



The Scottish Parliament
Pàrlamaid na h-Alba

EDUCATION AND SKILLS COMMITTEE

AGENDA

2nd Meeting, 2016 (Session 5)

Wednesday 29 June 2016

The Committee will meet at 10.00 am in the Robert Burns Room (CR1).

1. **Declaration of interests:** Ross Greer, Tavish Scott and Liz Smith will be invited to declare any relevant interests.
2. **Decision on taking business in private:** The Committee will decide whether to take item 4 in private.
3. **Scottish Government priorities:** The Committee will take evidence from—

John Swinney, Cabinet Secretary for Education and Skills, and Paul Johnston, Director General for Learning and Justice, Scottish Government;

Dr Bill Maxwell, Chief Executive, Education Scotland.
4. **Review of evidence and consideration of the Work Programme:** The Committee will consider the evidence heard at this meeting and consider its work programme.

Roz Thomson
Clerk to the Education and Skills Committee
Room T3.40
The Scottish Parliament
Edinburgh
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The papers for this meeting are as follows—

Agenda item 3

Correspondence from the Cabinet Secretary for Education and Skills	ES/S5/16/2/1
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SPICe Briefing	ES/S5/16/2/2
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Agenda item 4

PRIVATE PAPER	ES/S5/16/2/3 (P)
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James Dornan MSP
Convenor, Education and Skills Committee,
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By email to: Stephen.Imrie@parliament.scot

Our ref: A14644333
22 June 2016



Thank you for your letter of 15th June inviting me to attend the meeting of the Education and Skills Committee on 29th June to give evidence to the Committee on my portfolio. I look forward to attending the meeting and discussing the Government's mission and ambitions in this crucially important area of public policy.

You asked for a short statement on the Government's plans for Education and Skills to help focus the session. You also asked for a note of what was discussed at the Education Summit on 15th June and what actions are being taken forward as a result of the Summit.

I attach a statement on the Government's plans for Education and Skills. I also attach a short note of the 15th June Summit. In terms of actions being taken forward as a result of the Summit, this will be outlined in the Delivery Plan which will be published before the summer recess.

I trust the Committee finds this helpful.

JOHN SWINNEY

ES/55/16/2/1

Statement by Deputy First Minister and Cabinet Secretary for Education and Skills
The Government's Plans for Education and Skills
29th June 2016

The Government's Plans for Education and Skills are to work relentlessly to get it right for all young people in Scotland, regardless of their age, background or circumstances. Our vision for education is essential to deliver more and better paid jobs and create stronger, more sustainable growth in our economy.

The Government's three main priorities for education and skills are:-

- To ensure that our children and young people get the best start in life through a transformed early learning and childcare experience to improve their life chances;
- To focus on what works in schools and be relentless in efforts to deliver excellence and equity, raise standards for all children and close the attainment gap for good.
- To ensure that every child has the same chance to progress by widening out opportunities for all young people to access higher and further education through a range of pathways including high quality vocational options.

This Government's vision is to make sure Scotland is the best place in the world to grow up in and go to school by putting children and their families at the heart of policy making and service delivery.

Getting it Right for Every Child (GIRFEC) is central to delivering a more accessible, streamlined and coordinated service for children and families. Founded in children's rights, these provisions provide valuable additional support for children and their families throughout Scotland. Our aim is to improve how services work together for children and young people and the GIRFEC approach is essential to achieving the ambition of making Scotland the best place to grow up in. Focussing on prevention and early intervention in the early years of life is proven to be the most cost-effective way to reduce inequality in outcomes with savings in the short and longer term. The expansion of childcare will be the most important infrastructure project of this Parliament to support this – it will help parents into work and transform investment in the life chances of our children.

We want all young people to have equal chances and choices to thrive and succeed throughout their education - whether that be pre-school, during school years or beyond in college, university or training.

Scotland has a good education system – with strong schools and talented teachers. We have a new curriculum, record exam passes and a record number of young people leaving school to go onto positive destinations. We aim to improve the system further and ensure educational excellence for all by closing the gap in attainment between young people from our most and least deprived communities. This will be the defining mission of the Government this Parliament.

**Statement by Deputy First Minister and Cabinet Secretary for Education and Skills
The Government's Plans for Education and Skills
29th June 2016**

To do this we will use information generated through the new National Improvement Framework to set clear, specific and meaningful milestones, with a view to delivering significant progress in closing the attainment gap over this parliament and substantially eliminate it within a decade. To support this, we will develop a fair and transparent funding formula for schools to ensure that resources go where they are needed most. We will expand our Attainment Fund and invest £750 million over this Parliament to close the gap in attainment. We will maintain teacher numbers and continue to invest in teachers and headteachers and ensure all our teachers are confident in teaching literacy and numeracy.

We will review school governance with a view to ensuring that parents, families and communities play a bigger role in their children's education and in the life of their children's school. We will extend to individual schools responsibilities that currently sit solely with local authorities, allocate more resources directly to headteachers and enable them to take decisions based on local circumstances. We will encourage school clusters and create new educational regions to decentralise management and support. We will also develop and implement a Scottish STEM strategy to ensure that from the earliest age, children are alive to the opportunities that science, technology, engineering and maths can offer them.

We will continue to invest in our Youth Employment Strategy, Developing the Young Workforce (DYW), to ensure a greater focus on employability within Scottish education. Through this we will promote more opportunity and choice to improve outcomes for all young people regardless of their background. We will do this by better connecting employers and education and by ensuring all young people have opportunities for high quality work-related learning, including vocational qualifications, embedded in their curriculum.

We will maintain the number of full-time equivalent college places that lead to employment focusing on ensuring that the sector contributes to boosting productivity, encouraging progression and helping tackle in-work poverty.

We will develop and implement a new compact for universities that captures our shared vision for education and the economy, and sets out shared priorities for action. We will appoint a Commissioner for Fair Access to report and advise on access and will provide every care experienced young person with a full bursary.

We will review the Enterprise and Skills Agencies and contribute to innovation reform by aligning Higher Education support and simplifying the innovation landscape. We will also maximise the Government's use of science advice, knowledge and techniques when developing and implementing policies to further enhance Scotland's status as a science and innovation nation.

More detail on the Government's plans for getting it right for all young people in Scotland and ensuring excellence and equity will be provided in a Delivery Plan for Scottish Education, due to be published before the summer recess.

