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

1. **School Education**: The Committee will take evidence on Additional Support Needs, Personal and Social Education and the Curriculum for Excellence from:

   John Swinney, Cabinet Secretary for Education and Skills, Fiona Robertson, Director of Learning, and Donna Bell, Deputy Director Strategy and Performance, Scottish Government.

2. **Review of Evidence (in private)** The Committee will discuss the evidence heard earlier in the meeting in relation to School Education.
The papers for this meeting are as follows—

**Agenda Item 1**

Themes paper  ES/S5/17/7/1
Submissions paper  ES/S5/17/7/2
Correspondence from Scottish Government  ES/S5/17/7/3

**Agenda Item 2**

PRIVATE PAPER  ES/S5/17/7/4 (P)
Introduction

1. This paper is split into three themes: Additional Support Needs; Personal and Social Education; and the Delivery of Curriculum for Excellence (CfE). This session follows on from evidence sessions on each of these topics on 1 March 2017, 22 February 2017 and 18 January 2017 respectively.

2. Before Christmas, the Committee agreed to undertake work on subject choice in the senior phase and entry requirements at higher education establishments. The Committee invited survey responses from every mainstream publically funded secondary school in Scotland and every Higher Education Institution. SPICe reports on both surveys are included in Annexe A and Annexe B of this paper.

THEME 1: Additional Support Needs

3. The Committee held a roundtable session on ASN on 1st March and the Official Report is available here. The submissions pack from 1st March is available here. The previous SPICe briefing is also available here.

Possible issues to explore:

- how mainstreaming is working in practice and whether education authorities are fulfilling their statutory duty to identify and meet additional support needs;
- the impact of a reduction in the number of teaching assistants and the removal of other resources on support for ASN;
- whether parents are sufficiently informed and then, once a child is recognised as having ASN, able to access ASN required for their children;
- the extent to which Government recommended training, such as for autism, is available and staff have time to undertake it;
- whether the Government is confident in its figures going forward on positive destinations for those with ASN whilst also acknowledging limitations in local authority reporting practices;
- the possibility of Government monitoring of the cost of ASN on education authorities (for example the possibility of a Scottish Government financial review as was undertaken recently on childcare1); and
- the extent that the Government will consult, and consider the Committee’s evidence, when revising the mainstreaming guidance (and the timescales for progressing this work).

Duty on local authorities

4. The Education (Additional Support for Learning) (Scotland) Act 2004 set out the main rights of parents and young people and the duties of local authorities. Local authorities must “make adequate and efficient provision” for the additional support required by every child for whose school education it is responsible. However, it does not have to do anything that would require unreasonable expenditure.

Parents and Young People’s Rights

5. Where the local authority is responsible for the child’s education, parents have a number of rights under the 2004 Act. These include:

- A local authority must comply with a parent’s reasonable request to establish whether their child has additional support needs (s.6)
- A local authority must comply with reasonable requests for an assessment, and take the findings into account. However, such assessment is to be carried out by a person the local authority consider appropriate (s.8, s8A).
- Rights in relation to Co-ordinated Support Plans. These include requirements relating to timescales, reviews and content of the plan.

Resources

6. The Committee received a large number of submissions from teachers suggesting that schools are limited in their ability to support pupils with additional support needs due to a decrease in teaching assistants and other staff that can provide 1:1 specialist support to students with ASN.

7. There were also a number of submissions suggesting that when some children are identified with a condition the wait for support services such as CAMHS can be an extended period of time.

8. The Committee received a large number of submissions suggesting that to access resources/support for their child parents had to be persistent in their endeavours to ensure their child received the support they needed. It was also suggested that the more informed and determined the parents were in a position to be the greater the chances of receiving support.

Training

9. A number of parents’ submissions highlighted the very distinct nature of conditions their children had been diagnosed with and the specialist understanding of how to support their child in mainstream school.

10. One submission highlights the evidence base on the need for specialist training for autism:
“teachers need to have specialist training in autism, as indeed recommended by the Scottish Government (2008 and 2011), as recommended by Mackay and Dunlop (2004), and as recommended throughout the autism literature.”

11. The Committee heard evidence that the time available for training was often limited, as was the training offered in some people’s experience.

*Variation between local authorities*

12. As Jonathan Sher points out in his submission:

“It is commonly acknowledged that ASN services and support for ASL eligible children are routinely being decided by money, not need or entitlement.”

13. A number of submissions suggested distinct approaches are taken by different education authorities, including the briefing provided by Professor Sheila Riddell.

14. The Cabinet Secretary during his session on 2 November was asked a series of questions in relation to Additional Support Needs. He undertook, in his [letter dated 1st December](#), to look in further detail at issues raised, specifically the variation in the incidence of ASN recorded in different local authority areas. The letter suggests that the variation in percentages is in part as a result of differences in recording practices, and states that:

“to address the issues regarding consistency of reporting, the Advisory Group for Additional Support for Learning will consider as part of their workplan how the Scottish Government can continue to improve the way in which additional support needs statistics are collected.

“Despite differences in recording practices I believe that, overall, the additional support for learning system is being well implemented in Scotland. We have a positive picture of children with additional support needs consistently achieving more each year. Our most recent report to Parliament on the implementation of the legislation indicates that attainment levels continue to improve.

- “59.5% of 2013/14 school leavers with additional support needs leaving school with 1 or more qualification at SCQF level 5 or better. An increase of 10% since 2011/12.
- “84.7% of 2013/14 school leavers with additional support needs left school with 1 or more qualification at SCQF level 4 or better an increase of 5.6% on 2011/12.
- “86.2 per cent of pupils with additional support needs are transitioning to a positive destination. There has been a continuing positive trend in these areas in recent years. (85.4% in 2012/13 82.3% in 2011/2012)”
Mainstreaming guidance

15. The Scottish Executive issued guidance on this in 2002. The guidance explained the broader intention of the policy:

“It is based on the premise that there is benefit to all children when the inclusion of pupils with special educational needs with their peers is properly prepared, well-supported and takes place in mainstream schools within a positive ethos. Such inclusion helps schools to develop an ethos to the benefit of all children, and of society generally. It also helps meet the wishes of many parents that their children should be educated alongside their friends in a school as close to home as possible.”

16. Last year ENABLE published a report on mainstreaming. Included in the main reported on a survey finding that “truly inclusive education is still far from a reality for young people who have learning disabilities.” The issue of mainstreaming was debated in Parliament on 30th November 2016.

17. In January 2016 the Scottish Government said it would revise its mainstreaming guidance, in part to reflect amendments made to the 2004 Act. This will involve a consultation. The practical aspect of the revised guidance will include looking at how to identify and overcome barriers to learning for children and young people, especially those with additional support needs. The guidance will also look at the decision making process as regards which provision a child or young person should learn in, i.e. mainstream, specialist or joint provision.

18. A number of submissions supported the philosophy of mainstreaming, with some sharing positive experiences in practice.

“Exclusion disables. In fact, research tells us that children with Downs syndrome who attend mainstream school are more enabled.”

“The issue of mainstreaming children with additional needs is one that divides opinion. In my sons case because his issues are more social mainstream school was the right and only choice and recent problems apart it's mostly been a positive experience.”

“The expectation level’s for children at ‘special school’ is so incredibly low. It’s actually heartbreaking. How about we close all the special school in Scotland put all the money into additional support at ALL SCHOOLS.”

19. A large number of submissions challenged the policy of a presumption to have children in mainstream education, especially if sufficient support is not available, with a number of parents suggesting the lack of support and/or understanding has led to children being home-schooled as the only available option.

“In short the system pushes parents to homeschool .”

“We are now having to home educate our daughter as she was failed so badly she couldn't leave the house.”
Reporting to Parliament

20. For the last five years (2012-16), Ministers were under a duty to lay an annual report before parliament on progress in implementing this legislation. This duty has now expired. A plan produced spanning the 2012-2016 period was published in 2012 and is available [here](#). Annual reports were produced by the Government from 2012-2016 and the 2016 report is available [here](#). Given the evidence received by the Committee, clarification could be sought as to whether the Government intends to replace this reporting mechanism with other voluntary means of post-legislative scrutiny.

Theme 2: Personal and Social Education

- The extent that PSE adequately covers topics such as Sex and Relationship Education and mental health.
- Which if any parts of the curriculum of PSE should be mandatory.
- Consistency of delivery of PSE and in particular sex and relationships education across all schools.
- The inclusivity of PSE and schools’ duties to deliver PSE that fulfils duties under the Equalities Act 2010.
- Co-production of PSE.


22. In advance of the meeting, the Committee sought written evidence from young people, parents, teachers and other interested parties. In a little over two and a half weeks, the Committee gathered a great deal of information on people’s views of personal and social education. Links to the evidence the Committee received can be found here: [http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103227.aspx](http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103227.aspx). Members should be aware that a small number of additional submissions were received after the meeting and these have been added to the published documents.

23. Two themes can be identified from the Committee’s evidence gathering and the roundtable discussion on 22 February: content of PSE and delivery of PSE.

24. The Committee agreed to write to the Cabinet Secretary to highlight the main issues that had arisen from this work. The letter can be found here: [http://www.parliament.scot/S5_Education/General%20Documents/20170229OUT_CS_PSEThemes.pdf](http://www.parliament.scot/S5_Education/General%20Documents/20170229OUT_CS_PSEThemes.pdf)
25. The Committee’s letter to the Cabinet Secretary set out some of the issues raised in terms of what ought to be covered in PSE:

“Many of the responses the Committee received focused on the topics that ought to be included in PSE. The responses indicate an appetite for a breadth of subjects to be covered, particularly: health and mental health awareness; awareness of LGBTI+ equality issues; broader and better sex and relationship education; financial literacy and practical life skills; career and continuing education guidance; and citizenship and rights. These themes were developed further during the Committee’s round-table discussions on 22 February. For example the Scottish Youth Parliament argued that mental health awareness and how to access support should be addressed in PSE. Others noted that financial literacy and citizenship are not adequately covered. Another issue raised was online safety and access to pornography.”

