SCOTTISH GOVERNMENT

POST-16 EDUCATION (SCOTLAND) BILL

RESPONSE TO THE EDUCATION AND CULTURE COMMITTEE’S STAGE 1 REPORT
INTRODUCTION

I would like to thank the Committee for its consideration of this legislation at Stage 1. I welcome this report and the Committee’s recognition of the ‘broad and strong support’ for the aims and policy direction of this Bill.

During my evidence I made clear my position that we will consider all views and I note the Committee’s desire for further information on some areas. I am keen to clarify as many of these issues as I can ahead of the Stage 1 debate and answers to all of your questions are set out below. For ease of reference I have used the paragraph numbering from your report.

HIGHER EDUCATION GOVERNANCE (SECTION 2)

33. The Committee would welcome clarification from the Cabinet Secretary on whether this issue [requiring 40% of a university governing body to be female] is likely to be addressed in the code or in the Bill itself.

I have asked the Committee of Scottish Chairs to ensure that all issues of equality and diversity are addressed in the code. The concerns raised in evidence about the diversity of HEI governing bodies were well made and I have made clear my commitment to fully exploring the options to address this.

This Government’s general approach on equalities has been to rely on non-legislative measures and it is right that we do this. However, I am fully committed to looking at this issue and will continue to reflect on matters in considering whether to bring forward any amendment to this provision at Stage 2.

41. The Committee would welcome a detailed explanation of the process by which the code will be signed off.

The development of the code is being taken forward by the Committee of Scottish Chairs. They have set up a steering group to draft the code on their behalf. When that process is complete I understand that the draft code will be subject to consultation. On completion of that consultation the final code will be drafted, informed by the consultation. It will then be submitted to the Committee of Scottish Chairs for final consideration and sign off.

In terms of section 2 of the Bill as introduced Scottish Ministers will have responsibility for considering whether to ‘endorse’ the code as fit for purpose, that is to say for determining whether the code reflects “principles of governance or management which appear to the Scottish Ministers to constitute good practice in relation to higher education institutions” for the purposes of proposed new section 9A of the Further and Higher Education (Scotland) Act 2005 (“the 2005 Act”). Until the new code has been endorsed and is in place, the existing code will continue in operation.
44. The Committee invites the Cabinet Secretary to state whether section 2 should be amended at Stage 2, in light of Universities Scotland’s comments.

I have been clear that section 2 of the Bill is not aimed at increasing Ministerial controls but about improving the governance of the university sector. This is right and proper, and is commensurate with the assurance and accountability required for public investment of £1.6bn each year. I fully support the principle of ‘responsible autonomy’. That is why I have agreed that best practice in governance must be developed by the sector. I have also been clear that the issue of responsible autonomy is one which I will have in mind in giving consideration to whether it is necessary or appropriate for the Scottish Government to seek to amend section 2 of the Bill at Stage 2 with a view to ensuring that we get the provision exactly right.

46. The Committee asks the Scottish Government to clarify how the legislation and new code will avoid straying into inappropriate areas of university management.

As I have already indicated, I am happy to give further consideration to the terms of the provision to ensure that we get it right. I will therefore give consideration to whether it is necessary or appropriate for the Scottish Government to seek to amend section 2 of the Bill at Stage 2.

It will be for the sector to decide how this balance is best achieved in the drafting of the code but I will be clear with those drafting it that I expect to see this reflected in their final report.

WIDENING ACCESS (SECTION 3)

55. The Committee would welcome clarification from the Cabinet Secretary as to how this risk will be mitigated to protect institutions and staff from legal action in the operation of a contextualised admissions system

Widening access activity is not new and institutions already have to ensure admissions are compliant with the law, including equalities legislation and have clear and transparent policies in place. This will remain the case in the future.

60. The Committee invites the Cabinet Secretary to state whether—

• there is a need to establish a shared understanding across universities of exactly who would be considered to be part of an under-represented socio-economic group;

• there is merit in widening access to include groups who are under-represented other than as a result of their socio-economic status.