John Swinney MSP

Deputy First Minister and Cabinet Secretary for Education and Skills, Scottish Government
June 2016

Summary note of Education Summit – Delivering Excellence and Equity in Scottish Education

15th June 2016, Craigroyston Community High School, Edinburgh

The summit was hosted by Craigroyston Community High School on behalf of the Scottish Government. It was attended by 51 delegates across the breadth of Scottish Education and included party leaders and education spokespeople.

The summit was addressed by teachers and pupils from Craigroyston who had taken part in either the highly able widening access group or the developing the young workforce pre-apprenticeship programme. An employer also gave their perspective of the pre-apprenticeship programme.

The First Minister addressed the summit outlining the importance of education both for the individual but also for the country as a whole and noting the importance of the summit to build consensus and the importance of a shared national endeavour to agree on practical steps to meet the twin aspirations of excellence and equity in Scottish education.

David Istance and Andy Hargreaves from the OECD provided an international perspective of the work underway in Scotland reflecting on the recent Scotland review which had taken place. In summary, Scotland faces a watershed moment in which to be specific about the bold curricular changes under Curriculum for Excellence and to ensure progress is monitored in a clear and transparent way. Scotland should take the opportunity to transform a culture of judgement into a system of judgement, where robust collaboration and shared responsibility between teachers, headteachers, schools, local authorities and national bodies will lead to Scotland not only remaining ahead of the curve globally but actually become the curve that others refer to around the world.

Councillor Stephanie Primrose, COSLA spokesperson on Education and Young people, provided a local government perspective. She highlighted the importance of services working together across health, social care, early years and education for the benefit of our young people. COSLA has supported greater collaboration between councils as demonstrated in the Northern Alliance in order to drive improvement. COSLA wish to continue to work within a strengthened middle to improve the outcomes for the most vulnerable.

The first discussion session focussed on empowering classrooms and putting teachers at the heart of improvement.

Points raised in discussion included:

- the importance of teacher leadership and enthusiasm for professional learning;
- the role for professional associations to also lead from the middle; clear agreed moral purpose in the twin ambitions of excellence and equity;
- the impact of high quality teaching on getting it right for every child; the use of diagnostic assessment to support teachers' professional judgement;

- workload challenges including the need to reduce bureaucracy for school leaders;
- the need to support the cluster model of collaboration in order to share best practice;
- the importance of using evidence to focus on what works;
- the impact of reductions in the wider education support team for individual children;
- a desire to declutter the primary school curriculum;
- issues with the supply of teachers impacting on the time teachers have to collaborate;
- the need to empower young people to influence their classrooms; and
- the importance of teachers working in wider partnerships which involve youth work and local partnerships.

The second discussion session considered empowering parents and communities in order to get the support for education right.

Points raised in discussion included:

- the need to draw communities in, with the belief that creating partnerships is a key part of teacher professionalism although with the proviso that sometimes schools needed to challenge the prevailing community ethos;
- schools are a key social anchor;
- the need to involve the Scottish research community more in the design and evaluation of education policies;
- teachers need to value parents - parental engagement is mixed and we need to have a more systematic approach to learning from best practice;
- research has shown that the level of participation of young people within schools can have a significant impact on attainment;
- the quality of relationships within and across a school community is important;
- while a focus on raising attainment is important, we must be clear on what we mean by attainment and this must reflect the Developing the Young Workforce agenda;
- the importance of a non-tokenistic pupil council;
- we must offer pathways for all young people;
- the importance of opening schools up to employers in order to secure positive destinations for young people;
- the importance of health and wellbeing and ensuring that we focus on adolescence; and
- the importance of joining up policy on achievement and attainment that supports lifelong learning.

In conclusion the Deputy First Minister thanked all delegates for their contributions. These would be used to inform his thinking in order to formulate a unified agenda for the delivery plan which he will publish before the summer recess. This delivery plan will concentrate on concrete actions which will be taken in order to make a practical difference in Scottish Education.

EDUCATION AND SKILLS COMMITTEE

2nd Meeting, 2016 (Session 5), 29 June 2016

Issues Briefing

Purpose

1. Attached to this paper is a SPICe issues paper. The purpose of the SPICe paper is to assist members and to inform the evidence session with the Cabinet Secretary, John Swinney.
2. In addition members may find the paper useful in informing their work programme discussion later in the meeting.



Education and Skills Committee

Subject Overview

29th June 2016

1. Attainment Gap

Sample of issues:

- The relative importance of different factors involved in tackling the attainment gap
- Plans for allocation and use of the £750m extended Attainment Challenge Fund
- Achieving clarity and consensus on how to measure the attainment gap, both to assist teachers and report on progress at a national level

The Scottish Government has made tackling the attainment gap between the most and least deprived pupils a central part of its programme. John Swinney has said:

“We want to see significant progress on doing so within the parliamentary session, and to have substantially closed the gap within the next 10 years.” ([Official Report, 15th June 2016](#))

A summit on school reform and raising attainment was held on 15th June to inform a draft Delivery Plan to be published before the summer recess as a basis for further consultation. The Cabinet Secretary has written to the Committee with a summary of the discussion at the summit.

Many existing policies might be expected to have a positive effect on the attainment gap. These include: efforts to improve leadership and teacher quality, Curriculum for Excellence, involvement of parents in schools, a focus on pre-school learning and early intervention.

More specifically, the [Education \(Scotland\) Act 2016](#) requires local authorities and Scottish Ministers to have regard to the need to reduce inequalities of educational outcome that are created by socio-economic disadvantage, and to report on the action they have taken. This includes creating new reporting requirements on education improvement linked to the National Improvement Framework

A key priority of the [National Improvement Framework](#), launched in January 2016, is "closing the attainment gap between the most and least deprived children." It sets out six "drivers of improvement":

- school leadership
- teacher professionalism
- parental engagement
- assessment of children's progress
- school improvement
- performance information

Teacher judgement information has been collected from schools and local authorities and will be published nationally. In future these judgements will be informed, in part, by standardised assessments.