26. The Committee agreed to write to the Cabinet Secretary in advance of his evidence session specifically to give the Scottish Government the opportunity to consider the potential to adopt some such ideas in practice. The following points were highlighted:

- Some witnesses highlighted concerns that PSE is inconsistently delivered and that sometimes there is a lack of esteem and focus on PSE within schools. They questioned whether it should have more prominence in the Curriculum for Excellence (the SPICe paper for the meeting highlights distinctions in approach);
- Others suggested that co-design with young people should be the starting point – Bearsden Academy and Dalkeith High being best practice examples of this raised in evidence;
- Consistency of the delivery of broad sex and relationship education is an issue, particular reference was made on a number of occasions to faith schools’ delivery. Witnesses suggested that having statutory duties to deliver broad-based sex and relationship education would be beneficial in terms of consistency and would support teachers (e.g. could help teachers who might be cautious of parents’ views on topics being raised in schools);
- Sex and relationship education was considered by the witnesses to be too narrow, with more of a focus on a variety of sexual orientations and gender identity required, and also a lack of focus on healthy relationships and vital issues such as consent. There may be scope to look at the definition of what lies within sex and relationship education;
- A central online resource for pupils (and teachers’ reference) would be useful as at present too many young people are using the internet as the basis for their sex education;
- A number of witnesses mentioned the need to have more awareness of what was currently being delivered in schools as there is a lack of information on the consistency of delivery and the associated impact on young people at present;
- Increased use, or more standardised use of external organisations, was suggested to educate on issues they specialise in such as Stonewall or Sexpression;
• Time for Inclusive Education (TIE) suggested that there should be national funding for training for teachers on equalities in respect of people who identify as LGBTI+;
• TIE also suggested that policy and practice in schools to ensure an inclusive culture for LGBTI+ young people in schools be better evaluated, for example including evaluations in school inspections
• TIE also questioned whether all schools are meeting their duties under the Equalities Act 2010 to ensure an inclusive and nurturing environment for LGBTI+ young people;
• The witnesses explored how age appropriate sex and relationship education could be delivered throughout nursery and primary school education (some evidence suggested some people were not learning about certain topics until university); and
• The witnesses discussed how many of these issues could be delivered in a cross-curricular way and raised examples of good practice.

Content of PSE

Sex and Relationship Education

27. Particular concerns were raised about how broad-based the teaching of sex and relationships education is. Two examples of where witnesses thought it may sometimes fall short were in how the needs of LGBTI+ young people were met and issues around healthy relationships (in particular issues around consent). Liam Daly from Time for Inclusive Education stated:

“86 per cent of LGBT people who took part in our research in 2016 reported that LGBT issues were never discussed or taught in their schools.”

28. And Clare Clark from Sexpression:UK stated:

“Consent is a massive issue, but it seems not to be coming across to young people. There is clearly a gap. That is demonstrated by the fact that we are having to do consent classes in universities. We are letting people leave school with no information about consent, and we are having to cover it in universities.”

Mental Health

29. Erin McAuley MSYP noted that young people’s mental health has been a key campaign for the Scottish Youth Parliament. She said:

“We are pushing for an increase in awareness of mental health and a modern-day approach to understanding how social media can impact both a young person’s performance at school and their mental health.”

Mandatory aspects of PSE

30. On 1 March 2017, the UK Government tabled amendments to the Children and Social Work Bill which will make it a requirement that all secondary schools in
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England teach relationships and sex education. The amendments will also allow the government to make regulations requiring personal, social, health and economic education to be taught in all schools in England - primary and secondary, maintained and academy - in future.  

31. Many of the witnesses indicated support for PSE, or elements of PSE, to be mandatory. For example Joanna Barrett from the NSPCC said:

“The NSPCC has championed mandatory PSHE in England and elsewhere in the UK … there is a bit of it in our curriculum, but none of it is mandatory. I am getting to the point of asking whether that is a good enough answer.”

32. However, the EIS stated in its submission:

“With regards to specific curriculum content, current EIS policy does not favour prescription. Precise content and the method of delivery of the curriculum, in the spirit of CfE, should be a matter for teacher professional judgement.”

Delivery of PSE

33. Some witnesses highlighted concerns that PSE is inconsistently delivered and that sometimes there is a lack of esteem and focus on PSE within schools. A number of witnesses mentioned the need to have more awareness of what was currently being delivered in schools as there is a lack of information on the consistency of delivery and the associated impact on young people at present. Joanna Barrett from the NSPCC asked:

“How do we know that what we are delivering is actually having an impact on the knowledge and behaviours of, and the outcomes for, children and young people?”

34. Consistency of the delivery of broad sex and relationship education is an issue, particular reference was made on a number of occasions to faith schools’ delivery. Jordan Daly from TIE said:

“The obvious elephant in the room is faith schools and their position on what they are prepared to teach. It is not acceptable to continue to allow opt-outs on moral grounds as there are LGBT young people in faith schools and they have the same right to an inclusive education as everyone else. That definitely needs to be discussed.”

35. Time for Inclusive Education (TIE) suggested that there should be national funding for training for teachers on equalities in respect of people who identify as LGBTI+. TIE also suggested that policy and practice in schools to ensure an inclusive culture for LGBTI+ young people in schools be better evaluated, for example including evaluations in school inspections. TIE questioned whether all

schools are meeting their duties under the Equalities Act 2010 to ensure an inclusive and nurturing environment for LGBTI+ young people. These issues are reflected somewhat in the ‘TIE Pledge’ which a significant number of MSPs have supported [https://www.tiepledge.co.uk/](https://www.tiepledge.co.uk/). In answer to question S5W-06777, the Cabinet Secretary stated it will respond in full to TIE’s pledge by Spring 2017.

36. Some witnesses discussed whether teachers are supported and confident to deliver SRE and other topics that may be considered to be uncomfortable. Furthermore, the use and value of external organisations to help provide this content was discussed. However, witnesses noted that given the sustained contact that teachers have with young people, teachers ought to have the skills to teach these topics, and in a cross-curricular way.

37. A number of witnesses highlight the importance of young people co-producing the PSE curriculum. Hilary Kidd from Young Scot explained:

“That involves young people systematically co-creating, coproducing, co-designing and co-delivering solutions. We feel strongly about that in relation to topics such as this. We need to be engaging young people around the delivery of something like this from the very beginning.”

**Theme 3: Delivery of Curriculum for Excellence**

- The performance of the CfE Management board and the potential for changes to governance of CfE going forward
- The potential culture of conformity in education
- The appropriateness or otherwise of more specific national guidance or direction about the structure of the Senior Phase.
- Possible constraints on curricular structures, (such as notional 160 hour course requirement) whether the implications of these should be articulated more clearly at a national level.
- Effects of a 3 year Senior Phase on the minority of young people who leave at the end of S4.
- How teacher availability constrains the potential to realise the aims of Curriculum for Excellence.
- Whether and how to establish the degree to which pupils are really able to exercise ‘personalisation’ and ‘choice’ in the Senior Phase.
- The relatively low proportion of Scottish medical degree students coming through the Scottish qualification system and any structural reasons for this.

**Curriculum for Excellence Management Board**

38. The session with the Curriculum for Excellence Management Board resulted in a letter to the Cabinet Secretary from the Committee in relation to the potential to reform the Board. The response details the Scottish Government's perspective and is attached in full in paper 3. It gives a position on the majority of points raised by the Committee but does not specifically answer the request for examples highlighted below:
“Any changes to governance should also seek to ensure that the Board is considered to be the forum where concerns raised can bring about change at a strategic level. Union representatives made clear that, when they wished to bring about change, they would go direct to the relevant minister as opposed to pursuing this through the Management Board. This reflects the fact that the Board is not perceived by key stakeholders as a conduit between Government officials on the Board and ministers.

“The Committee would be interested to test this suggestion from your perspective; **is there a body of examples where you or your predecessors were alerted by the Chair of the Board to concerns from stakeholders that subsequently resulted in a policy decision at ministerial level?** The Committee would appreciate this information to clarify whether there is an effective route from teachers implementing Curriculum for Excellence through the Board to the Scottish Government. Committee members remain unclear as to the responsibilities of Government and the Board when it comes to responding to teachers’ concerns.”

**Focus Groups**

39. The Committee has held a number of focus groups, mainly with teachers, since the session with the CfE Management Board. The sessions included discussions on CfE including further views on the role of the SQA and Education Scotland. Another theme that arose, unprompted, was the extent to which teachers feel comfortable expressing their views on school education. Group B’s note includes—

“Discussions in Group B began by looking at how willing the teaching profession is in publically entering policy discourse. This theme arose several times.

“One participant noted that as a profession, teachers are unusually unwilling to express their views on education policy publicly and that it is usual to see letters in publications for teachers published anonymously. This was contrasted with other professions, such as medicine where it was suggested practitioners feel freer to express themselves.

“Another participant agreed and indicated that the leadership and culture of the profession in Scotland militates against individuals contributing to public debate with even head teachers are unwilling to engage. The consequences of this, they suggested, is that head teachers are removed from national policy development.

“It was argued that there are structural reasons for the reticence to speak out: loyalty to one’s employers (the local authority); and fear of inspection. It was suggested that this “culture of conformity” is not a new thing, although it has become worse in recent years particularly since the functions of curriculum development and inspection were brought together within Education Scotland.”
40. In group C a similar issue was raised—

“There was a suggestion from one teacher that there was a challenge around the culture of education, as there was a longstanding fearfulness amongst teachers which pre-dates the existing administration. As a result it was very hard to ‘hear the voice’ of individual teachers. The discussions in online chatrooms and other means of communicating with each other, reflects a very different dialogue between teachers to the portrayal by representative organisations of the collective views of teachers.”

41. In a submission from Alison Murphy, a teacher unable to attend a focus group, she states:

“Why do so many teachers insist that submissions and evidence [to the Committee] is anonymised? What does it say about the current climate that so many professionals worry that an honest sharing of concerns will result in serious repercussions?”