I am clear that the key measure at the national level for identifying under-represented socio-economic groups is the SIMD indicator, and under-represented socio-economic groups is the focus of the legislation.
But over and above widening access for under-represented socio-economic groups and what the legislation provides for in relation to that, negotiations on widening access between individual institutions and the SFC is also likely to identify additional indicators/identifiers specific to the institutions circumstances and mission. For example in relation to the need to target widening access activities in relation to particular vocations or the subjects they teach.

In addition, the focus of the legislation on under-represented socio-economic groups does not, of course, prevent the on-going development and adoption of best practice in relation to widening access for others persons or groups. Progress towards the achievement of Athena Swan Awards (supporting women into science) and the Buttle Awards which recognises good practice in supporting Care Leavers are good examples of progress in this area.

76. We would welcome further detail on what the consequences would be for any university that failed to fulfil a widening access agreement that it agreed with the SFC.

Failure to fulfil the negotiated targets of a widening access agreement would be considered as part of the overall assessment of performance. It is possible that under-performance in this regard could lead to reductions in future funding allocations, but this would be for the SFC to decide on a case by case basis and would take full cognisance of the factors contributing to under-performance.

77. The Committee would welcome his response to the risk that some universities could adopt relatively weak widening access targets.

The setting of widening access targets will take place through the negotiation of the widening access agreement and the broader outcome agreement. SFC will base their input to the negotiation on knowledge of the sector wide position, the mission and existing plans of the individual institution and the importance of this agenda to Ministers. Publication of outcome agreements/widening access agreements will provide transparency across the sector as well as supporting the development of best practice.

87. The Committee welcomes this investment and seeks confirmation that this priority will continue as a core part of widening access activity in future years. The Committee also seeks further information on how widening access funding is allocated to individual institutions, including any guidance directing institutions toward access or retention focused activity.

Widening access is ultimately about the achievement of positive outcomes for the individual and for Scotland from the Higher Education experience. Retention therefore remains a continuing priority. Widening access funding will be allocated to institutions as part of the widening access/outcome agreement negotiation process, taking account of the particular circumstances of each institution and in line with the overall priorities identified by the SFC’s Widening Access Committee.
89. The Committee agrees and notes that its recent report on the 2013-14 draft budget called for the SFC to provide an annual update on the extent to which it has delivered the priorities set out in ministerial guidance. The Committee requests that these updates be extended to cover the progress that is being made on access and retention.

As indicated in our response to the Committee’s report on the 2013/14 draft budget, my officials have agreed with the SFC the submission of an annual report setting out the success of institutions in meeting Government priorities.

I agree in principle with the Committee’s suggestion and my officials will explore with the SFC the best way of achieving this.

92. The Committee would welcome reassurances from the Cabinet Secretary that future planning of outcome agreements and widening access agreements will involve comprehensive consultation with both students and trade unions.

Students and staff will be involved in the annual process of agreeing and developing outcome and widening access agreements through the committees managing the process in each institution. In addition, NUS attend the SFC’s Widening Access Committee providing a national student perspective for the development of SFC engagement with outcome/widening access agreements.

COLLEGE REGIONALISATION (SECTIONS 5-13)

121. The Committee notes that the Griggs report’s recommendations on college reserves are still under consideration by the Cabinet Secretary. The Committee considers that it would be useful if the Cabinet Secretary could provide a response to these recommendations before Stage 2.

I understand why the Committee is interested in this matter. However, I would emphasise that the treatment of reserves is not prescribed in, nor affected by, any measures set out in the Bill. As I outlined to the Committee in giving evidence on 26 February, I think that it is imperative that public money invested in colleges is reinvested in the sector to the benefit of learners, and I welcome colleges’ growing willingness to invest their reserves in the process of change. I want the SFC to work closely with colleges to ensure our substantial investment in the sector delivers best value.

