalton spoke in favour of staff representatives rather than Union representatives and Mary Senior argued for both. The discussion with the first panel ended with a comparison of the roles of Rector in Scottish Universities.

The evidence from the second panel of witnesses on the 6 October began with a statement from Stephen White, 'that ministers feel that there is room for improvement in terms of greater inclusivity and transparency, so that every voice on campus can be heard equally' (White, 06.10.15, Col 41). He went on to explain that dialogue was currently ongoing about the election of chairs and that the cabinet secretary, 'is minded to consider a stage 2 amendment to provide for a single model' (White, 06.10.15, col 41). The meeting spent some time asking about the ONS reclassification proposal and received assurances Ministers would consider the committee comments on the matter.

The committee took a final session of evidence from the Cabinet Secretary and supporting officials at their meeting on the 10 November 2015. In her opening remarks Angela Constance restated remarks she had made in Parliament about the bill.

First, the Scottish Government does not seek to advance ministerial control of our institutions. Secondly, we are of the view that the bill does not add to any existing risk of reclassification by the Office for National Statistics of Scottish higher education institutions as public sector bodies, and I have written to the Finance Committee to that effect. Thirdly, further reclassification is an outcome that the Scottish Government would never want to realise. Finally, the Scottish Government has no intention of abolishing the post of rector (Constance, 10.11.15, Col 2).

She then outlined the ongoing discussions she was holding with stakeholders and said that she was open to considering amendments to the bill. Questions from the committee focused on the proposed power for ministers to make regulations. Ailsa Heine answered for the Government that such powers were not normally used to implement changes which went against the original legislation. The meeting then

considered in detail what might happen if the Office for National Statistics reclassified higher education institutions as public bodies. Colin Beattie followed this with a series of questions about who might stand for the chair of governing bodies, and who their electorate would be. In reply Angela Constance said that the changes in the bill were to encourage a wider range of applicants to put themselves forward for the position. She then reiterated the Government position that they wished to introduce through the legislation elected chairs to all Scottish Universities, adding that there was no desire to change the rights of Rectors in the ancient universities to chair court. The session concluded with questions about academic freedom, which the Cabinet Secretary and her officials agreed to investigate further.

## STUDENT SUPPORT

The committee took evidence on student support at their meeting on the 24 November 2015. The supporting papers for the meeting included written submissions from each organisation giving oral evidence (EC/S4/15/28/1) with further submissions available on the Parliament website.

Date of Committee	Witnesses
24 November 2015	<ul style="list-style-type: none"> <li>• Angus Allan, <i>Colleges Scotland</i></li> <li>• Robert Foster, <i>Who Cares? Scotland</i></li> <li>• Vonnie Sandlan, <i>National Union of Students Scotland</i></li> <li>• Mary Senior, <i>University and College Union Scotland</i></li> <li>• Alastair Sim, <i>Universities Scotland</i></li> </ul>

The evidence session on the 24 November began with a discussion about the range of support available to students. Vonnie Sandlan argued that the system for Further Education (FE) students was, ‘unfit for purpose’ (Sandlan, 24.11.16, Col 4) with three areas requiring attention: the funds available, that bursaries were discretionary and the use of the Education Maintenance Allowance (EMA) by some students under 18 years 11 months of age. The meeting then moved on to discuss the loans available to Higher Education (HE) students and the problem of debt aversion, where students from poorer backgrounds were less willing to take out student loans. The committee considered the possible impact of longer loan repayment periods and the difficulties experienced by young people leaving care in attending and studying at colleges. The sessions ended with a discussion about the articulation between college and university programmes.

## BUDGET

The committee took evidence on the 2016/17 Draft Budget at their meeting on the 24 November 2015. Three of the professional organisations represented at the meeting also submitted written reports to the committee (EC/S4/15/28/3), as did Aberdeen City Council for the meeting on the 1 December 2015 (EC/S4/15/29/1). The committee agreed, in private, a report on the Draft Budget at their meeting on 15 December 2016. They also agreed to write a number of letters to the

Government asking for comments about issues raised during the evidence sessions.