42. Given the need for the Committee to be able to hear candid views from teachers when the Governance Review proposals are announced, in order to ensure effective scrutiny, the scope to address this culture of conformity could be explored with the Cabinet Secretary.

**Structure of the Senior Phase**

43. The Committee has previously discussed different views of the structure of the Senior Phase, in particular in relation to subject choices. Fiona Robertson (Scottish Government) told the Committee in January that “the Curriculum Assessment and National Qualifications Working Group, will also review curriculum design issues (Education and Skills Committee, 18th January 2017).

44. The Senior Phase is intended to be viewed as a three year programme, increasing personalisation and choice. Guidance from Education Scotland issued in May 2016 stated that:

“Although formal qualification courses will not begin before S4, learning which takes place in the BGE can and should contribute to learning for qualifications. This can and should be done without compromising the entitlement to a Broad General Education in S3.

[…]

schools should plan for young people to progress smoothly on to following anything between six and eight qualification courses from S4 onwards, with certification of each over a mix of one or two years, as appropriate to their individual needs.” *(quoted in SPICE briefing to Committee 16th September 2016)*

45. The [Parentzone website](#) gives the following example approaches to the Senior Phase.
Schools are taking a range of approaches to the senior phase and are able to offer greater personalisation and choice for young people in a variety of ways, for example by:

- designing the senior phase as a three-year experience rather than planning each year separately
- delivering qualifications over different timescales in response to young people's needs and prior achievements
- developing pathways for able learners, which bypass qualifications at lower levels to allow more time to be spent on more challenging learning at higher levels
- providing specific and appropriate programmes that maximise achievement and attainment for young people planning to leave after S4
- developing local partnerships where schools and other education providers, such as colleges, work together to increase the range of choices available to young people at all levels.

46. Education Scotland wrote to the Committee in December explaining the CfE Senior Phase differs from previous arrangements:

“One key difference which has emerged nationally is that young people are taking exams in fewer subjects at the end of S4. Schools have made these changes to ensure greater depth in young people’s learning at this stage. As they move into S5 and S6, there is also the opportunity to study different or additional subjects from those studied in S4. Also, some schools have changed the timescales over which young people study for qualifications, for example, with some higher-attaining young people “by-passing” exams in S4, and instead following a two-year course to Higher in S5.”

47. Graeme Logan (Education Scotland) emphasised the need to consider the three years as a whole:

“Across the three years there is the opportunity to get more qualifications and awards than there was previously. If you look at S4 in isolation, it could look as though the curriculum goes from broad to narrow, but that is not the design of CfE. It is a three year experience, with lots of opportunities to make choices, to look at different pathways and to build up a wide portfolio of achievements and skills.” (Education Committee 30th November).

48. The Committee’s survey (see Annexe A) found that over half of the 87 secondary schools responding offered a maximum of 6 subjects in S4 and under a third (30%) offer 7 subjects. Comments showed a difference in opinion about whether fewer subjects increased or decreased choice. For example, one head teacher said 6 subjects:

“restricts pupil choice and progression routes and undermines the viability of subjects outwith the core of English, maths, sciences and social subjects.”
49. In contrast, another view was that:

"it is my personal opinion that 6 subjects in S4 and 6 in S5 and S6 is the best model to deliver increased pupil choice and pupil pathways in the senior phase."

50. The difference is perhaps between focusing on the overall number of subjects taken across the senior phase and considering pathways for progression to the higher level qualifications such as Highers and Advanced Highers.

51. A submission from Glasgow Caledonian University reported findings from focus groups with 92 S6 pupils stated that:

"It is evident from the focus group findings that many pupils struggle to take their preferred subject choices in S5 and S6."

52. Bill Maxwell told the Committee on 30th November that:

"I do not accept that there has been a narrowing. Looked at in the broad scheme of things, as a three year programme, and taken as a whole, the Senior Phase is about offering a much broader and richer set of pathways for young people. We are seeing good evidence of those with, for example, increased uptake of vocational qualifications at a higher level and greater parity of esteem."

53. The Scottish Government and Education Scotland are clear that the number of subjects offered in individual years is a matter for local authorities and schools. Indeed Dr Bill Maxwell told the Committee on 30th November that:

"we are not prescribing that every school must have that exact curriculum model. That would be inappropriate. The management board has wrestled with the dilemma throughout the process, but we have held to the principle that, fundamentally, we need schools designing curriculums that meet the needs of their students locally and which take full advantage of the freedoms of curriculum for excellence. However, we are not in the position of prescribing that every school must offer X number of subjects in any particular year."

54. Although the Committee's survey didn’t ask for views on guidance, some head teachers did comment on the issue. One comment was: “The continuing ambiguity at national level in this regard is unhelpful.”

55. The Committee’s survey found that it was unusual for schools to offer highers over two years and that, apart from for a few subjects, schools generally require a National 5 before a pupil can sit a Higher. Interestingly one comment in the survey was: "I have never been aware of CfE being designed to bypass N5."

56. Some of the constraints on timetabling include:

- SQA design courses on the basis of 160 hours learning hours. This was raised by Dr. Janet Brown in Committee on 23rd November 2016. She said:
“The notional learning hours reflected our expectation of approximately how long it would take an average candidate to do the course. [...] If schools try to do it all in one year, they are limiting the number of subjects that they can do.”

- Availability of teachers. The Committee survey of secondary schools found that around three quarters (of 87 schools responding) considered that difficulty in recruiting teachers was constraining subject choice a great deal (31%) or to some extent (41%)
- Challenge of timetabling mixed year groups. The Committee survey of secondary schools received comments that “only a large school could manage the challenge of timetabling both one year and two year Higher courses in the same session.”

57. Comments in the Committee survey of secondary schools also indicate that fear of losing a ‘safety net’ could be a possible reason for reluctance to enable pupils to ‘by-pass’ N5 or study Highers over 2 years. One head teacher said:

“In terms of by-passing N5 to higher for some students, our parents, students and teachers have told us they would be concerned about the risk of potentially not having N5 as a safety-net.”

58. Much of the argument about the Senior Phase refers to the increase in staying on rate. As S4 is no longer the normal leaving point, the argument is that there is less requirement to have a large number of qualifications in S4.

59. In 2016, 87% of pupils stayed on to S5 and 63% of pupils stayed on to S6. (i.e 63% of S3 pupils stay on to S6). There is considerable variation by local authorities. S5 staying on rates vary from 75% to 98% by local authority. S6 staying on rates vary from 51% to 83% (Scottish Government, Pupil Census 2016, table 7.12).

**Sciences and University Entry**

60. Another theme discussed in Committee was whether or not it was possible to study 3 sciences in S4 and related issues of entry to university – particularly high tariff courses such as medicine.

61. The Committee’s survey of secondary schools found that 83% of the 87 schools responding stated that pupils were able to take 3 sciences in S4 and 98% enabled this over the Senior Phase as a whole. One respondent referred to university entrance requirements:

“we have been assured by several Universities that they do not have a requirement for 3 Sciences at one sitting. In fact, they have said they are keen that young people show that they can pick up a 3rd science in S6 and show continuing commitment and the ability to learn new subjects.”

62. A submission from Glasgow Caledonian University (see annex 2) described results of focus groups with 92 S6 pupils. Asked about whether they were able to choose the Higher subjects they wanted and if not, why not, 22 pupils said
that the reason they couldn’t have their preferred subject was that there was no option to choose three sciences.

63. Education Scotland wrote to the Committee in December on the advisability of taking three sciences and the very low percentage of students who take three science qualifications.

“choosing to specialise in three sciences at the same time obviously narrows the range of subjects experienced overall. This is likely to be pointed out to young people and their parents as part of a school’s support for pupils on subject choices and curriculum pathways. However, if a young person and his/her parents, having considered the advice provided by the school, still wants to go ahead with studying three sciences, then the opportunity should be given. I can confirm that our inspectors are finding that secondary schools are generally still making arrangements for three sciences where needed. Indeed, the percentage of young people taking 3 science subjects to qualifications has remained around the same over the past few years with only slight fluctuations. It has ranged from 3.1% to 3.6% across the 2012 (3.1%) to 2016 (3.2%) period.”

64. The Committee also asked universities about their standard offer for medicine, law and mechanical engineering. Key points are discussed below with further analysis in Annexe B.

65. For entry into courses such a medicine, some institutions require 3 sciences to be achieved by the end of S5. However, in this context maths is included as a science and some institutions will offer flexibility.

66. For example, at Edinburgh, the standard offer for medicine includes 3 sciences (including maths), although the university: “recognises that for some applicants, this combination of subjects in S5 may not be possible/appropriate” and allows them to take the missing subjects in S6. However, the submission notes that: “the vast majority of applicants to medicine had the required five Highers from S5 and there is no evidence that for those who did not, this resulted from curriculum constraints in schools.”

67. The submission from Glasgow further notes that it requires SQA applicants to have achieved Highers in Chemistry and Biology, and either Maths or Physics, all by the end of S5 (although ‘crash’ Highers can be taken in S6 if relevant grades in other subjects are achieved by end of S5). In addition, its standard offer requires two Advanced Highers in S6.

68. The returns from universities show that, from the data provided, only around half of medical degree entrants have come through the Scottish qualifications system.

69. Perhaps of relevance is that medicine is a “controlled” subject. This means that the total number of places that a Scottish university is subject to intake targets set by the SFC in order to ensure adequate levels of graduates in this area. The table below shows the intake targets for Scottish, EU and rUK entrants in 2016-
17 as set out by the SFC. This shows that there was an assumed proportion of those places that would go to (fee paying) students from rUK; the figures ranged from 21 per cent at Aberdeen to 47 per cent at St Andrews.