At the Education Summit on 15th June 2016, Nicola Sturgeon announced:

- Opportunities for head teachers to develop their leadership skills, as well as financial management and understanding data.
- An international exchange programme for school leaders.
- “Community education champions” to provide additional support to head teachers. (Press Association, 15th June)

Other policy initiatives include:

- [Attainment Fund](#), initially £100m focused on primary schools in deprived areas. Subsequently increased to £180m and now to £750m. £100m of this will go directly to head teachers. The scheme has also been [expanded to include secondary schools](#).
- Innovation Fund, of £1.5m was [announced January 2016](#). Applications were open to any school in Scotland.
- Attainment advisors from Education Scotland in every local authority.
- [National Improvement Hub](#) providing access to research and evidence of what works

2. Early Years and Childcare

Sample of issues:

- Enabling all parents to access their statutory entitlement to childcare
- Levels of funding provided to ‘partner providers’
- Importance of data collection and statistics in this area
- Role of child-minders and the mix of provision required for expanded hours

The Scottish Government is committed to increasing the Early Learning and Childcare entitlement to 1,140 hours per year per child by 2021. Currently, 27 per cent of 2-year olds and all 3 and 4-year olds are entitled to 600 hours of free childcare per year.

The Scottish Government has [consulted](#) on setting up pilot projects and announced £1m to fund up to 6 trials. The SNP manifesto said they would create 600 new early learning and childcare centres. The Scottish Government has [estimated](#) that revenue costs of early learning and childcare will be around £880m and has said that it will fully fund the capital

costs. Although most free provision is currently in nurseries, the [Scottish Government has said](#) that child-minders “will be central to the delivery of the expanded provision.”

The [National Day Nurseries Association](#) (NDNA) has been concerned for some time that the price they are paid by local authorities to provide free places is too low to cover their costs. Its annual survey found that only half of private nurseries would be likely to extend funded hours.

There is a statutory requirement for local authorities to ensure the provision of free nursery hours. However, parents do not have a right to choose where those hours are provided. Some parents cannot make use of the current free hours because they may only be available in a nursery and at a time that doesn't fit with existing childcare arrangements or working hours. [Fair Funding for Our Kids](#) have been campaigning on this issue.

The [Children and Young People \(Scotland\) Act 2014](#) requires local authorities (LAs) to consult every two years on how it provides early learning and childcare. LAs must also:

“...have regard to the desirability of ensuring that the method by which it makes early learning and childcare available in pursuance of this Part is flexible enough to allow parents an appropriate degree of choice when deciding how to access the service.”

3. Curriculum for Excellence

Sample of issues:

- ‘Flexibility and choice’ for individual school pupils to decide how many qualifications to take
- Ideas for reducing teacher workload
- Achieving one of the original aims of CfE, which was to reduce the amount of assessment

Curriculum for Excellence began its development in 2002. It was introduced into S1 in secondary schools in 2010 with the first qualifications being taken by the S4 cohort in 2014. Longstanding issues include those of teacher workload, the quantity and quality of guidance, the amount of assessment activity required and the numbers of subjects that can be studied. OECD [reported](#) on the implementation of CfE in 2015. For background on CfE see [SPICe Briefing 13/13](#)

The Cabinet Secretary has [agreed](#) to all the recommendations of the working group on qualifications and assessment, which [reported](#) in May 2016. On the advice of Janet Brown (SQA) he has said he cannot go further ([Official Report, 26th May 2016](#)). However, some teacher unions are [disappointed by the report](#) and the EIS has voted to take industrial action (short of strike action). The Scottish Secondary School Teachers Association (SSTA)

have voted for such action in an indicative ballot ([BBC, 7th June 2016](#)) and are now moving to a formal ballot ([SSTA, 21st June 2016](#)).

On 14th June 2016, John Swinney MSP wrote to teacher unions asking for ideas to reduce teacher workload. The EIS has [published their recommendations](#) (42 pages). The major themes include reducing bureaucracy, creating time for professional dialogue, streamlining assessment and a wish for clear, streamlined communication and advice from national agencies. Other issues raised include; SQA accountability, faculty structures, staffing levels (of teachers, local authority support staff and school based support staff), introducing a class size maximum of 20, reducing class contact time to 20 hours a week and investment in additional support needs staff. The workload implications of the Named Person service are also raised.

Another perennial issue is that different interpretations of the ‘broad general education’ and ‘Senior Phase’ have led some schools to offer 5 and others up to 8 subjects at S4. [Reform Scotland](#) has a list of the current arrangements in schools across Scotland. At the end of May 2016, Education Scotland issued revised guidance (available [here](#)) recommending schools offer between 6 and 8 subjects at S4.

The latest [attainment statistics](#) show that the number of qualifications gained by school leavers has increased. In 2009/10, 68 per cent of school leavers had 7 or more awards at SCQF level 4 or better. By 2014/15 this had increased to 73 per cent of school leavers. Over the same period, the proportion of school leavers with 7 or more qualifications at SCQF level 5 or better increased from 36 to 40 per cent ([Table 5, Scottish Government attainment statistics](#)). See [Annexe A](#) for information on the destinations of school leavers.

4. Local Authority Role in Education

Sample of issues:

- Contribution of school governance structures to closing the attainment gap
- Plans for creating ‘education regions’
- Achieving consensus in taking forward change
- The role of parents in school governance

The Scottish Government is looking at the relationship between schools and local authorities, although no detailed policies have yet been announced. The [SNP manifesto](#) stated: “We will encourage school clusters and create new educational regions to decentralise management and support.”

In a [speech on 25th May 2015](#), the First Minister referred to: “A new fair transparent funding formula for schools” and ensuring that £100m of the expanded Attainment Challenge Fund “will go directly to head teachers so that they, not councils or central government, can

decide how best to use it.” She also stated that the Scottish Government would: “undertake work to empower teachers and parents [...] to drive more of the decisions that shape the lives of their schools.”

At Education Questions on 15th June 2016, John Swinney said:

“The Government is committed to ensuring that schools and head teachers are able to exercise much greater discretion over the way in which they make choices about priorities in their schools to ensure that the potential of every young person in Scotland can be fulfilled as a consequence.”

However, the [EIS and SSTA](#) are wary of structural reform saying: “It is clear that the last thing Scottish Education needs at the present time is structural reorganisation.” Similarly, [COSLA](#) has warned against “overhasty” school reforms.

Greg Dempster (Association of Head Teachers and Deputes) has said that primary head teachers “are not accountants and have no desire to be.” Larry Flanagan (EIS) said: “given the workload pressure which our head teacher members are already reporting to us, it cannot be expected they will now take on bursar duties.” However the Herald reported that secondary school head teachers are more welcoming of greater control over budgets ([Herald 16th June 2016](#))

The issue of school governance was raised in 2009 when there were proposals in East Lothian council to give schools charitable status. While this prompted considerable discussion, including at a national level, there seemed at that time to be little appetite for change. Since then the ‘[Commission for School Reform](#)’ has again raised the idea of increasing diversity of governance structures. Subsequently [Keir Bloomer](#) has written a paper for Reform Scotland encouraging school autonomy saying:

“There has been a very gradual increase in the powers devolved to schools. Their autonomy is greater than those in many countries, but much more requires to be done. Real progress cannot be made, however, without looking more widely at the governance arrangements for Scottish schooling.”