141. The Committee notes the Cabinet Secretary’s position [on the functions of regional strategic bodies]. However, in light of the SFC’s comments about possible difficulties between regional strategic bodies and assigned colleges, the Committee requests a more detailed explanation from the Scottish Government of how relationships between these two layers will work in practice.

I hope that the following is helpful:
The Scottish Government will make a funding allocation to the SFC, along with a letter of guidance on government priorities, as is currently the case.

The SFC will then allocate funding to regional strategic bodies in the context of government priorities and what has been set out in respective regional outcome agreements.

Regional strategic bodies will allocate funding to their assigned colleges, agreeing with each assigned college their contribution towards the delivery of the outcome agreement.

This will be done collaboratively, not just because that is how I expect and know leaders in the sector to work, but because the Bill would require regional strategic bodies to both (a) consult with their colleges where they consider it appropriate to do so in the exercise of their functions; and (b) collaborate with those colleges so far as consistent with a proper exercise of their functions – see new section 23J of the 2005 Act, as inserted by section 10(1) of the Bill.

In the event that a problem of financial mismanagement is identified at a particular assigned college, the Bill proposes that Ministers would have powers to give the SFC or the regional strategic body directions about the provision of financial support (see new section 25A of the 2005 Act, as inserted by section 10(2) of the Bill).

Given the views expressed by those giving evidence, and the Committee, I wish to reflect further on whether the Bill should be amended at Stage 2 with a view to further clarifying the respective and relative roles and accountability of the SFC, regional strategic bodies and their assigned colleges.

142. On a related point, the Committee would also welcome an explanation of how the proposed new further education strategic forum will work in conjunction with the new college structure. Professor Griggs recommended the establishment of such a forum, “which would drive the sector forward and constantly review and evolve the sector in terms of fitness for purpose in a changing educational and economic world”.

The FE strategic forum is of course not a matter for which provision is made in the Bill. The remit and composition of the forum are currently under consideration. That said, Chairs, Principals and (for the time being) Regional Leads will be at the heart of whatever arrangement is put in place to drive the sector forward.

143. There are two issues that arose from the Finance Committee’s report on the Financial Memorandum that, for convenience, can be set out in this section. In line with one of the Finance Committee’s recommendations, the Committee asks the Scottish Government to provide further detail on the extent of the consultation which it held on the costs arising from the college regionalisation provisions in the Bill.
The cost estimates in the Financial Memorandum that relate to regionalisation were established using the expertise of an HR professional from the sector who is currently on secondment to the Scottish Government.

In developing estimates for the staff and non-staff costs of regional boards, my officials sought comments from a group of individuals that the then Scotland’s Colleges brought together as an informal sounding board for the college regionalisation policy proposals now reflected in the Bill.

The group included five people: four college principals (one of whom is also a regional lead) and a college chair. Papers were also copied to the Chief Executive of Scotland’s Colleges. An initial estimate of costs for Regional Boards (including staff and non-staff costs) was shared with the group. Officials also sought the views of the SFC.

It is also worth restating that the costs of regional strategic bodies were not set out in the Scottish Government’s consultation Putting Learners at the Centre or the separate college regionalisation consultation paper, as the multi-college region model had not been developed at this stage (it was developed as a result of my decision that we would not force college mergers).

149. The Committee notes the explanation provided by officials. However, as the Bill will substantially change college governance structures, it invites the Cabinet Secretary’s view on whether the Bill could be amended to provide further assurance to assigned college boards on this matter [charity trustees duties].