**Intake targets for Medicine, academic year 2016-17**

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<tr>
<th>Scottish / EU / rUK target numbers</th>
<th>Number (target)</th>
<th>Assumed rUK proportion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aberdeen</td>
<td>152</td>
<td>21.1%</td>
</tr>
<tr>
<td>Dundee</td>
<td>134</td>
<td>24.6%</td>
</tr>
<tr>
<td>Edinburgh</td>
<td>190</td>
<td>43.0%</td>
</tr>
<tr>
<td>Glasgow</td>
<td>210</td>
<td>27.6%</td>
</tr>
<tr>
<td>St Andrews</td>
<td>98</td>
<td>46.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>784</strong></td>
<td></td>
</tr>
</tbody>
</table>

Source: [Scottish Funding Council](https://www.gov.scot)
Survey of secondary schools

Introduction
In January the Committee decided to undertake a short survey of all secondary schools to establish further evidence of emerging Senior Phase patterns. The survey focused on:

- number of subjects taken in S4
- ability to take 3 sciences
- running Higher courses over two years
- taking Highers without first taking an N5

Schools were also asked about any plans for change they had for their Senior Phase curriculum structure. The survey was sent by e-mail to all publicly funded mainstream secondary schools and ran from 27th January to 13th February. The Committee received 87 completed responses. Further detail about the responses is provided at the end of this report.

Response rate and demographics
Completed responses were received from around a quarter of local authority mainstream secondary school (86 out of 359) local authority mainstream secondary schools. The grant-maintained school, Jordanhill, also submitted a response.

Responses were received from all but two local authorities (West Lothian and East Renfrewshire). Chart 3 shows the % of secondary schools responding in each local authority. There were four areas where 50% or more of schools responded: Aberdeen, Aberdeenshire, Eilean Siar and West Dunbartonshire.

Schools were also asked about their pupil roll and the proportion of pupils on free school meals. The general pattern of survey responses is reasonably similar to the range of size of school across Scotland, although the survey responses do show some over-representation from schools of a middling size (between 600 to 800 pupils).
Chart 1: % responses by school size, comparing survey responses and all schools.

Responses were also checked against the general pattern of free school meal registration. Again, the responses do seem to loosely reflect the national pattern, although there is some over representation of schools with very low fsm registration and some under representation of those with middling fsm registration.

Chart 2: % responses by free school meal registration, comparing survey responses and all schools
Number of subjects taken in S4
The survey asked about the maximum number of subjects that can be studied in S4. As table 1 below shows, over half of schools responding offer a maximum of 6 subjects. However, nearly a third of these (16 schools) are looking at increasing the number of subjects offered. (There was also one mention in the comments of a school planning to reduce from 7 to 6 subjects).
Schools’ plans for increasing the number of subjects offered would suggest that the level of diversity may increase. Applying the plans for increase mentioned would result in 50% offering 6 subjects and 48% offering 7 subjects.

<table>
<thead>
<tr>
<th>Maximum subjects</th>
<th>Number of schools</th>
<th>% of responses</th>
<th>of which, number planning to increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 subjects</td>
<td>1</td>
<td>1%</td>
<td>1</td>
</tr>
<tr>
<td>6 subjects</td>
<td>50</td>
<td>57%</td>
<td>16</td>
</tr>
<tr>
<td>7 subjects</td>
<td>26</td>
<td>30%</td>
<td>3</td>
</tr>
<tr>
<td>8 subjects</td>
<td>10</td>
<td>11%</td>
<td>7</td>
</tr>
</tbody>
</table>

N = 87

Reform Scotland undertook a similar exercise published in May 2016. *National 4 and 5: Unintended Consequences* found that, of the 292 schools that gave specific answers, 16% offered a maximum of eight subjects, 33% a maximum of seven, 49% a maximum of six and 1% a maximum of five.

While the results are far from an exact match, taking the two surveys together does confirm that most schools offer 6 or 7 subjects at S4.

In the Committee’s survey 14 responses commented on S4 subject choice, with mixed opinion on the value of offering 6 subjects in S4. Interestingly both those in favour and those against ‘6 subjects’ base their view on improving pupil choice.

**Narrowing choice**

Amongst the 14 schools that commented, there were 6 comments that six subjects in S4 narrows choice. One said it:

“restricts pupil choice and progression routes and undermines the viability of subjects outwith the core of English, Mathematics, Sciences and Social Subjects”

There were also concerns that it results in pupils dropping modern languages, including Gaelic. Two respondents said they were reluctantly moving to 6 subjects against their better judgement. One said:

“(we were) instructed by our Local Authority to move to 6 subjects this session which was very much against the will of the school community; it has reduced choice and caused problems for some pupils”

Conversely, another school is planning to increase from 6 to 7 subjects at S4 in order to:

“increase pace and challenge in S3 and S4 as well as offering more breadth of choice.”
**Support for 6 subject model**
Like those that opposed it, those that supported the 6 subject model often did so on the basis of pupil choice. For example:

“It is my personal opinion that 6 subjects in S4 and 6 in S5 and S6 is the best model to deliver increased pupil choice and pupil pathways in the senior phase.”

another said:

“We are planning to move to a common choice form for S4-S6. This would reduce the number of courses from 7 to 6 at S4. It would also increase the availability of applied learning courses for S4 - S6 pupils and also increase the availability of N4/N5 courses to S5 and S6 pupil”

and another that:

“The move to a 6 subject model choice in S4 allows for greater depth and specialisation of study but we view the vast majority of our pupil coursing as a two or three year development as the vast majority of our pupils stay on until S5 and S6.”

**National guidance**
The lack of clarity in the national policy was highlighted. One respondent commented:

“The diversity in opportunity across the country regarding how many courses a child can pursue in S4 is something which I believe must be reviewed at a national level. There is significant variation from authority to authority and this has the potential to become something of a post code lottery for young people.”

Another commented that:

“Over the last few years there has been a lack of clarity in advice for the senior phase -particularly over how more than 6 subjects can be taken in S4 and how that relates to the purpose and rationale for S3”

Another that:

“The continuing ambiguity at national level in this regard is unhelpful.”

Related to this is a comment from one respondent expressing frustration at criticism for following national guidance:

“Schools, like ourselves, who have followed guidance to the letter and embedded all aspects of CFE such as entitlement to work experience, foundation apprenticeships and wider achievement opportunities are correct. Yet we are the schools often criticised for only allowing 6 nationals as
'standard' in s4 with some degree of flexibility for a few. ALL SCHOOLS should be following the same model."

**Constraints on the number of subjects offered**
The survey also asked whether certain factors - recruitment, resources and timetabling capacity – limited the number of subjects offered.

Around three quarters of schools considered that difficulty recruiting teachers was constraining subject choice either a great deal or to some extent. Nine respondents made comments about staffing constraints. For example one said:

“increasingly choices in the Senior Phase are driven by what we can staff due to very challenging recruitment difficulties in the North East rather than the school's rationale for our Senior Phase curriculum.”

Timetabling capacity also acted as a constraint, but to a lesser extent (61% said it impacted ‘to some extent’ or ‘a great deal’). Interestingly, for 29% of schools, resources (other than teachers) did not act as constraint at all. However it is possible that the term ‘resource’ might have been interpreted in different ways.

**Table 2: Number of schools facing constraints on offering S4 subjects**

<table>
<thead>
<tr>
<th>Constraints</th>
<th>A great deal</th>
<th>To some extent</th>
<th>A little</th>
<th>Not at all</th>
<th>all</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difficulties recruiting teachers with the required subject specialisms</td>
<td>27 (31%)</td>
<td>36 (41%)</td>
<td>15 (17%)</td>
<td>9 (10%)</td>
<td>N=87 (100%)</td>
</tr>
<tr>
<td>Availability of resources (other than teachers)</td>
<td>7 (8%)</td>
<td>24 (28%)</td>
<td>31 (36%)</td>
<td>25 (29%)</td>
<td>N=87 (100%)</td>
</tr>
<tr>
<td>Capacity in the school timetable</td>
<td>19 (22%)</td>
<td>34 (39%)</td>
<td>28 (32%)</td>
<td>6 (7%)</td>
<td>N=87 (100%)</td>
</tr>
</tbody>
</table>

Question: To what extent do the following factors constrain the number of subjects offered in S4.

**By-passing National 5**
The survey asked how many subjects could be taken at Higher without first having taken a course at N5. Table 3 below shows that around half of schools responding require a National 5 before a pupil can take a Higher. Around a fifth have the option for one or two subjects, and 27% offer this for more than 2 subjects.

**Table 3: Number of Highers that can be taken without an N5**

<table>
<thead>
<tr>
<th>Number of schools</th>
<th>Number of schools</th>
<th>% schools</th>
<th>plans to increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>none</td>
<td>43</td>
<td>52%</td>
<td>8</td>
</tr>
<tr>
<td>1 or 2</td>
<td>17</td>
<td>21%</td>
<td>8</td>
</tr>
<tr>
<td>3 to 7</td>
<td>8</td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>12 or more</td>
<td>8</td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>all</td>
<td>6</td>
<td>7%</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>82</td>
<td>100.0%</td>
<td>17</td>
</tr>
</tbody>
</table>
There were few comments on the idea of by-passing National 5 and going straight to Higher, possibly because few schools appear to be contemplating changes to their current policy. One respondent commented that:

“I have never been aware of CfE being designed to bypass N5"

Another considered that for their school, such an option would reduce choice

“Whilst the notion of 'by passing' qualifications may seem attractive in some settings it would have the effect of reducing options/choice in our setting”

Another disagreed on the grounds that it risked a pupil leaving without qualifications

“I also do not agree with not sitting a N5 in year one of aiming for higher - particularly in knowledge base courses such as Maths/Science as you have no idea what will happen to the child during the course of two years - if they leave then they will only get units and that is if you still do units!!! Children need to be protected from leaving with no completion of courses.”

The reference to the importance of a ‘fall back’ position was reflected in other comments. For example:

“In terms of by-passing N5 to Higher for some students, our parents, students and teachers have told us they would be concerned about the risk of potentially not having N5 as a safety net”

Similarly, another stated that the idea had not been supported by parents.

“The original consultation with parents (on Senior Phase) showed that they did not support the idea of going straight to Higher without the N5.”

Direct entry may be more common in some subjects rather than other. One commented:

“Direct entry is common in subjects such as Business Management, Physical Education, Modern Studies and to a lesser extent in Art, Graphic Communication, Design & Manufacture, Music and Drama.”