Currently, while head teachers are responsible for the day to day running of schools, legal responsibility lies with the local authorities. There is a scheme of ‘devolved school management’ but the largest area of revenue spend - teacher salaries - is fixed at national level through negotiation between local authorities, unions and government (SNCT). Parent Councils were established in 2006. In large part, they are a forum for consultation although there must be parental involvement in senior staff appointments.

5. Teacher Recruitment

Sample of issues:

- Approaches to workforce planning in the North East and elsewhere
- The nature of the recruitment difficulties in different areas of Scotland and in different subject areas
- Provision of supply teaching

Over the last few years councils have found it difficult to recruit teachers. This follows a number of years when new teachers found it difficult to find work. The problem is particularly severe in the north east where a [summit](#) was convened in October 2015.

Accurate workforce planning is notoriously difficult, and there tend to be cycles of over and under supply. Current initiatives by the Scottish Government include:

- GTCS scheme to enable qualified teachers from outwith Scotland to be provisionally registered while they undergo top-up training to enable them to obtain full registration as teachers.
- Initial teacher education by distance learning to enable council staff to train as teachers while they continue in work.
- The “Inspiring Teachers” recruitment campaign.
- [Transition Training Fund](#), to enable people previously employed in the oil and gas industry to re-train as teachers, with guaranteed employment for four years

A survey by the Scottish Negotiating Council for Teachers ([SNCT](#)) in November 2015 found that: “Teacher recruitment in certain subjects and geographical locations remains a concern. The majority of Scottish Councils are reporting a “declining situation in providing sufficient supply cover” (see [SNCT 2016](#)). A pay deal in 2011 was been blamed by many for exacerbating problems in obtaining supply teachers. Under this arrangement supply teachers were paid on the bottom of the pay scale for the first five days (later reduced to two).

There is a National Workforce Planning Advisory Group that advises Ministers who in turn advise the Scottish Funding Council on funding initial teacher training places. The number of teacher training places has increased in each of the past five years. The Strategic Board for Teacher Education, established in January 2016, has been asked to review teacher workforce planning, and provide recommendations by June 2016 (see [SNCT 2016](#)).

6. Named Person

Sample of issues:

- Improving communication around the named person policy
- Publication of finalised statutory guidance
- Training of named persons, particularly with regard to sharing information within the framework of data protection and human rights law
- Evaluation and monitoring of named person services

The provision of a 'named person' service in the Children and Young People (Scotland) Act 2014 is due to come into force in August and currently operates as policy to a varying extent across the country.

Every child aged 0 to 18 will be assigned a 'named person' (with the exception of those serving in the regular armed forces). It is not possible to 'opt out'. However, the 'named person' can only advise; they have no new powers to compel. In most circumstances, the named person will be a midwife, health visitor or teacher, depending on the age of the child. They can offer advice, but parents do not have to take that advice. Only Children's Hearings and the courts can take compulsory measures or remove children from their parents. This is not changing.

[Draft statutory guidance](#) on the named person was published in December 2015. In a parliamentary debate on 8th June 2016, John Swinney MSP, said that guidance on the named person would be refreshed.

A Q&A for parents is available [here](#)

'[No 2 Named Person](#)' is a campaign against the named person. A number of organisations involved in that campaign challenged the 2014 Act provisions on named person at the Court of Session at both outer and inner house and were unsuccessful on both occasions. There was a further hearing at the UK Supreme Court on 8th and 9th March 2016, but a judgement has not yet been issued. The Court of Session (inner house) judgement is available at: [Christian Institute and other v. Scottish Ministers. CSIH \[2015\] 64](#). The Court found:

"it is impossible to characterise an offer of help, which may simply be rejected, as an interference with a person's right to response for his or her family life" (para 67).

In addition, the Court found that information sharing provisions in the Act did not necessarily breach data protection law, as they had to be implemented within the existing framework of that law.

7. Children's Social Work Services

Sample of issues:

- The level of complexity of structures and legislation for children's services
- Ongoing implementation of measures relevant to child protection and looked after children in the Children and Young People (Scotland) Act 2014
- Scope for further legislative change in children's social work services

Children's Social Work Services include:

- Children's Hearings, involving compulsory measures on welfare and offence grounds. Children can be placed at home with their parents with social work supervision as well as in foster, kinship or residential care. These children are 'looked after'.
- Social work 'voluntary measures'. Children can be placed in foster, kinship or residential care for their care and protection with the consent of their parents. These children are 'looked after.'
- Child Protection. Children can be placed on the non-statutory child protection register if they are at risk of significant harm. These children are not 'looked after.'

There were 2,751 children on the child protection register in July 2015. Although numbers fell last year, the general trend over the last 10 years has been upwards.

There were 15,404 'looked after' children in July 2015. The number has been falling for the past few years following substantial increases over the previous decade. Children now come into the system at an earlier age than was the case 10 years ago. They also stay in care longer. The most common type of placements is foster care. This is a change from a few years ago when it was 'looked after at home.'

In July 2015 there were 798 children who were both 'looked after' and on the child protection register.

Legislative developments in this area include:

- Children's Hearings (Scotland) Act 2011, which led to a restructuring of the system, although the substantive powers of Children's Hearings remained broadly the same.
- Children and Young People (Scotland) Act 2014, which included provisions on:
 - Extended support for care leavers.
 - Additional support and allowances for kinship carers.
 - New duties on corporate parenting.
 - Duties to provide services for families in order to prevent a child becoming 'looked after'.

- Establishing GIRFEC in statute, along with a new statutory child's plan and definition of child's wellbeing,
- New duties for joint planning of children's services between health boards and local authorities.

The Scottish Government's [strategy for looked after children](#), published in November 2015, summarised work to date and set out three priorities:

- early engagement
- early permanence; and
- improving the quality of care

The aim is:

“...to have a care system where fewer children need to become looked after; where quicker decisions are made about permanence; where there is a substantial reduction in the number of children and young people on long-term statutory supervision; and where the outcomes for each child are improved.”

In addition, a review of child protection systems was [announced](#) in February 2016 and is due to report by the end of the year¹. This is in part a response to the '[Brock Report](#)' issued in November 2014 and the [Care Inspectorate's triennial review](#) published in August 2015.

