Consultation
1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?
Yes. We took part, and made comment where appropriate, through the various exercises.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?
The financial implications for authorities are difficult to estimate as they are dependent, in some cases, upon individual children and their needs. Therefore it is difficult to assess whether any assumptions have been reflected accurately.

3. Did you have sufficient time to contribute to the consultation exercise?
The timing of consultations and the requirements for feedback can often be difficult, however, on the whole we were able to input appropriately.

Costs
4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.
As above, the financial implications for authorities are difficult to estimate as they are dependent in some cases upon individual children and their needs.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?
Comments on the specific provisions of the Bill in terms of the FM are:

Part 1: Promote equity of attainment for disadvantaged children and closing the attainment gap.

Comment: Whilst the additional expenditure in promoting equity of attainment may not be significant, the real cost is in the additional investment that may be required to assist children to better achieve. This will vary depending on the demographic and social circumstances of the individual child – it is not possible to estimate this cost at present (and the FM does not request this) but the investment required could be significant if the ambition articulated in the legislation is to be achieved for every child.

Part 2: Gaelic Medium Education.

Comment: Current investment in Gaelic units across Scotland in GAE terms is £5.5m. The potential for expansion in the period covered by the FM (2016-2021) is modest and potentially understated. Authorities may be able to accommodate the cost of assessing parental requests, assuming these are small in number, but the cost of setting up a unit would be significant and Councils would have to consider the long term viability and affordability of such a unit. Clarification is required on the statement on pg. 86 of the Financial Memorandum where it is stated that “local
authorities will be able to meet these new costs by allocating funding from within their existing resources for Gaelic”. Fife Council receives no funding for Gaelic currently and would require additional resources if a Gaelic Medium Education unit was to be set up.

Section 17: Extending rights to children under additional support for learning legislation

Comment: On the whole this will be an extension of current good practice and the additional burden will be associated with school management and/or officer time. This is difficult to anticipate.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?
See response to Q7 below.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?
The FM may underestimate some of the costs associated with the Bill as the legislation is more focussed on promotion and assessment rather than ongoing costs (see Q8 below).

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?
Under Part 1 there are likely to be significant additional costs to Councils to meet the needs of children in terms of equity in attainment for disadvantaged children - these potential ongoing additional costs are not reflected in the FM.

The costs under Part 2 (GME) may also be understated in terms of the ongoing costs of operating a GME unit should councils decide this is appropriate following an assessment. There is an anomaly in the Government’s intentions around funding for this part of the Bill in that some Councils (including Fife) do not currently receive GME funding and would require to be recognised in any future resource allocation if a GME unit was set up. Additionally, the assumption is that existing resources are identified to support current provision; it is not clear how the potential expansion of Gaelic provision could be funded from a redistribution of existing resources.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

It is always possible that there will be future costs associated with either subordinate legislation or the methodology adopted nationally to effect the provisions of the Bill. As indicated, with the attainment provisions, the costs could be significant. The costs associated with these need to be assessed at the time of these changes.