**Two year highers**

Linked to the idea of bypassing N5 is the idea of studying Highers over two years – either in S4/S5 or S5/S6. In three quarters of schools responding (62 schools) it is not possible to take a Higher over two years. However 12 of these schools have plans to allow this in future. (See Table 4 below).
Eight respondents provided comment on the two year higher. Constraints discussed included the timetabling and staffing difficulties in offering this, particularly in small schools. One said:

"only a large school could manage the challenge of timetabling both one year and two year Higher course in the same session."

It was also suggested that better articulation between N5 and Higher would mean students could be taught the same content, but be examined at different levels, and this would ease timetabling issues. There were several comments that a two year Higher is offered or planned over S5/S6 but not S4/S5.

**Taking three sciences**

In a letter to the Committee, Education Scotland stated that while schools enable 3 sciences where needed, very few pupils actually take this up.

"I can confirm that our inspectors are finding that secondary schools are generally still making arrangements for three sciences where needed. Indeed, the percentage of young people taking 3 science subjects to qualifications has remained around the same over the past few years with only slight fluctuations. It has ranged from 3.1% to 3.6% across the 2012 (3.1%) to 2016 (3.2%) period." (Education Scotland letter dated 16th December 2016)

From the survey it appears that the vast majority of schools allow pupils to study three sciences in one year and almost all enable this over the Senior Phase as a whole.

The Committee has also asked Scottish HEIs about their standard entry requirements for courses such as medicine and whether this requires 3 sciences at one sitting.

**Table 4: Ability to study Highers over two years**

<table>
<thead>
<tr>
<th>Number of subjects</th>
<th>Number of schools</th>
<th>%</th>
<th>Schools planning to increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>none</td>
<td>62</td>
<td>75%</td>
<td>12</td>
</tr>
<tr>
<td>1 or 2</td>
<td>7</td>
<td>8%</td>
<td>1</td>
</tr>
<tr>
<td>2 to 24</td>
<td>6</td>
<td>7%</td>
<td>1</td>
</tr>
<tr>
<td>All</td>
<td>8</td>
<td>10%</td>
<td>1</td>
</tr>
</tbody>
</table>

N= 83

**Table 5: % schools that allow three sciences, in one year and across Senior Phase**

<table>
<thead>
<tr>
<th></th>
<th>% schools</th>
<th>n=</th>
</tr>
</thead>
<tbody>
<tr>
<td>At National 5 in S4</td>
<td>83%</td>
<td>87</td>
</tr>
<tr>
<td>At National 5 during Senior Phase</td>
<td>95%</td>
<td>86</td>
</tr>
<tr>
<td>At Higher in S5</td>
<td>83%</td>
<td>86</td>
</tr>
<tr>
<td>At Higher during Senior Phase</td>
<td>98%</td>
<td>86</td>
</tr>
</tbody>
</table>
There were few comments on this subject. However, one respondent mentioned that teacher recruitment difficulties led to pupils being taught by a non-specialist prior to S4 and that:

“this then impacts on attainment further up the school. Unless we recruit further in science for next session, we may have to limit the number of pupils taking sciences in the senior phase next year.”

One respondent referred to university entrance requirements:

“we have been assured by several Universities that they do not have a requirement for 3 Sciences at one sitting. In fact, they have said they are keen that young people show that they can pick up a 3rd science in S6 and show continuing commitment and the ability to learn new subjects.”

There was however one comment that pupils should not be sitting all three sciences:

“I am an ex PT Science. There is absolutely no need to take three sciences in the traditional sense and that includes for high tariff courses such as Medicine.”

**Vocational subjects**

A number of respondents also referred to the importance of vocational pathways and collaboration with other schools and colleges. There were references to existing or planned collaboration although one respondent said that they were planning to increase their in-house provision due to the impact that travel time had on other subjects and the extra costs of provision in college.
Survey of Higher Education Institutions

HEIs were asked:
- the standard offer made to SQA applicants for law, medicine and mechanical engineering, including whether any elements needed to be achieved in a single sitting
- the proportion of all undergraduate entrants to these courses who had sat SQA qualifications

Entrants with SQA qualifications
The table below summarises the information provided on the proportion of first year entrants who had come through the Scottish qualifications system. This shows that for medicine, only around half of entrants had done SQA qualifications. In the case of Law and Mechanical Engineering both generally show higher proportions of students entering from the Scottish system.

| Table 1: Proportion SQA entrants to medicine, law and mechanical engineering |
|-----------------|-----------------|-----------------|
|                 | Medicine        | Law             | Mechanical Engineering |
|                 | % SQA entrants  | % SQA entrants  | % SQA entrants        |
|                 | % SQA | all entrants | % SQA | all entrants | % SQA | all entrants | % SQA |
| Aberdeen        | 112   | *           | *     | 152         | *     | *           | 76    | *           | *     |
| Abertay         | n/a   | n/a         | n/a   | 24          | 44    | 55%         | n/a   | n/a         | n/a   |
| Dundee          | 97    | 152         | 64%   | 33          | 50    | 66%         | 27    | 55          | 49%   |
| Edinburgh       | 81    | 196         | 41%   | 89          | 109   | 82%         | 26    | 75          | 35%   |
| Edinburgh Napier| n/a   | n/a         | n/a   | 51          | 58    | 88%         | 34    | 43          | 79%   |
| Glasgow         | 118   | 251         | 47%   | 202         | 228   | 89%         | 76    | 123         | 62%   |
| Glasgow Caledonian | n/a   | n/a         | n/a   | 48          | 50    | 96%         | 46    | 53          | 87%   |
| Heriot Watt     | n/a   | n/a         | n/a   | n/a         | n/a   | n/a         | 83    | 147         | 56%   |
| Robert Gordon   | n/a   | n/a         | n/a   | 59          | 71    | 83%         | 53    | 67          | 79%   |
| St Andrews      | 56    | 152         | 37%   | n/a         | n/a   | n/a         | n/a   | n/a         | n/a   |
| Strathclyde     | n/a   | n/a         | n/a   | 183         | 234   | 78%         | 15    | 33          | 45%   |
| **Total**       | 352   | 751         | 47%   | 689         | 844   | 82%         | 360   | 596         | 60%   |

notes:
Aberdeen – information on the total number of entrants was not provided (only Scottish students).
Data on SQA entrants that has been provided by Aberdeen, Edinburgh, Edinburgh Napier, Glasgow, Glasgow Caledonian and St Andrews may include those who entered with HNC and HND qualifications or with Highers/Advanced Highers.
**Standard Offers**
HEIs were asked about their standard offer, as opposed to minimum entry requirements. They were asked to specify if applicants should have achieved a certain number of grades in a single sitting.

**Grades required at one sitting**
For some institutions, standard offers require a five or six highers by the end of S5.

The following provides some examples:

At Edinburgh, for Law, the standard offer was AAAAA at Higher, achieved in S5 (not including contextual factors). Edinburgh has no evidence that any issues were caused by curriculum constraints in schools.

At Aberdeen, for Law, the standard offer was AAAB or AABBB at Higher or AAB at Advanced Higher, at one sitting. For law it was noted that “A number of candidates were eligible for a conditional offer but were unable to meet because of the curriculum being studied. Offer making was therefore adapted to take account of the S6 curriculum which incorporated Advanced Highers.”

At Edinburgh, for Medicine, the standard offer included a requirement that the applicant had AAAB at Higher by the end of S5, to include 3 sciences (where science includes maths). They also required to have BBB from either 3 Advanced Highers and one Higher or 3 Advanced Highers. There was no subject requirement at S6 unless students did not already have Biology or Chemistry.

At Glasgow, the standard offer is AAAAA or AAAABB by the end of S5 as well as A and B in two Advanced Highers by the end of S6.

A number of submissions made the point that they count Highers achieved in S4 and S5 as ‘one sitting’ i.e the applicant can have sat Highers in both S4 and S5.

The submissions from Abertay, Glasgow Caledonian, UHI, Napier and Robert Gordon do not specify that grades must be achieved by a certain point.

Napier stated that: “for admission to all our degree programmes we look at student achievement at the end of their studies and as such we do not ask for students to achieve their qualifications either in a single sitting or in a single academic year.”

Heriot-Watt noted that: “As far as first attempt versus second attempt in theory this makes no difference but inevitably applicants that have taken one attempt are ranked higher and so more likely to receive an offer” (It may be that this refers to resits rather than taking different subjects at S6).

**Grade requirement increased if over two sittings**
It is common practice to require higher grades overall if they are achieved over two sittings. For example:

At Aberdeen, for Mechanical Engineering, students with grades achieved over two sittings were required to get AABBB, whereas the requirement if achieved at one
sitting was lower – AABB. A similar point was made by Edinburgh, who generally require grades to be achieved by the end of S5. Highers in S6 are accepted, but the grade requirement increases.

At Strathclyde, for law, the standard offer is AAAAB at first sitting, or AAABBBB at second sitting.

At Dundee, the standard offer for law is ABBB at one sitting or AABB at two sittings.

**Requirement for 3 sciences in medical degrees**

Medicine at Aberdeen’s standard offer is “3 sciences” at one sitting, although it includes maths as a science.

Similarly at Edinburgh, the standard offer for medicine includes 3 sciences (including maths), although the university: “recognises that for some applicants, this combination of subjects in S5 may not be possible/appropriate” and allows them to take the missing subjects in S6. However, the submission notes that: “the vast majority of applicants to medicine had the required five Highers from S5 and there is no evidence that those who did not, resulted from curriculum constraints in schools.”

Glasgow generally requires 3 sciences by the end of S5, although includes maths as a science. They do also allow any ‘missing’ sciences to be taken in S6, if they have AAAAA or AAAABB at Higher in S5 in other subjects. The standard offer at Glasgow also includes 2 Advanced Highers at A or B.

Dundee only requires 2 sciences – chemistry and one other.

At St Andrews the standard offer is BBB in 3 advanced highers at S6.