8. Additional Support for Learning

Sample of issues:

- Resources available for additional support for learning
- Consistency across schools and local authorities in applying the legislation
- Future plans for reporting to the Parliament on progress

Additional Support for Learning covers any situation in a child's life that results in them needing extra support in order to benefit from school education. It can include situations like a family bereavement or homelessness as well as supporting children with diagnosed conditions.

The main legislation is the Education (Additional Support for Learning) (Scotland) Act 2004, which was amended in 2009 and (to a lesser extent) by the Education (Scotland) Act 2016. The most recent amendments introduced a process by which children aged 12 and over can exercise their rights on their own behalf.

The Scottish Government has been under a statutory duty to publish an annual report on additional support for learning for the last five years, following the Education (Additional

¹ see also [Angela Constance statement to parliament 25th February 2016](#)

Support for Learning) (Scotland) Act 2009. The last of these [reports was published](#) in March 2016. The reports have highlighted issues such as provision for young carers, mental health and looked after children. The last report stated that:

“It is intended that reporting will continue in some form, in addition to the requirement on Scottish Ministers to collect and publish statistical information on the implementation of Additional Support for Learning.”

The teacher census shows that the number of teachers with additional support as their main subject has fallen over recent years. There were 1,523 such teachers in mainstream primary and secondary schools in 2008, compared with 1,195 in 2015.

The number of children recorded as requiring additional support has increased significantly in recent years. This may relate to greater awareness of need and changes in recording practice. In 2015, 153,190 pupils (22.5%) of pupils were recorded as having an additional support need. Only 1.8 per cent of these (2,716 children) had a Co-ordinated Support Plan, which is used for those with the most complex needs.

The [ASL annual report](#) includes information on dispute resolution and use of advice services. In 2014/15 the annual report noted that there were:

- 1,444 enquiries to the [Enquire](#) helpline
- 156 mediation requests to ASL Resolve and Common Ground
- Four referrals to Independent Adjudication
- Two “section 70” complaints to Scottish Ministers on ASL (failure to implement a statutory duty)
- 70 references to the [Additional Support Needs Tribunal](#) (their remit covers placing requests in certain circumstances, issues related to Co-ordinated Support Plans and disability discrimination in education)

The most discussed issue to the Enquire helpline was additional support for learning provision, with most enquiries concerning children with autism spectrum disorder. The majority of these enquiries were from parents who felt their child was not receiving ‘adequate or efficient’ support in their education.

9. Scotland's Colleges

Sample of issues:

- Measures being taken to monitor the performance of colleges against the government's strategic priorities
- The role of colleges in improving skills and employability among young people and adult learners
- Steps to ensure that colleges continue to offer learning opportunities to diverse learners e.g. students with specific learning support needs as well as those seeking opportunities to gain access to a place at university.

There are 25 [publicly funded colleges](#) in Scotland. Scotland's colleges provide a range of study options including full time, part time, distance learning and short courses. They also deliver education across different [levels of study](#), including vocational (e.g. National 5), further education (e.g. National Credits) and higher education (e.g. Higher National qualifications). Given this diverse range of study options, the students at Scotland's colleges come from a wide range of socio-economic backgrounds and represent a wide demographic profile.

Funding for colleges comes principally from the Scottish Funding Council (SFC). The SFC is a non-departmental public body that acts on behalf of the Scottish Ministers with strategic direction coming from the Cabinet Secretary for Education and Skills. Annual guidance is issued to the SFC setting out how it should work with colleges to best use the funding provided. The most recent letters of guidance can be found [here](#). Current strategic priorities for colleges include:

- High-quality, effective learning
- Access to education for people from the widest range of backgrounds
- Learning that prepares people for the world of work and successful long-term careers, and in doing so supports Scottish Government ambitions for economic growth
- Meeting the challenges set out in the [Developing Scotland's Young Workforce](#) report

College Reform

Colleges have been going through a period of significant change in recent years. One aspect of this was the merger of colleges reducing the total number of colleges in Scotland from 41 in 2010 to 25 by 2014. These mergers were part of a programme of college reform that included:

- Regionalisation of the structures and governance of the sector²
- Budget constraints

² An overview of college regionalisation can be found in this [SPICe briefing](#).

- A new funding model, based on setting Outcome Agreements with the SFC upon which funding is approved
- The reclassification of colleges by the Office of National Statistics (ONS) as public bodies – affecting the way that colleges audit their accounts; colleges no longer being able to hold large cash reserves from one financial year to the next

A [one-off evidence session](#) of the Education and Culture Committee held in March 2016 considered the issue of college reform. Colleges Scotland, in its written submission to that session, noted that a factor affecting colleges, their students and the employers that colleges engage with is the Scottish Government youth employment strategy: Developing the Young Workforce. Colleges Scotland notes that: “this strategy, and the policy initiatives that preceded it, have had an impact on the age profile of students attending college courses and on the requirements and standards for learning in the workplace with employers.”

10. Widening Access to Higher Education

Sample of issues:

- The steps the Scottish Government plans to take to address the recommendations of the Widening Access Commission report.
- How all the relevant bodies with a role in widening access to university will work together to overcome barriers to university entry.
- The steps that will be taken to capture information how universities will go about selecting successful candidates for a place at university (notably those institutions where participation among poorer students remains low).

In the First Minister’s statement on the [programme for government](#) for the next five years, presented in the Scottish Parliament on Thursday 26 May 2016, Nicola Sturgeon set out the government’s commitment to widening access to higher education. Specifically, she reiterated the target that, by 2030, 20 per cent of Scotland-domiciled university entrants should come from the 20 per cent most deprived communities in Scotland.

[Table 1 \(Annexe B\)](#) presents figures on participation in higher education over the period academic years 2005-06 to 2014-15 among Scotland-domiciled students living in the 20 per cent most deprived areas in Scotland. It shows an overrepresentation among students taking a programme of higher education at a Scottish college³ (23% in 2014-15) and very

³ Seventeen per cent of higher education activity in academic year 2014-15 was taking place at Scotland’s publicly funded colleges. The majority of this activity (98%) was sub-degree level programmes ([SFC, 2016](#); Table 1)

low levels of participation within ancient universities⁴ in Scotland (8.4%) and universities outside Scotland (7%).

UCAS is the organisation that processes applications for undergraduates seeking to take a full time programme at a higher education institution (HEI) in the UK. It does not process applications for those applying to take a programme of higher education at a college.