I do not consider that the Bill requires amendment to provide any further assurance on this matter. As my officials clarified in a letter dated 6 March 2013 to the Chief Executive of Colleges Scotland, Section 66(3) of the Charities and Trustee Investment (Scotland) Act 2005 already provides that the duties of charity trustees “are without prejudice to any other duty imposed by enactment or otherwise on a charity trustee in relation to the exercise of functions in that capacity”. The effect of section 66(3) is that a charity trustee cannot rely on section 66(1) of that Act (duty of charity trustees to act in the interests of the charity) to refuse to comply with a separate legal obligation. The corollary is that a charity trustee will not be in breach of their section 66(1) duty to act in the interests of their charity simply by complying with a separate legal obligation imposed on them.

It therefore follows that where a college board is issued with a direction by its regional strategic body, the board complying with that direction will not – even where the members do not consider what is required in terms of the direction to be in the best interests of the college – mean that the members of the board are in breach of their section 66(1) duty to act in the interests of the charity.

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1 http://www.scotland.gov.uk/Publications/2011/09/15103949/0
2 http://www.sfc.ac.uk/newsinformation/Consultations/2011/Consultations_jointconsultation.aspx
162. The Committee invites the Scottish Government to explain why this requirement [to have 50% of the board with private sector experience] has been changed, given the Policy Memorandum’s statement that the wider reform will “align learning to labour market demand” and that the aim is to “make post-16 education more responsive to the needs of learners and employers”. More generally, given witnesses’ comments on boards, the Committee would welcome an explanation of the underlying principles behind the Scottish Government’s decisions on board appointment and composition.

The Report of the Review of Further Education Governance in Scotland\(^3\) recommended that members of boards be “selected using an outcome based approach to determine the skills necessary to carry out their task”.

I am in complete agreement with the Committee that close working with employers will be a crucial element of the sector’s success in the future. However, I do not believe the current provision in the Further and Higher Education (Scotland) Act 1992 (“the 1992 Act”) meets the needs of boards today, as it does not acknowledge that, in addition to experience, skills are important too.

The language of the existing provision is in my view dated; the particular emphasis on “practice of any profession” in particular does not strike me as useful.

This is an important issue and one that I consider could usefully be revisited from time to time to ensure that the right balance is struck. The Bill therefore proposes Ministerial guidance on appointing members with “particular skills and experience”. I will consult the sector and stakeholders on the content of that guidance.

173. The Committee agrees with the SFC that there is a need to explain how the regional boards will meet students’ and businesses’ needs without becoming overly bureaucratic or consuming resources that would better be spent on education. The Committee invites the Scottish Government to set out how it expects this balance to be struck.

I am clear that there has to be a strong, workable safeguard against any wasteful bureaucracy in terms of the new regionalisation model, and I believe we have achieved that in terms of what is proposed in the legislation.

The Bill sets out that when making plans, regional strategic bodies must have regard to economy, efficiency and effectiveness (see proposed new section 23D(2) of the 2005 Act, as introduced by section 10(1) of the Bill). The Bill also proposes that a regional board would have to comply with any directions given to it by the SFC about the appointment of employees and their terms and conditions (see paragraph 10(4) of proposed new Schedule 2B to the 2005 Act, as introduced by section 11(2) of the Bill).

In addition, the SFC would also have powers to carry out, or secure the carrying out of, efficiency studies to improve the economy, efficiency and effectiveness of

\(^3\)http://www.scotland.gov.uk/Topics/Education/UniversitiesColleges/17135/CollegeGovernanceReview/FEGovernanceReport
regional strategic bodies (section 15 of the 2005 Act). And the SFC can use terms and conditions attached to its grants to regional strategic bodies to ensure that resources are appropriately prioritised.

Beyond this it will, of course, be for the regional strategic bodies themselves to determine how to deliver provision in their region in a way that maximises available resources.

180. The Committee seeks clarification from the Cabinet Secretary as to whether there are any plans to set out in statute – or non-statutory guidance – instructions on the delegation of powers from the university [UHI] court to the FE regional board.