**Subject choice**

Glasgow Caledonian provided results from focus groups with 92 S6 pupils which discussed their experiences of S4-6 option choices and post school plans. This found that: “It is evidence from the focus group findings that many pupils struggle to take their preferred subject choices in S5 and S6”. The group was asked whether, when making their options for S5, there were any subjects that pupils would have liked to have studied, but which they were not able to.

22 pupils said that the reason they couldn’t have their preferred subject was that there was no option to choose three sciences. However more common reasons were timetable clashes (42 pupils) and the subject not being offered by the school (32 pupils).

The table below lists those subjects which the most pupils said they were not able to choose at Higher and Advanced Higher. It is notable that choice appears far more restricted at Advanced Higher than at Higher. It prevalence of STEM subjects is also of interest.
Table 2: Pupils unable to choose subjects at Higher and Advanced Higher

<table>
<thead>
<tr>
<th></th>
<th>Highers in S5</th>
<th>Higher in S6</th>
<th>Advanced Higher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biology</td>
<td>9</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Chemistry</td>
<td></td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>English</td>
<td></td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>History</td>
<td>7</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Maths</td>
<td></td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Modern Studies</td>
<td>8</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Maths</td>
<td>30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>French</td>
<td>8</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Politics</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Psychology</td>
<td>11</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Glasgow Caledonian University focus group report submitted to Education and Skills Committee. Focus groups with a total of 92 pupils.

Commenting on the issue of subject choice Strathclyde University said that:

“We have been made aware, in a small number of cases, of students whose performance has been impacted by classes being withdrawn or teaching being impacted by resource constraints […] additional, and again anecdotally, we have been made aware of students who require to take (in particular) Advanced Higher options externally.”

Strathclyde further noted that:

“anecdotal evidence suggests that a small number of applicants (to mechanical engineering) are restricted in their curriculum choices that prevents them taking Higher maths and physics in the same year.”

In all of these instances the university notes that it aims to be flexible in offer making taking account of the particular circumstances of the applicant.

Suzi Macpherson
Camilla Kidner
Senior Researchers
SPICe
2nd March 2017
Submissions

Additional Support Needs

1. The Committee has received the following pack of submissions on ASN, this is in addition to the submissions received for the meeting on 1 March. As well as submissions from parents and teachers this pack includes submissions from, a number of schools, more local authorities and also parent councils.

   Submissions on Additional Support Needs (Tranche 2) (905KB pdf)

2. The official report of the meeting on 1 March 2017 has been published and all of the submissions and evidence the Committee received can be found on the Committee's website. Links to both are below:

   Official Report of Meeting 1 March 2017
   Additional Support Needs in School Education

Personal and Social Education

3. The Committee received a number of submissions after papers were issued to Members in advance of the meeting on PSE on 22 February. Links to the submissions are below:

   Children & Young People’s Commissioner Scotland (327KB pdf)
   Field Studies Council (296KB pdf)
   Wholeistic Life-Coaching for Kids (297KB pdf)

4. An additional “100 word statement” was also received and can be found on the final page of this document:

   100 Word Email Submissions- (422KB pdf)

5. The Committee agreed to write to the Cabinet Secretary to highlight some of the issues that were raised in the oral and written evidence the Committee had received. A link to that letter is below:

   Letter to Cabinet Secretary for Education and Skills - 1 March 2017 (52KB pdf)

6. The official report of the meeting on 22 February 2017 has been published and all of the submissions and evidence the Committee received can be found on the Committee’s website. Links to both are below:

   Official Report of Meeting 22 February 2017
   Personal and Social Education
7. Following the meeting on 22 February, Time for Inclusive Education provided the Committee with copies of lesson plans it uses in schools. These lesson plans are available to Members on request from the clerks.

Curriculum for Excellence

8. The Committee held 7 focus groups in January and February that all covered CfE amongst other issues. The extracts of the notes that relate to CfE are available here:

Focus Group Notes- Extracts on Curriculum for Excellence and other issues relating to School education

9. The Committee has not held a call for views on Curriculum for Excellence but has received letters and submissions following publication of its report and its Chamber debate.

Modern Studies Association (535KB pdf)
SQA response to Modern Studies Association (272KB pdf)
Anonymous Submission (1.16MB pdf)
Anonymous Submission (459KB pdf)
Aberdeen City Council Secondary Head Teacher Association (119KB pdf)
Submission by Karen Adam (6.49KB pdf)
Submission from Alison Murphy (A Teacher unable to attend the focus group on 8 February 2017) (8.38KB pdf)

10. The Committee also received a clarificatory letter from COSLA following the evidence session with the CfE Management Board.

Letter from COSLA following CfE Management Board evidence session - 31 January 2017 (89KB pdf)
Scottish Government Response

1. The combined response from the Cabinet Secretary to the Committee’s letter on the Curriculum for Excellence Management Board and the Committee’s report on the performance of public bodies is attached. Members are invited to note that the response on report recommendations will be considered at a later date by the Committee once responses from Education Scotland, SQA, SFC and SDS have been received (17th March deadline for response).

2. However, the Management Board letter and response and any elements of the Scottish Government response that relate to Curriculum for Excellence can be raised with the Cabinet Secretary on 8th March.

3. The Committee’s letter on the Management Board and its report are hyperlinked below for reference:

   http://www.parliament.scot/S5_Education/Inquiries/20170126DFMCabSecCfEOUT.pdf
   http://www.parliament.scot/S5_Education/Reports/ESS052017R02.pdf
Thank you for your letter of 17 January seeking a response to the Committee’s report on the performance and role of key education and skills bodies. This letter provides a response both to that letter and to the Committee’s letter of 26 January, detailing the Committee’s views on the evidence presented by members of the Curriculum for Excellence Management Board on 18 January.

The Education and Skills Portfolio is at the heart of delivering excellence and equity within Education in Scotland and the Scottish Government remains firm in its resolve to deliver a world class education system which meets the needs of all our young people. The roles of the key national bodies who deliver education and skills policies, and their performance in doing so, are of paramount importance in our ability to achieve that. It is precisely for that reason that we are undertaking comprehensive reviews of our Enterprise and Skills and Education systems. Those reviews involve careful analysis of evidence, meaningful engagement with a wide range of stakeholders and tough decisions about priorities and resources.

I expect the highest standards of all public bodies contributing to the education and skills agenda in Scotland. That is why we have undertaken a range of reforms, including reducing and clarifying the guidance provided to teachers as part of a range of activity designed to address teacher workload and free up time for teachers to teach. In relation to the SQA specifically, the Scottish Government and the SQA takes the views of teachers extremely seriously and will always work with them to address any concerns. That is why the SQA has worked closely with teachers in the development of the new National Qualifications and why it is already reviewing its approach to engagement and communication with teachers.

Whilst I welcome views from anyone involved in Scotland’s education system and will always pay close attention to constructive criticism, I believe the points advanced by the Committee on the performance of the SQA and Education Scotland in particular are not based on an assessment of a sufficiently broad evidence base. The Committee places emphasis on an
online survey that had 693 responders who self-identify as teachers. This represents slightly more than 1% of Scotland’s publicly employed teaching workforce of 50,970. I would specifically draw the Committee’s attention to the description of the survey by SPICe as “not based on a random sample, so may not be representative of the general population”. My concerns about the methodology are exacerbated by the comparative lack of consideration that appears to have been given to the evidence submitted by the public bodies themselves, most notably the engagement activity that both SQA and Education Scotland conduct with their stakeholders to evaluate their respective impacts. I believe this has resulted in an unbalanced report.

Annex A provides a detailed response to the key points for the Scottish Government. I understand that you have also written to each of the national bodies covered in the report and they will respond themselves on the recommendations which fall within their operational remits.

Turning to the Committee’s observations on the CfE Management Board, I think it is important to state at the outset that in my role as Cabinet Secretary for Education and Skills responsibility for decisions on all matters pertaining to national education policy rests with me. I am accountable to the First Minister and to the Scottish Parliament for those decisions. The Chair of the CfE Management Board, Fiona Robertson, made this very clear to you at the evidence session on 18 January and there are no grounds for members of the Committee to be unclear on this point.

The Board’s role has always been to provide oversight of Curriculum for Excellence (CfE) and to act, therefore, as a key source of advice for Ministers in the development of national policy. The Board reports on its discussions and recommendations to me both through formal advice developed and agreed by the Board, and through general advice to Ministers from officials, which has been informed by the views of the Board. Ministers have also attended Board meetings to gather views and hear discussions first hand. Last September, I met with the Board to lead discussions on the proposals to remove unit assessments from National Qualifications. After a constructive and informative discussion, the Board was in a position to agree the changes and relay that support to me directly.

Without doubt, this forum and its consensual mode of operation has been the correct one to enable us to make the progress we have, fulfilling its central purpose and securing steady and effective adoption of CfE across Scotland. The OECD in its 2015 review recognised that this had unquestionably been the right approach in both the development and implementation stages of CfE, noting that it “has been well fitted to the task of implementing CfE as a Scotland-wide curriculum programme. That task required consensus and managing processes so that implementation, including of assessment and qualifications, would happen as smoothly as possible”1.

Certainly, there should be no doubt about the rationale for the approach taken by the Board in bringing together a broad range of stakeholders, all of whom were invited to join the Board to contribute their own unique perspectives to the revision, agreement and, where necessary, further development of the underpinning national policy framework for CfE. It should be noted that this has included, since its very inception, representatives from the teaching unions who are directly responsible for bringing the voice of teachers to the Board and ensuring that their members’ concerns are raised and acted on. Similarly, in recognition of the vital role of parents in developing and communicating how CfE is delivered, the National Parent Forum of Scotland (NPFS) was invited to join the Board in early 2010.

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The Board has always operated through a shared sense of collective responsibility and purpose, and every member has been instrumental in its success. Collective responsibility does not mean that every organisation on the Board has the same responsibilities but it does mean there are common, shared responsibilities which arise by virtue of being a member of the Board. Of course, separate, unique responsibilities for implementation of CfE reside with the delivery bodies and the Board has played a key role in holding those organisations to account for those responsibilities, in addition to their own individual governance and accountability arrangements. However, every organisation on the Board does have a responsibility to ensure, to the extent of their own remit, the success of CfE. This includes honestly identifying issues emerging in practice and ensuring action is taken at Board level in response to concerns, and effectively communicating action or guidance agreed by the Board to those who they represent. The lines of communication and delivery in relation to Board action are clear and I would expect any member unclear on the extent of their own responsibilities to raise this accordingly.