On 9 June 2016, [UCAS published figures](#) on the number and percentage of HEI applicants and entrants based on socio-economic factors. The [report](#) for applications and entrances to Scottish HEIs has figures on the rate of entry for Scottish domiciled students broken down by deprivation quartile. It reports on applications and entry levels for those at age 18 and also for all ages (see [Annexe C](#)).

In 2015 the Scottish Government tasked the [Commission on Widening Access](#) with advising on the steps necessary to achieve the Scottish Government's widening access target. The Commission published its [interim report](#) in November 2015 and its [final report](#) and recommendations in March 2016.

These reports set out the philosophy behind the need to widen access to university to all learners regardless of socio-economic background, the barriers that prevent students from poorer areas accessing the same opportunities that are available to students from wealthier areas and the issues that need to be addressed to achieve the goal of widening access. The Commission made 34 recommendations. The full list of recommendations can be accessed in the Commission's report (see pages 14-19)

The Commission recommended that the Scottish Government appoint a Commissioner for Fair Access (Recommendation 1) and also that it should report on progress against the recommendation "12 months after issuing its response" (Recommendation 34). To date the Scottish Government has not produced a formal written response to the Commission's report. It did, however, as part of the Scottish Parliament statement on the programme for government agree to appoint in the summer (2016) a Commissioner on Access to drive the change needed, including ensuring that all of the recommendations of the Widening Access Commission are carried forward "in full".

On Friday 27 May a report on [Access in Scotland](#) was published by the Sutton Trust. It reported on research conducted by the University of Edinburgh, highlighting the efforts made by the Scottish Government to widen access, comparing how Scotland fares in widening access to university with other parts of the UK.

⁴ The "ancient" universities are: University of Aberdeen, University of Edinburgh, University of Glasgow and University of St Andrews.

11: Skills

Sample of issues:

- How the Scottish Government will ensure skills provision meets current and future needs of the Scottish economy.
- What the Scottish Government will do to ensure fair and equal participation by women, disabled people and people from BME groups, in the 5,000 additional high skilled apprenticeships it intends to fund by 2020.
- Update on discussions between the Scottish and UK governments on how the Apprenticeship Levy will be implemented in Scotland.

Skills Development Scotland (SDS) manages and administers Scottish Government-funded training and employability programmes such as the Modern Apprenticeship programme and the Employability Fund. In addition, SDS provides careers information, advice and guidance, increasingly through the [‘My World of Work’](#) website. SDS also works with partners to formulate Regional Skills Investments and Skills Investment Plans which attempt to assess skills demands now and in the future (see [SDS submission](#) to the former Education and Skills Committee).

Modern Apprenticeships

The Modern Apprenticeship (MA) programme is the Scottish Government’s flagship training programme providing opportunities for individuals over the age of 16 to work towards an industry-recognised vocational qualification whilst in paid employment.

The Scottish Government, through SDS, usually part-funds the training and assessment elements of an MA, the degree of funding being determined by the age of the apprentice and the type of skills framework being delivered. For an apprenticeship programme to be a *modern* apprenticeship it must be approved by the [Modern Apprenticeship Group](#).

Administered by SDS, the MA programme delivers around 25,000 new apprenticeship starts each year. The Scottish Government is committed to delivering 30,000 MA starts by 2020, with a focus on increasing the number of highly skilled apprenticeships (see [First Minister’s statement, 25 May 2016](#)). Modern Apprenticeship [statistics for 2014/15](#) show the number of starts by framework, level, age-group, gender and local authority area.

The Scottish Government is also working to widen the “apprenticeship family” with the delivery of new foundation and graduate level apprenticeships:

- Foundation Apprenticeships are a work-based learning opportunity for secondary school pupils in S4 and S5. Young people spend time out of school at college or with a local employer, and complete the Foundation Apprenticeship alongside their other subjects like National 5s and Highers.

- New graduate-level apprenticeship which will allow young people to provide work-based learning opportunities up to Master's degree level for employees are also being tested.

Apprenticeship Levy

The UK Government announced the introduction of an Apprenticeship Levy in its 2015 Autumn Statement ([HMRC, 2016](#)). This is intended to provide employer-led funding for the 3 million apprenticeship starts the UK Government wants to create by 2020 ([BIS, 2015](#)). The Levy will be introduced in April 2017 - across the UK - impacting most companies and public sector organisations with pay bills in excess of £3 million per year. By 2019/20 it is estimated that the Levy will raise around £3 billion per year with the bulk of it (£2.5 billion) being spent on apprenticeships in England. The rest (£500 million) will be split among the three devolved nations (see [House of Commons Library Briefing](#) for more details).

The [UK Government has committed](#) that Scotland will get a “fair share” of the apprenticeship levy. The Scottish Government is working with HM Treasury to finalise the value and method of the transferring the Scottish share of the Levy, and with the Department for Business Innovation and Skills to identify and resolve cross border issues from the introduction of the levy and reforms to apprenticeship delivery in England.

The recently formed Scottish Apprenticeship Advisory Board (SAAB) will play a key role in advising on the use of the Levy in Scotland.

Employability Fund

The [Employability Fund](#), established in 2013, is administered and managed by SDS. It is delivered in partnership with ‘local employability partners’, including colleges, third sector organisations and private sector training companies. Employability support through the Fund includes:

- core skills development, personal and life skills
- work experience
- vocational training linked to the local labour market
- industry specific qualifications

Broad eligibility is for people who have been unemployed for 13 weeks and those under threat of redundancy. The majority of the Fund, administered by SDS, is delivered by a range of organisations under contract to SDS and payments are made to training providers when a participant starts on a programme and again when participants achieve certain outputs or outcomes.

Devolution of the Work Programme

The devolution of powers related to contracted employment support is included in Part 3 (Welfare Benefits and Employment Support) of the Scotland Act 2016. From April 2017 the Scottish Parliament will have powers over employment support schemes which assist those

at risk of becoming long-term unemployed or help disabled people into work many of whose participants will be in receipt of either JSA or ESA.

At present employment support across the UK is provided through the [Work Programme](#) and [Work Choice](#). Programme spend in Scotland on current contracts is estimated at £53m. Contracts will come to an end in March 2017 and the UK replacement programmes are on a much smaller scale. This means that the Scottish Government will receive much less funding for employment support than it had previously been expecting. Funding transferred due to devolution of these powers is expected to be around £7m for 2017-18, rising to £13m in 2020-21 (See SPICe briefing on [New Social Security Powers](#)).