In June 2012 I invited Dr Michael Foxley, Chair of West Highland College UHI, to chair a Working Group on the future structure and governance of the University of the Highlands and Islands (UHI). In my letter to Dr Foxley of 8 October I broadly welcomed the working group’s plans, which involved, among other things:

- UHI becoming the single fundable body for the Highlands & Islands, devolving authority for funding the FE element to a committee of the UHI Court, which would, in effect, discharge UHI’s responsibilities as a regional strategic body.
- the creation of a new ‘Triumvirate’ structure for UHI senior management, creating two new Associate Principal posts to provide a voice for further education on the one hand and research and specialist institutions on the other, at the centre of the UHI.

It was on the basis of this understanding of the new governance arrangements of the University that the Bill designates UHI as a regional strategic body.

As the Committee is aware, the Bill would designate UHI as the University is the legal entity. The Bill is unable to designate a committee of UHI as a regional strategic body. It is a matter for the UHI Court in accordance with its constitutional arrangements to determine matters delegated to any of its committees.

While I have no reason to doubt that UHI will follow the recommendations of the working group, let me be absolutely clear: if the arrangements in the Highlands and Islands do not match my expectations, it would be possible under the Bill for Ministers to set up alternative arrangements in the region. In particular, Ministers could make provision for UHI to no longer be a regional strategic body and could, instead, establish a regional board (see new section 7B(2) of the 2005 Act, inserted by section 8(1) of the Bill).

181. A number of provisions in the Bill do not apply to unincorporated colleges. While the Scottish Government has provided information on how unincorporated colleges will fit into plans for college regionalisation, the Committee would welcome clarity as to whether all unincorporated colleges are to become assigned colleges and how these colleges would be accountable to the university court [of UHI].
‘Unincorporated college’ is an informal term used to describe colleges that do not have a board of management under Part 1 of the 1992 Act. There are many unincorporated colleges that are privately-funded. So not all unincorporated colleges would be assigned to a regional strategic body.

While it would be possible under the Bill to assign unincorporated colleges to all regional strategic bodies – including regional boards - I have no plans at this stage to do so, other than in the Highlands and Islands.

I anticipate consulting on assigning the following colleges to UHI as the regional strategic body for the Highlands and Islands (all of which, with the exception of Argyll College, are currently fundable bodies: I understand that Argyll College is in discussion with the SFC about whether to seek fundable body status):

Incorporated colleges

- Perth College
- Lews Castle College
- Inverness College
- Moray College
- North Highland College

Unincorporated / Non-incorporated colleges

- Argyll College
- Orkney College
- Shetland College
- West Highland College

The UHI Working Group recommended that in addition to colleges above, the following colleges would also be represented on the UHI FE committee –

- Highland Theological College
- NAFC Marine Centre
- Sabhal Mòr Ostaig.

I have agreed with Sabhal Mòr Ostaig that the college should remain a fundable body and continue to receive its FE funding directly from the SFC. Highland Theological College and NAFC Marine Centre are not fundable bodies. They would continue to receive funds through contracts they enter into with Moray and Shetland Colleges respectively.

It is open to these and any other college of further education to seek to be assigned. By that I mean that there are provisions in the Bill that would enable a college to be assigned by order to a regional strategic body. New section 7C of the 2005 Act, as inserted by section 8(3) of the Bill, provides that where a body is not a fundable body
or already assigned, the regional strategic body must propose or approve the assignation.

As the Scottish Government paper on Non-Incorporated Colleges and College Regionalisation Plans\(^4\) outlines, not being assigned to UHI in its role as a regional strategic body does not affect a college’s ability to partner with UHI to deliver higher education nor would it affect decisions of UHI as to which organisations might be represented on any of its committees.

Colleges assigned to UHI as a regional strategic body would be accountable to it through the terms and conditions of their grants (from UHI as regional strategic body).

183. The Committee seeks clarification from the Scottish Government on setup costs for UHI and whether there will funding available to allow it to meet these costs.

My officials are continuing to pursue this matter with the SFC and UHI, and I will update the Committee with a robust figure as soon as we have that. I can confirm that funding will be available to UHI for this purpose.