It is indeed right to acknowledge that we are at a juncture in our CfE journey which calls for a degree of boldness. We are moving forward into a new phase where there is a need to support a system that can deliver the original intention that CfE be truly school- and teacher-led. Of course, a strategic national policy, not least on qualifications, will still be needed along with a mechanism to enable it to be adjusted in the light of practical experience. However, increasingly the focus will be on how we can drive CfE forward as a curriculum made by empowered and strengthened schools and communities.

The Governance Review has sought to gather views on how we can encourage and incentivise systemic, widespread and effective professional collaboration and see a strengthened “middle” in Scotland’s education system. We are considering the responses to the Review and will publish our proposals in due course, but I am clear that governance of CfE will need to align and support that vision. The observations made in the OECD Report about the future governance of CfE will also inform my decisions about the most appropriate arrangements for the future.

I remain firmly committed to developing an education system which delivers both excellence and equity for all children and young people in Scotland. I will continue to take action to ensure we have the right supporting structure in place to achieve this most crucial of aims.

I trust the Committee finds this helpful. I look forward to discussing this and other issues further on 8 March.

JOHN SWINNEY
SUMMARY OF KEY RECOMMENDATIONS

1. SKILLS DEVELOPMENT SCOTLAND (SDS)

Localised services

1.1. The Committee is not convinced that SDS national programmes have enough flexibility to maximise effectiveness in some regions and seeks an assessment from SDS on how it meets the needs of rural areas. The Committee urges SDS to ensure national programmes have capacity to adapt to local circumstances and that regional staff work with local stakeholders to tailor services.

SG Position

☐ SDS has been asked by the committee to respond to this and other recommendations separately.

☐ As a national agency we expect SDS to deliver all of its services effectively across Scotland. SDS has shown excellent examples of local area working including the delivery of careers services in every secondary school in Scotland and development of Regional Skills Assessments with local partners which provide a high quality and consistent source of evidence about economic and skills performance and delivery at a regional level.

☐ The Chief Executive of SDS meets with leaders from each local authority at least once a year to ensure local collaboration. SDS is also represented in each Community Planning Partnership and has strong links with all local authorities. Through these networks and the established RSA, SDS will look to develop its reach and tailor the services to meet local need as a priority.

☐ We would encourage SDS to continue to work with local authorities and other partners to continue to make sure that all of their programmes continue to meet the demands of local areas.

1.2. The Committee requests SG takes account of concerns about provision of services beyond the central belt in its Enterprise and Skills Review.

SG Position

☐ The concerns raised during the first phase of the Enterprise and Skills Review will be looked at under Phase 2 of the review.

☐ In our report on Phase 1 of the Enterprise and Skills Review we have committed to work with and listen to the agencies and other partners to strengthen our enterprise and skills system by consulting on the Strategic Board, including the best distribution of functions between the agencies underneath it and the associated legislative requirements.

☐ As part of Phase 2 of the review, one of the work streams is looking at the development of a Strategic Board for the agencies involved in the Review. The aims of the Strategic Board will be to improve the overall performance of the whole Enterprise and Skills system to deliver Scotland’s Economic Strategy and supporting strategies.
Ministers have made clear that HIE will be retained as a separate legal entity whilst sharing a single overarching board with the other enterprise and skills agencies.

Other work streams in the review are looking at developing recommendations for a new vehicle to meet the enterprise and skills needs of the South of Scotland and for how regional partnerships can stimulate local economies and build inclusive growth. SDS is playing a full role in the implementation of the Phase 1 recommendations.

**Equalities**

1.3. The Committee urges SDS to ensure programmes are accessible and attractive to all young people and recommends that it commits to undertaking and Equalities Impact Assessment on all of its programmes, as a matter of urgency.

**SG Position**

- Equality Impact Assessments are conducted on all of the SDS programmes. Equality Impact Assessments are also undertaken on their web services to ensure they meet the needs of each user.
- SDS has taken a proactive approach to delivering its Equality Outcomes and National Training Programmes Equality Impact assessment action plans.
- In response to Developing the Young Workforce recommendations, SDS published its Equalities Action Plan for Modern Apprenticeships in Scotland on 2 December 2015. This plan outlines the challenges to be addressed and the actions SDS will undertake with partners to improve the participation of under-represented groups within the MA programme. The EAP covers a five year period until 2021 and sets out clearly the scale of the challenge relating to occupational segregation and inequality in MAs and the requirement for all partners to work in collaboration to tackle culturally ingrained challenges.

**Measuring Impact**

1.4. The Committee asks SG to consider how SDS can turn performance data into easily understood KPIs and broader outcome measures so that it can be held accountable for its performance.

**SG Position**

- Under the current governance arrangements between SDS and SG, targets are set through the annual ministerial guidance letter. Data on performance against these targets are provided through board papers and at regular liaison meetings. This information is used to keep track of SDS’s performance against targets.
- SDS is in the final stages of revising its Performance Management Framework. This includes a number of key performance indicators and has involved detailed work to align these to the indicators in the national performance framework.
- One of the recommendations from the Enterprise and Skills Review was ‘To support the new board, we will review existing data and evaluation functions to further align our enterprise and skills support and to ensure robust evaluation of activity and impact’. There is a work stream looking at how an improved analytical function will support the overarching board and others to make effective decisions on how to improve the outcomes of the Enterprise and Skills system. We will work closely with the agencies (drawing on input from other stakeholders and partners) to help develop this new analytical approach, ensuring that resources are used to maximum effect.
One of the aims of the proposed new Strategic Board will be to hold agencies, including SDS, to account for performance against agreed collective measures.

2. SCOTTISH FUNDING COUNCIL (SFC)

Policy Development

2.1. The Committee recommends that the SFC should engage with Universities Scotland on the latter’s concerns about the SFC’s policy development role, particularly about whether that role has diminished.

SG Position

As an NDPB with a Chair and a Board the SFC is constituted as an arm’s length body under the Further and Higher Education (Scotland) Act 2005 with the express duty to carry out its role of securing, through universities and colleges, the provision of high quality higher and further education. In carrying out this role, advice from the SFC feeds into policy documents which then feeds into what is implemented. The relationship between the SFC and the SG is clearly set out in the Management Statement and Financial Memorandum and Letters of Guidance.

Drop Out Rates

2.2. The Committee recommends that the SFC should undertake work to better understand the reasons why some students fail to complete college courses.

SG Position

The SFC will play a key role in supporting the review of the learner journey established by the Scottish Government to maximise the progression of all young people through their learning, regardless of where they are studying. This will include understanding better the reasons why some students do not complete college courses.

Transparency of College Expenditure – Accounting for Depreciation

2.3. The Committee recommends that the SFC and SG should introduce a better approach to accounting for depreciation in colleges’ accounts to improve transparency about expenditure.

SG Position

The SG and SFC are working closely to identify an approach which continues to benefit the sector whilst adhering to central government and FE/HE sector guidance.

The key issue concerns the establishment of a proportionate mechanism for approval of colleges proposed utilisation of depreciation funds.

Additional guidance has been included in SFC’s Accounts Direction to colleges detailing the process colleges have to follow if they incur a deficit as a result of spending net depreciation funds.
Evaluation of College Merger Programme

2.4. The Committee notes concerns about a lack of baseline data for the college merger programme making it difficult for its efficacy to be evaluated.

**SG Position**

- The SFC Post Merger Evaluation (PME) report details the objectives for, and outcomes of, college mergers. SG will continue to work with the SFC to report the benefits, costs and savings of the mergers based on the PMEs. The SFC tested the evidence in the PMEs with students, staff, stakeholders, senior management and boards.

Delivery of Vocational Qualifications

2.5. The Committee recommends that the SFC should undertake work to determine the reasons for, and scale of, the turnover of highly qualified agency staff delivering vocational qualifications.

**SG Position**

- The SG will work with both the SFC and Colleges Scotland through their workforce planning and Workforce for the Future.

Enterprise and skills review

2.6. The Committee is concerned about proposals from the first phase of the Enterprise and Skills Review to abolish the SFC Board and create overarching board for enterprise and skills. It suggests SG should provide clear evidence for this and for Phase 2 recommendations when they are published, and should also be clear about impact of Phase 2 proposals on issues outwith the scope of the Review.

**SG Position**

- There was a clear perception across a majority of respondents to the Call for Evidence for Phase 1 of the Enterprise and Skills Review that a lack of clarity on the strategic focus for the enterprise and skills system was leading to duplication across the agencies, as well as confusing end users about the range of support which they might access. Addressing this is particularly pressing in the context of the referendum vote on the EU and in a continued environment of fiscal restraint.
- The proposed model of a single board clearly addresses the broad consensus from Call for Evidence responses, Ministerial Review Group expertise and wider stakeholder engagement. This called for de-cluttering of the existing landscape, for simplifying the whole system for users, and for driving alignment across the agencies to maximise our collective impact and realise our ambition for Scotland to be a top performing OECD nation.
- The SG began full engagement on the Learner Journey review formally from last week and will be working with a wide range of partners, stakeholders and, importantly, young people themselves to develop ideas about how we increase the efficiency of the learning system, while enhancing quality and access for learners.
- Ministers have made clear to the university sector that they are acutely aware of any potential consequence of changing the (classification) relationship between Ministers and the universities, and will work with the sector to remove any apparent risk while
achieving their ambition of greater alignment and impact across the education and skills system.