Financial year 2017-18 is considered a [transitional period](#) between current Work Programme/Work Choice provision and newly designed Scotland provision. Transitional arrangements for 2017-18 are:

- Replace Work Choice with a one year contract between Scottish Ministers and current third sector providers of Work Choice in Scotland, investing up to £20m to support unemployed disabled people into work.
- Ask Skills Development Scotland to use the mechanisms currently in place for the Employability Fund to deliver a new employability service for vulnerable clients at risk of long term unemployment who want to enter work.

The Scottish Government intends to work with stakeholders to redesign “a more enduring approach” to employability support from April 2018. This will involve “a programme of integration and alignment of existing employability services” ([Employability in Scotland](#), March 2016). A consultation on how new services will look was held between July and October 2015. The Scottish Government’s response: [Creating a Fairer Scotland](#) was published in March 2016.

SPICe Research
June 2016

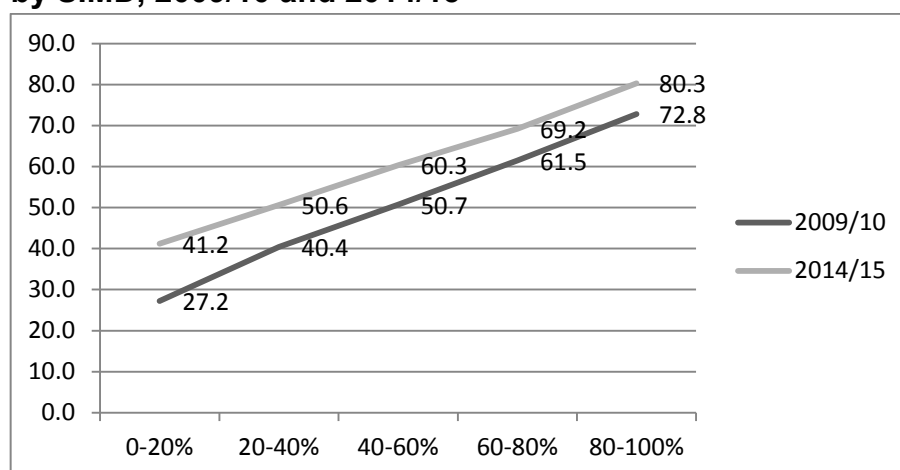
ANNEXE A

Senior Phase Attainment and School Leaver Destinations

Attainment statistics for senior phase qualifications for 2014/15 were [published](#) by the Scottish government on 22nd June 2016. These show that, by the measures reported, the attainment gap has narrowed slightly over the last five years.

Chart 1 shows the trend in the percentage of school leavers with at least one Higher (or equivalent) by SIMD. It shows that in 2009/10, 27.2 per cent of pupils from the 20 per cent most deprived areas left school with at least one Higher, but by 2014/15 the figure had risen to 41.2 per cent. Despite this progress, the gap between those in the most deprived areas and those in the most affluent areas remains large (49%).

Chart 1: Percentage of school leavers with 1 qualification at SCQF level 6 or better, by SIMD, 2009/10 and 2014/15

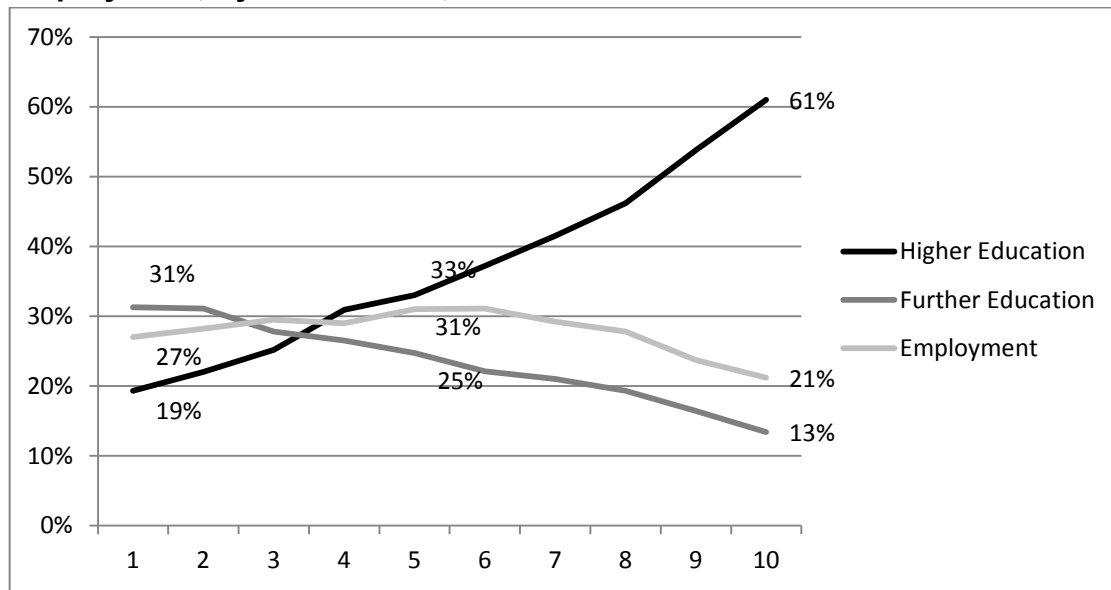


Source: Scottish Government [Attainment Statistics 2014/15](#)

Chart 2 shows how the main school leaver destinations vary by socio-economic background. It shows that 19 per cent of leavers from the 10 per cent most deprived areas go to higher education compared to 61 per cent from the 10 most affluent areas. Leavers from the 10 per cent most deprived SIMD areas are the most likely to go into further education (31%).

Apart from those living in the 30 per cent most deprived areas of Scotland, the most common destination on leaving school is higher education. Those in the areas that are between 30 to 40 per cent most deprived are almost equally likely to go to further education, higher education or employment.