**REVIEW OF FUNDABLE FE AND HE (SECTION 14)**

198. The Committee notes the reassurances provided by the Scottish Government and the SFC. However, Universities Scotland’s criticisms were expressed in relatively strong terms and the Committee invites the Cabinet Secretary to consider whether the Bill itself requires to be amended to provide further reassurance, particularly on course provision and the number of HEIs. In making this request, the Committee notes the SFC’s statement that it “already reviews provision”, which suggests that the aim of the Bill may not be as radical as Universities Scotland fears.

I would absolutely agree with the view that this change is not as radical as US fears, but it is an important and necessary change to give the SFC an explicit power to initiate a formal review of the extent to which certain elements of further and higher education are being delivered in a coherent manner.

There is no intention for either Ministers or the SFC to direct institutions as to what they should teach or how they should teach it. To be clear, this will not change existing legislative provisions around academic freedom and institutional autonomy. Instead it will work within this existing framework.

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\(^4\) [http://www.scotland.gov.uk/Topics/Education/post16reform/hefegovernance/Plans](http://www.scotland.gov.uk/Topics/Education/post16reform/hefegovernance/Plans)
199. The Cabinet Secretary suggested that there would be a role for the Parliament in scrutinising the recommendations of any review carried out by the SFC, a position that is not clear from the Bill. The Committee would welcome clarification of whether the Bill requires to be amended to reflect this role.

I do not believe that the Bill needs to be amended to reflect this. Any review will be conducted publicly and will produce a report of its findings and the Committee or its successors would be free to choose to scrutinise any review if they considered it necessary or appropriate to do so.

200. There is a further, specific matter where the Committee would welcome clarification: section 10 of the Bill states that regional boards must monitor the performance of their colleges including “assessing the quality of fundable further education and fundable higher education provided by its colleges”. A regional board may also “secure the promotion or carrying out of studies designed to improve economy, efficiency and effectiveness in the management or operations of any of its colleges.” The Committee seeks an explanation of how these specific powers for regional boards are intended to work in practice alongside the SFC’s broader review power.

Section 14 of the Bill seeks to insert a new section 14A into the 2005 Act which would empower the SFC, with the consent of Ministers, to review the extent to which education is being provided by post-16 education bodies in a coherent manner.

In addition, and as the Committee indicates, the Bill would give regional strategic bodies particular roles in relation to quality and efficiency studies: regional strategic bodies would have a duty to monitor the performance of their colleges, which may include assessing the quality of education being provided (proposed new section 23E of the 2005 Act, to be inserted by section 10(1) of the Bill) and a power to secure the carrying out of ‘efficiency studies’ (proposed new section 23G of the 2005 Act, again to be inserted by section 10(1) of the Bill).

The power which proposed new section 14A of the 2005 Act would confer on the SFC is a broader power of review which would be exercisable independently from the roles of regional strategic bodies in relation to quality and efficiency studies. That said, the work of regional strategic bodies in relation to quality and efficiency studies may feed in to any SFC review under section 14A of the 2005 Act. By way of example, conceivably the findings of any efficiency studies conducted or commissioned by a regional strategic body might form part of the evidence gathered by SFC as part of a wider review.
DATA SHARING (SECTION 15)

215. The Committee would welcome a detailed explanation from SDS before stage 2 of how it intends to pro-actively support young people who may be at risk of disengaging with learning or training.

As this is an operational matter for SDS, my officials have asked them to respond directly to the Committee on this point. I am aware that your clerks have also brought this report to their attention.

217. There were, comparatively speaking, relatively few comments made in evidence about this provision. A number of submissions expressed support but some concerns were raised, for example that—

- the data being held by SDS may lead to possible contraventions of data protection law;
- the secondary legislation being proposed touches on ‘the learning system’ and the need to identify those who have disengaged or may disengage with learning or training. Angus Council Community Planning Partnership considered that there is a need to define what constitutes ‘learning’ and therefore the scope of any duty;
- the arrangements proposed would not improve matters for young people who enter a negative destination and choose not to engage with SDS.