- This approach is entirely consistent with SG commentary made during passage of the Higher Education Governance (Scotland) Act 2016, to the effect that Ministers would not wish to see any change to the current classification of universities in Scotland, and would ensure that all of their decisions are consistent with such an outcome.
- Ministers have articulated a vision that ensures the SFC (alongside SDS) is best placed to deliver the learning and skills necessary for sustainable and inclusive economic growth. In that regard, we recognise that education plays a significant role in, and makes a significant contribution to, our economic development. Both the 15-24 Learner Journey Review and the Developing the Young Workforce Programme recognise the crucial interconnection between skills development, education, widening access and employability. The SFC, along with other bodies, is engaged in the delivery of both programmes.
- The Scottish Government will continue to work closely with all relevant partners and stakeholders to ensure that output from Phase 2 of the review reflects this role and includes the appropriate consideration of any such impacts.

- The Cabinet Secretary for Economy, Jobs and Fair Work has established a Governance Workstream to scope and deliver structural proposals which will define the roles and responsibilities of the overarching strategic board and sub-structures, based on good governance principles. Professor Lorne Crerar, Chair of Highlands and Islands Enterprise has been asked to take a leading role in this work, together with the chairs of the other bodies covered by the review and interested Ministerial Review Group (MRG) members. Professor Crerar has completed his independent report on governance proposals which is being considered by the Cabinet Secretary.

3. SCOTTISH QUALIFICATIONS AUTHORITY (SQA)

Engagement with Teachers

3.1. The Committee recommends that SQA should review its approach to engagement with teachers and is critical of its apparently poor relationship with the profession and its negative impact on teacher workload.

SG Position

- The Scottish Government takes the views of teachers extremely seriously and continues to work with them to address any concerns.
- SQA has worked closely with teachers in the development of the new National Qualifications. SQA is already reviewing its approach to engagement and communication with teachers and will work to ensure its relationship with the profession reflects the mutual trust and support it has enjoyed with teachers throughout the history of the organisation.
- This review is explained in further detail in SQA’s own response to the Committee.

Impact of New Qualifications on Teacher Workload

3.2. The Committee also suggests that SQA, local authorities, Education Scotland and teacher unions should have a clear focus on how teachers will be given time and
resources to understand what is required to deliver new and redesigned qualifications. The committee seeks regular updates on this.

**SG Position**

- SQA and Education Scotland are reducing and clarifying the guidance provided to teachers as part of a range of activity designed to address teacher workload and free up time for teachers to teach.
  - The Education Delivery Plan made clear the Scottish Government’s commitment to tackle bureaucracy and address excessive teacher workload.
  - On 29 August, Education Scotland published clear, practical advice for teachers and practitioners on planning learning, teaching and assessment.
  - This streamlined approach includes a definitive Statement on Curriculum for Excellence from HM Chief Inspector of Education and benchmarks to support assessment in literacy and numeracy.
  - The benchmarks are designed to give teachers definitive guidance on assessing learner progress from pre-school through to S3. Benchmarks for the other areas of the curriculum will be published shortly. This will replace a much larger volume of existing material.
  - HM Inspectors have also carried out a focused review of the demands placed on schools by each local authority in relation to Curriculum for Excellence. The report of the review was published on 19 September and its findings should empower teachers to challenge unnecessary workload demands.
  - The Deputy First Minister meets with the Chief Executive of SQA every month to consider what action can be taken to improve the position on teacher workload yet further.

- In addition, the decision to remove mandatory unit assessments for National 5, Higher and Advanced Higher was welcomed by teachers as making a significant contribution to reducing assessment-related workload for teachers and young people. SQA is currently planning the necessary structural changes to the courses and course assessment.

- The Assessment and National Qualifications Group, chaired by the Deputy First Minister, and which includes the teacher and headteacher associations, local authorities and Education Scotland will continue to discuss any factors contributing to workload, and to retain oversight of the implementation of the revisions to the qualifications.

**Quality Improvements**

3.3. The Committee seeks general improvements in the design and delivery of supporting documents for, and the marking of, national qualifications.

**SG Position**

- SQA has made it clear that the removal of units from the course documentation will make the course documents more straightforward and streamlined for teachers and lecturers. All the information needed by the teacher or lecturer to deliver and assess the courses will be contained within one document, and duplication of information will be removed.
- SQA will provide further detail in its own response to the Committee
SQA Workload and Resources

3.4. The Committee suggests that SQA considers how to reprioritise resources to ensure it fulfills its core functions. This relates to criticism of claims from SQA that errors in exam marking were caused by excessive workload.

SG Position

☐ SQA will provide further assurance to the Committee in its own response, but it has made clear that it reviews its experiences each year following the examination diet process to ensure continued improvement of its services,

☐ The Scottish Government has provided the SQA with all the resources it has required to develop new national qualifications under CfE. The SQA’s financial situation will continue to be closely monitored and managed throughout the year with the aim of ensuring it has the resources it requires to deliver.

Minimum Wage for Invigilators

3.5. The Committee seeks improvements in information sharing so that SQA can ensure that invigilators are not paid less than the minimum wage.

SG Position

☐ Payment of the Living Wage is a commitment the Scottish Government takes extremely seriously. The Scottish Government introduced the requirement to pay the Living Wage as an integral part of its public sector pay policy in 2011-12. We also expect all public bodies with Living Wage accreditation to fully comply with the terms of that accreditation.

☐ SQA has assured us that it is committed to ensuring the Living Wage is applied to all appointees in line with its status as a living wage employer. Additional guidance has been issued to Chief Invigilators and Invigilators for 2017 and revised claim forms introduced to ensure that SQA has visibility of hours worked and payments made to Invigilators to ensure that appropriate fees are paid in all instances.

Self-financing Model

3.6. The Committee seeks assurances that SQA’s commercial work is not diluting its focus on its core business.

☐ SQA (and its predecessor bodies) has been undertaking international and commercial work for many years. This increases the profile of Scotland, and Scottish education, in other parts of the world and generates additional income from elsewhere.

☐ However, we are clear that delivering qualifications in Scotland is the SQA’s core function and Ministers and officials work closely with SQA to ensure that this remains the case. In recent years, SQA has provided unprecedented levels of support to ensure the safe implementation of the new National Qualifications.
4. EDUCATION SCOTLAND (ES)

Relationship with SG and others

4.1. The Committee suggests that lines of accountability in relation to Education Scotland’s roles in advising SG, driving policy (especially in its role as a member of the CfE Management Board) and managing the school inspection regime need to be made clearer. The Committee intends to investigate this further.

SG Position

- The relationship between Education Scotland and Ministers is clearly set out in the agency’s Framework document. Ministers approve Education Scotland’s plans of activity and can direct Education Scotland to undertake specific activities. Education Scotland provides professional advice to inform policy, but Ministers make policy decisions, normally with support from specialist policy teams in the Scottish Government.

Dual Role/Possible Conflict of Interest

4.2. The Committee recommends that SG takes account, in its Governance Review, of concerns raised by RSE, Reform Scotland and Professor Lindsay Patterson that there is a conflict of interest in Education Scotland’s roles as developer of the curriculum and independent evaluator of it through its inspectorate function.

SG Position

- ES is an Executive Agency (the same status that HMIE had) and the framework document states the safeguards in place to ensure the independence of the inspection function. The SG believes that there are clear benefits from bringing together inspection and improvement functions with curriculum development functions.

Evaluation of CfE

4.3. The Committee, drawing on Lindsay Patterson’s interpretation of a reference in the OECD review, suggests that the impact of CfE and cannot be validly done as baseline data was not collected prior to the introduction of the new curriculum approach. The Committee recommends this lesson is learned for future reform and recommends Education Scotland and SG consider what can be done to address the consequences of this omission.

SG Position

- Education Scotland will continue to focus on the impact of CfE through its inspection programme, support and challenge activities and engagement with practitioners. Education Scotland will collate its evidence in preparing regular reports on quality improvement in Scottish education that will highlight progress made in realising the benefits of CfE.
**Annex A**

**School Inspection**

4.4. The Committee urges Education Scotland to ensure it is carrying out its core function of inspections regularly to support schools, local authorities and national bodies in delivering CfE, welcomes its plans to correct misconceptions about inspections and urges it to work with local authorities and schools to challenge misconceptions further.

**SG Position**

- Education Scotland is committed to increasing the number of school inspections, and will outline target numbers of inspections within the forthcoming Standards and Evaluation Framework. The media campaign around inspection commenced on 6 February and involves social media and blogs, along with more traditional methods. Education Scotland regularly meets with the teacher professional associations and will gather feedback on the campaign from them. Lastly, Education Scotland is arranging the next meeting of the inspection External Reference Group for late March where these issues will be discussed.

**Teacher Workload and Volume of Guidance**

4.5. The Committee welcomes the review and reduction of the level of CfE documentation but suggests more work will need to be done to ensure guidance is accessible, clear and easily usable.

**SG Position**

- Guidance was issued to all teachers in August which provides clarity around Curriculum implementation and assists in reducing workload. Almost half of the available content was reconfigured for the National Improvement Hub, the refreshed Education Scotland corporate website and the National Qualifications site. The remainder has been archived, or moved to partner organisations. A small number of items have been moved to Glow. The process of transferring some previous content to partner organisations is currently underway and not all transfers are finalised. In the meantime, Education Scotland is holding a range of content in a temporary archive.

**Budget Planning**

4.6. The Committee invites Education Scotland to set out more clearly the specifics of its financial planning processes, particularly around its annual zero-base approach and subsequent re-profiling, to enable the Committee to undertake more forensic scrutiny in future.

**SG Position**

- Education Scotland’s budget planning process will be explained in further detail in its separate response to the Committee.
5. EDUCATION AUTHORITIES

Role of COSLA

5.1. The Committee suggests that COSLA, as a member of the CfE Management Board should be more critically and constructively involved in the development of guidance and advice for teachers.

SG Position

☐ This is properly a matter for COSLA.

Role of Local Authorities

5.2. The Committee suggests that local authorities should more actively monitor teacher workload and take proactive steps to address any performance challenges.

SG Position

☐ While this is properly a matter for individual local authorities, the worrying variation in performance was one of the drivers of the Governance Review. The Government instructed Education Scotland Inspectors to undertake a review last year of CfE related workload generated by local authorities and they will continue to monitor action taken to address unnecessary levels of bureaucracy in schools.