CALL FOR WRITTEN SUBMISSIONS - EDUCATION (SCOTLAND) BILL

1. This paper represents a submission by Comunn na Gàidhlig (CnaG) to the Scottish Parliament’s Education and Culture Committee’s call for views on the Education (Scotland) Bill. Comunn na Gàidhlig will only comment on those aspects of the Bill related to Gaelic education.

2. CnaG welcomes the opportunity for comment on this Bill which contains important provisions for Gaelic Medium Education (GME) in Scotland, and also welcomes the overall support demonstrated for the development of such education. If the Gaelic language is to grow within Scotland, then it is critically important that GME is allowed to expand to its full potential.

3. It will be no surprise that CnaG, as a long-established Gaelic development body, will consider a Bill such as this and seek to maximise the opportunities it presents for growth, and conversely to minimise the opportunities it might offer those less supportive of Gaelic to create obstacles and barriers to growth.

4. We note that Comann nam Pàrant (Nàiseanta) have also submitted a response to this call for views. Comann nam Pàrant is closely linked to CnaG, and as such, in addition to the comments below, we would fully endorse the points made in that submission, and will seek not to duplicate them here.

5. We will address the specific questions raised in the ‘Call for Submissions’ and then raise other points.

Q10. How significant a change in Gaelic medium primary education will the Bill deliver? Do you agree these provisions should be limited to primary schooling?

6. It would seem that the provisions of the Bill have the greatest potential to deliver a more consistent approach to GMPE across Scotland – both in terms of where and when GMPE is provided, and ultimately, via the forthcoming Bòrd na Gàidhlig guidance, in relation to what is delivered under the GMPE banner. Improvements in both of these areas is to be welcomed and ought to help raise parental awareness and confidence as to what exactly GMPE is, and how they might go about securing it in their area if needed.

7. It is disappointing that the provisions are limited to primary education. The success of GMPE over the past 30 years is remarkable, and lays some strong foundations for the future of the Gaelic language, however much of the potential benefit of this is being lost due to the much-less developed provision of GME in secondary schools. The decline in GME numbers from primary into secondary schools, and then through secondary education is widely acknowledged. While we would wish to take nothing away from the further development of GMPE, some considered action to improve GME secondary provision would be very welcome.

Q11. What are the most appropriate ways for education authorities, particularly those with low levels of Gaelic usage, to promote and support Gaelic medium education and Gaelic learner education? What impact is this promotional work likely to have on the Gaelic language and the number of Gaelic speakers?
8. Any positive promotion, drawing increasing numbers into a comprehensive and well-developed Gaelic education system, would have a positive impact on the numbers of Gaelic speakers and in enhanced public awareness of the language. The promotional messages, in terms of educational and cognitive benefits of bilingual education are now well researched and understood. A key issue, highlighted in the introductory paragraphs above, relates to the nature of ‘promotion’ of GME and whether it is approached wholeheartedly and positively, or by way of ‘minimum effort necessary’. CnaG would hope to see a position where all local authorities receiving parental requests for GME would respond in a truly positive fashion.

**Q12. Do you agree that the Bill “will establish a clear process for authorities to follow in considering parental requests for an assessment of the need for Gaelic medium primary education”? Do you agree with the thresholds proposed in the Bill in relation to the assessment of parental requests?**

9. The thresholds in the Bill are sensible, particularly given the discretion allowed to Local Authorities, and to Scottish Ministers.

10. To address the remainder of the question in relation to the establishment of a ‘clear process’, we feel it would be useful, by way of example, to outline issues faced by one community seeking the establishment of GME in their area – this in the context of a relatively supportive Local Authority:

11. Parents in this area sought to demonstrate demand. They were informed that they would need evidence of sufficient parental interest. Having tried to do that, meeting the thresholds laid down by the Authority, they were then told that the work they had done was of insufficient standard and would need to be repeated.

12. The parents were also concerned that given the rural nature of the community, a move of potential pupils from existing English language provisions (both childcare and primary) might threaten the viability or scale of those provisions. This led to fears about divisions in the community, with the pro-Gaelic parents being seen as threatening the established school and nursery.

13. The process was time consuming and placed significant demands on the parents. In the event they did secure GM pre-school and primary provision, albeit later than they had hoped, but it was much harder on them than it needed or ought to be. The Local Authority, while quite experienced in GME education, didn’t present many specific obstacles to a new provision, but offered little pragmatic or positive support to the parents.