Date of Committee	Witnesses
24 November 2015	<ul style="list-style-type: none"> <li>• Larry Flanagan, <i>Educational Institute of Scotland</i></li> <li>• Jane Peckham, <i>National Association of Schoolmasters Union of Women Teachers</i></li> <li>• Seamus Searson, <i>Scottish Secondary Teachers' Association</i></li> <li>• Andy Smith, <i>School Leaders Scotland</i></li> </ul>
1 December 2015	<ul style="list-style-type: none"> <li>• Councillor Jenny Laing, <i>Aberdeen City Council</i></li> <li>• Councillor Shamin Akhtar, <i>East Lothian Council</i></li> <li>• Councillor Stephanie Primrose, <i>COSLA and East Ayrshire Council</i></li> <li>• Councillor Gary Robinson, <i>Shetland Islands Council</i></li> <li>• Robert Nicol, <i>COSLA</i></li> </ul>

The session on the 24 November began with a question from Liam McArthur about the pupil teacher ratio and the financial penalty imposed on local authorities that do not meet the ration. Larry Flanagan responded for the EIS that the association welcomed the Government commitment to maintaining teacher numbers. Jane Peckham also supported the Government action but expressed concern that teacher numbers were still falling. Liam McArthur then asked if there was enough flexibility in the agreement to provide teachers where required. This led to a discussion about class sizes and the need for flexibility to respond to pupils with additional support needs. The meeting then considered workforce planning, the shortage of teachers in specific subjects and the challenge of staffing rural schools.

The evidence session on the 1 December began with a series of statements from councilors about the difficulties councils faced from recruitment to size of school in employing the required number of teachers. Robert Nicol argued that staffing should be considered across children’s services, as the focus on teacher numbers, ‘has an impact on other budgets and starts to erode the ability to tackle real issues to do with vulnerability (Nicol, 01.12.15, Col 53). Stephanie Primrose supported this and talked about the budget challenges of employing teachers and classroom assistants. Robert Nicol then described the ways in which some councils were employing more teachers to meet the Government targets but did not know if they would meet the target and receive the Government funds. The meeting then discussed the challenge of closing the attainment gap in school and Jenny Laing argued that flexibility on teacher numbers would enable councils to target money to focus on that agenda.

## EUROPEAN UNION REPORTER

The committee appointed Mark Griffin as the European Union Reporter for the Education and Culture Committee at their meeting on 15 September 2015.

## SUBORDINATE LEGISLATION

The committee considered the following instrument in private at their meeting on the 27 October 2015, and agreed to ask the Scottish Government and Disclosure Scotland officials for written and oral evidence.

- Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial Order 2015(SS1 2015/330)

The committee heard evidence from Disclosure Scotland and the Scottish Government at their meeting on 10 November 2015. Supporting papers for the meeting included a statement from the Clerk (EC/S4/15/26/1), written evidence from Disclosure Scotland and a copy of the relevant Act and remedial order (EC/S4/15/26/2). The committee returned to the subject in private at their meeting on the 24 November 2015. They heard further evidence at their meeting on the 26 January 2016 and approved the legislation.

Date of Committee	Witnesses
10 November 2015	<ul style="list-style-type: none"><li>• Ailsa Heine, <i>Scottish Government</i></li><li>• Diane Machin, <i>Disclosure Scotland</i></li></ul>
26 January 2016	<ul style="list-style-type: none"><li>• Angela Constance, Cabinet Secretary for Education and Lifelong Learning, <i>Scottish Government</i></li><li>• Nigel Graham, Kevin Gibson and Ailsa Heine, <i>Scottish Government</i></li><li>• Diane Machin, <i>Disclosure Scotland</i></li></ul>

The Committee took evidence on the following instrument at their meeting on 12 January 2016. After debate they passed the instrument.

- Secure Accommodation (Scotland) Amendment Regulations 2016 [draft] and the Continuing Care (Scotland) Amendment Order 2016 [draft]
- 

Date of Committee	Witnesses
12 January 2016	<ul style="list-style-type: none"><li>• Aileen Campbell, Minister for Children and Young People, <i>Scottish Government</i></li><li>• David Blair, John McCutcheon and Kate Walker, <i>Scottish Government</i></li></ul>

The Committee took evidence on the following instrument at their meeting on 8 December 2015. After debate they passed the instrument.

- Adoption and Children (Scotland) Act 2007 (Amendment of the Children (Scotland) Act 1995) Order 2016 [draft]

Date of Committee	Witnesses
12 January 2016	<ul style="list-style-type: none"> <li>• Angela Constance, Cabinet Secretary for Education and Lifelong Learning, <i>Scottish Government</i></li> <li>• Alison Coull, Kirsty Doull, and Simon Stockwell, <i>Scottish Government</i></li> </ul>

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

- Queen Margaret University, Edinburgh (Scotland) Amendment Order of Council 2015 (SSI 2015/305)
- Education (Assisted Places) (Scotland) Revocation Regulations 2015 (SSI 2015/318)
- Glasgow Clyde College (Removal and Appointment of Board Members) (Scotland) Order 2015 (SSI 2015/348)

## REFERENCES

Redford, M. (2015) Education in the Scottish Parliament, *Scottish Educational Review*, 47 (2), 105-127.