218. On the first point, SDS confirmed that it was not aware of any concerns about this legislation being inconsistent with any other legislation. The Committee would welcome SDS’ or the Scottish Government’s response to the other points.

- the secondary legislation being proposed touches on ‘the learning system’ and the need to identify those who have disengaged or may disengage with learning or training. Angus Council Community Planning Partnership considered that there is a need to define what constitutes ‘learning’ and therefore the scope of any duty;

The Angus Council Community Planning Partnership contend that secondary legislation proposed under this provision will touch on ‘the learning system’ and so there would be a requirement to define what constitutes ‘learning’.

In the first instance it may be helpful to note that the Bill provision does not use the term ‘learning’. Rather it refers to ‘education and training’, both of which are readily understandable concepts. But more importantly, as envisaged by section 15(2) of the Bill, any order under section 15(1) of the Bill will specify the matters referred to in section 15(2)(a) to (c), namely:

(a) the persons who are to be required to provide information,
(b) the information, or type of information, which must be provided, and
(c) the form and manner in which it is to be provided

and so the 'scope of the duty' will be clear from the secondary legislation. Although in the Bill as introduced the section 15(1) order making power is subject to the negative procedure, in my response to the Subordinate Legislation Committee's Report on the Bill I have indicated that I accept that Committee's recommendation that the power ought to be subject to the affirmative procedure and that I will seek to bring forward an appropriate amendment to the Bill at Stage 2 to effect this. And so the Education and Culture Committee or any of its successors will have an opportunity to scrutinise any order under section 15(1) of the Bill in draft before it is made.

- the arrangements proposed would not improve matters for young people who enter a negative destination and choose not to engage with SDS.

Beyond the age of compulsory education (up to the age of 16), if a young person in a negative destination actively decides to disengage from support services, there is little any system can do to force that individual to take up a place in education or training. However, with the introduction of Opportunities for All, we have made a commitment to all young people between the ages of 16 and 19 who are not currently engaged in education, employment or training, that they will be offered a learning or training place.

The roles and responsibilities of this multi-agency partnership approach are set out in the Post-16 transitions Policy and Practice Framework Supporting all young people to participate in post-16 learning, training or work. This was published by the Scottish Government in November 2012 and is available at: http://www.scotland.gov.uk/Resource/0040/00408819.pdf

The provisions included within the Bill will allow us to ensure that Skills Development Scotland has the information it needs to identify young people who have dropped out of education or training or who are at risk of doing so. With partners, such as colleges and local authorities, SDS will use that information to make targeted interventions to get those young people back on track – thus seeking to improve matters for young people who have disengaged and who have chosen not to engage with SDS.

221. The Committee asked for information on the full costs to date of developing the data hub. SDS stated that it would provide further detail in due course. The Committee expects to receive this information in advance of the Stage 1 debate.

As this is an operational matter for SDS, my officials have asked them to respond directly to the Committee on this point. I am aware that your clerks have also brought this report to their attention.
226. The Committee wrote to SDS seeking clarity on the number of young people on the database, noting that there are around 625,000 people aged between 16 and 24 in Scotland. In its response SDS said it was “working on analysing and validating information related to the totality of records held”. The Committee looks forward to receiving this information as soon as possible.

As this is an operational matter for SDS, my officials have asked them to respond directly to the Committee on this point. I am aware that your clerks have also brought this report to their attention.

227. The Committee would also welcome confirmation from SDS that it captures fully data relating to part time college and university students. This was a specific issue raised in the Open University’s written evidence.

As this is an operational matter for SDS, my officials have asked them to respond directly to the Committee on this point. I am aware that your clerks have also brought this report to their attention.

Michael Russell

Cabinet Secretary for Education and Lifelong Learning