14. This example is offered by way of explaining what it is that the new proposals ought to address – making the process more streamlined, more supportive and more consistent. The current proposals do seem to outline a suitable process, but care needs to be taken that it does not still place an undue onus on one parent, or a small group of parents. We accept there is a clear need for parental demand here, but having expressed this demand, the responsibility for taking things forward positively must then be fully accepted by the education authority.
15. In the Bill, sections 10(6) and 10(7) outline the various issues an authority should consider in making its assessment of GME provision. Our concern would be that different authorities might consider these factors in very different ways. We welcome the requirement on Local Authorities to publish their conclusions, in sensible timescales, but would suggest that there should be some “appeals” process, should it become apparent that some authorities are taking a different approach to their decision making than others.

16. Overall, we would agree that the provisions in the Bill do provide greater clarity and consistency, but from a Gaelic development perspective, care would still need to be taken to ensure that these provisions are fairly and consistently implemented. For example, care will need to be taken to ensure that manageable issues such as cost or teacher supply are not used by unsupportive Local Authorities to block or refuse new GMPE provisions.

Q13. Under existing legislation, education authorities must have regard to Bord na Gaidhlig’s education guidance when they are producing their annual statement of improvement objectives. What will the requirement in this bill add to this?

17. We would particulary point to the Comann nam Pàrant submission in this instance. The key issue is in relation to the strength or status of the proposed new and existing guidelines, and what action would be taken and by whom, if they were not followed.

Q14. Overall, to what extent will the Bill help to deliver the Scottish Government’s commitments to grow and strengthen Gaelic education?

18. Apart from the very obvious linguistic difference, GME is distinguished from ‘mainstream’ or English language education in one very significant way - that it is entirely based on parental choice. There will be no pupils in GME who’s parents have sat back and taken the ‘default’ local education option. In every instance an active and conscious decision will have been taken to choose GME for their children. As such, GME has grown on the basis of parental confidence or conviction. For this growth to continue, as is the policy aspiration in Scotland, this parental confidence needs to be sustained and strengthened. The provisions in this Bill are a welcome step in the right direction, but CnaG believes more will be required to generate the levels of demand needed for further, sustained growth to meet existing targets.

19. We would categorise the actions into two mutually-beneficial areas; those related to strengthening education provision in the classroom – teacher recruitment and rentention for example; and those relating to enhanced parental rights to GME.

20. We fully recognise that such measures or actions are challenging to develop and implement, and in some instances (a parental right to GME) must remain longer term objectives, but it would enhance parental commitment and demand for GME at the moment, if there were greater clarity about the future. A stated commitment to parental rights to GME as a longer term objective would help to grow and strengthen Gaelic education.
15. What potential impact on other educational services might arise from the local authority having to implement these new duties?

21. As stated above, it would come as no great surprise if the demand for expansion of GME proved more difficult in some areas than others. We have little doubt that some authorities would seek to reject applications for GME on just such grounds of cost and impact on other services. Where the required thresholds of parental demand are met, care would need to be taken that there was the greatest degree of transparency in local authority decision making, and that as far as possible such decisions were consistently taken across Scotland to avoid any ‘postcode lottery’ in the securing of GME.

22. Further specific comments:

- It is interesting to note that the ‘Call for Written Submissions’ states that the Bill will: “Place a duty on education authorities…to actively promote and support GME.” However, the word ‘actively’ is missing from the text of the Bill itself. It would be useful to have ‘actively promote’ incorporated into the wording of the Bill itself.

- It would seem to us that taking Section 13 of the Bill and using this as the introduction to Part 2, would be a useful step. It sets out the duty to be placed on local authorities to promote GME. This is an important step and would help provide more context or positive foundation for the detailed sections on the assessment of parental demand etc.

- Section 7)h)i) refers to the availability of GME in adjacent areas as a valid factor in deciding on new provisions. The inference is that children could travel from one education authority area into another to receive GME. In some instances this could indeed be a valid and positive outcome. However it ought to be specified at some point how the transport costs of such a solution should be addressed. Such inter-authority arrangements should not leave parents bearing an excessive burden in terms of travel costs.

- Section 10)3 outlines those bodies with whom local authorities should consult in conducting a full assessment on the demand for GME. Two are statutory Government bodies, the other while independent, has no apparent experience or track record of working within the Gaelic context. We would suggest that consideration be given to the inclusion of an independent Gaelic-focused organisation such as Comann nam Pàrant to this list.

23. In conclusion, Comunn na Gàidhlig would like to repeat its welcome for the opportunity to comment on this important forthcoming legislation. As far as they relate to Gaelic, we do believe the provisions represent a significant step forward for the development of GME. We have made comments relating to specific points, and to the potential benefits of stating longer term policy objectives such as an eventual parental right to GME.

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18th May 2015