Chart 2: Percentage of school leavers going to higher education, further education or employment, by SIMD decile, 2014/15



Source: Scottish Government [Attainment Statistics 2014/15](#)

ANNEXE B

Table 1: Scotland-domicile entrants from deprived areas to higher education by institution type, 2005-06 to 2014-15

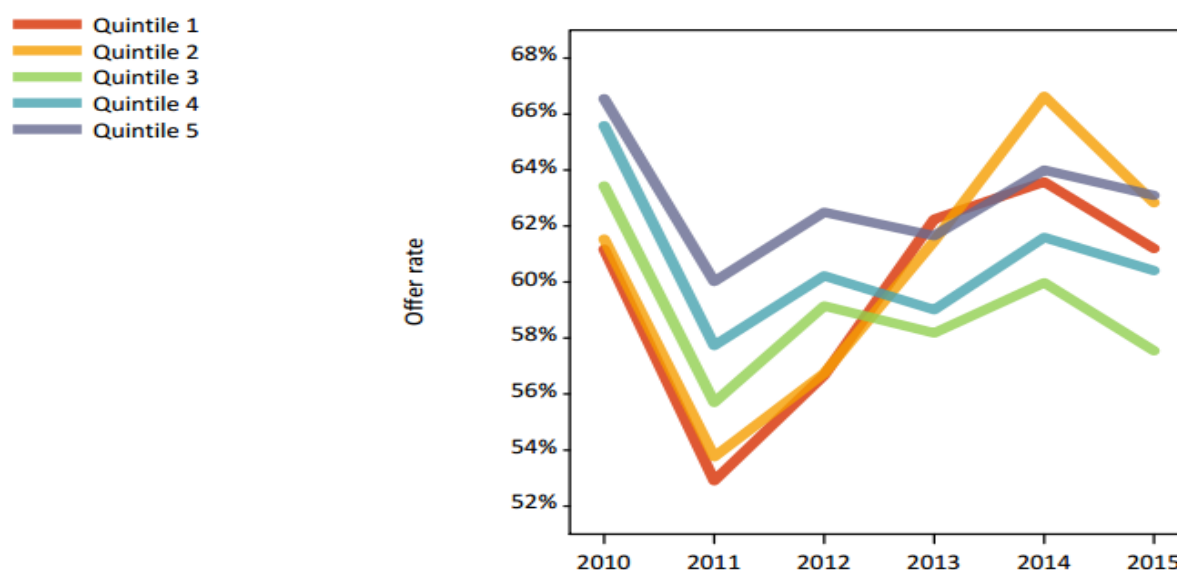
Type of Institution	Percentage of higher education entrants from 20 per cent most deprived areas									
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Colleges	21.7%	21.8%	21.8%	21.7%	22.6%	22.3%	22.4%	22.8%	22.5%	23.0%
Ancient Universities	7.6%	7.7%	7.3%	7.8%	7.6%	7.9%	7.4%	8.2%	8.8%	8.4%
Newer Universities	11.7%	11.7%	11.1%	11.0%	11.1%	11.2%	10.7%	11.1%	11.9%	12.1%
Post-92 HEIs	14.4%	14.6%	14.8%	14.7%	14.6%	14.8%	13.9%	15.3%	15.0%	14.7%
Specialised HEIs	7.7%	6.5%	7.5%	6.6%	7.9%	7.2%	8.6%	7.4%	10.8%	11.7%
The Open University	13.2%	13.7%	13.2%	14.0%	14.0%	14.7%	14.7%	15.4%	14.7%	13.9%
Universities outside Scotland	6.8%	6.3%	6.9%	7.4%	7.0%	9.0%	7.5%	5.8%	7.1%	7.0%
All institutions	15.0%	15.0%	14.8%	14.9%	15.1%	15.4%	15.1%	15.8%	15.9%	16.0%

Source: [Scottish Funding Council \(Table 25b\)](#)

ANNEXE C

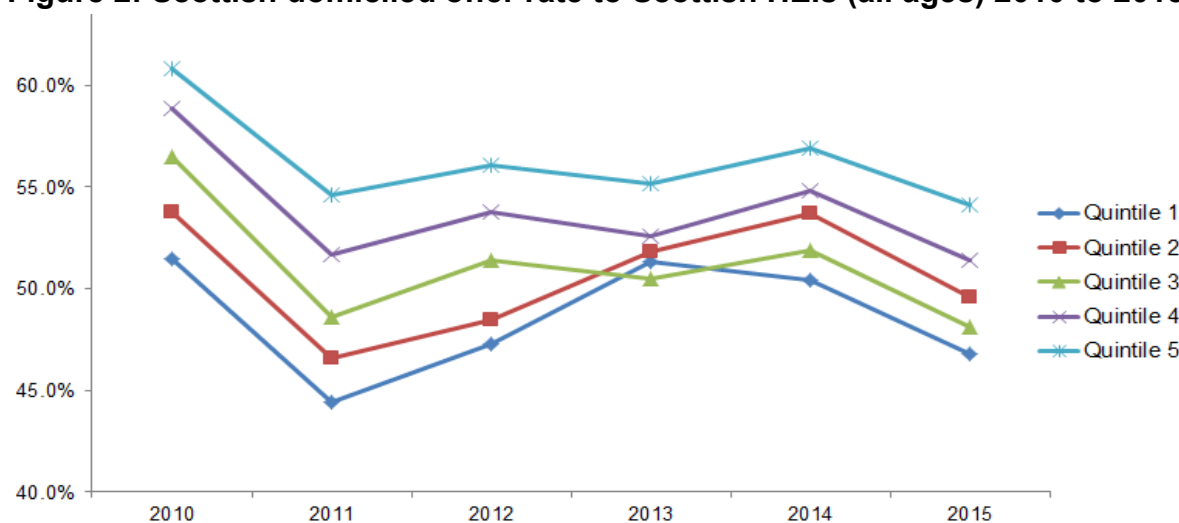
Looking at trends in application among Scottish domiciled 18 year olds for Scottish HEIs, Figure 1 shows that, among those living in lower SIMD quartiles (1 and 2) the entry rate to Scottish HEIs has risen in recent years, in some cases overtaking the entry rate for students from more affluent areas. The gap in entry rates between those from the most deprived and the most affluent areas has declined from 5.3 per cent in 2010 to 1.9 per cent in 2015.

Figure 1: 18 year old Scottish domiciled offer rate to Scottish HEIs, 2010 to 2015



Source: P13 [UCAS Scottish HEIs](#) (see also table at P12 for corresponding data)

Figure 2: Scottish domiciled offer rate to Scottish HEIs (all ages) 2010 to 2015



Source: Figure created from P25 [UCAS Scottish HEIs](#)

Among all age applicants, the gap between those from the more deprived areas and those in the most affluent areas is slightly larger, as shown in Figure 2. This shows that the gap in rates of entry between those living in the poorest areas (Quintile 1) and those living in the most affluent areas (Quintile 5) narrowed slightly from 9.3 per cent in 2010 to 7.3 per cent in 2015. It, however, remains significantly larger than the gap affecting 18 year old entrants.