



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EDUCATION AND CULTURE COMMITTEE

Tuesday 17 November 2015

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EDUCATION AND CULTURE COMMITTEE

27th Meeting 2015, Session 4

CONVENER

*Stewart Maxwell (West Scotland) (SNP)

DEPUTY CONVENER

Mark Griffin (Central Scotland) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)
*Colin Beattie (Midlothian North and Musselburgh) (SNP)
*Chic Brodie (South Scotland) (SNP)
Gordon MacDonald (Edinburgh Pentlands) (SNP)
*Liam McArthur (Orkney Islands) (LD)
*John Pentland (Motherwell and Wishaw) (Lab)
Mary Scanlon (Highlands and Islands) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Donna Bell (Scottish Government)
Angela Constance (Cabinet Secretary for Education and Lifelong Learning)
Greg Dempster (Association of Headteachers and Deputies in Scotland)
James Dornan (Glasgow Cathcart) (SNP) (Committee Substitute)
John Edward (Scottish Council of Independent Schools)
Audrey Edwards (Shetland Islands Council)
Iain Ellis MBE (National Parent Forum of Scotland)
Iain Gray (East Lothian) (Lab) (Committee Substitute)
Terry Lanagan (Association of Directors of Education in Scotland)
Craig Munro (Association of Directors of Education in Scotland)
Susan Quinn (Educational Institute of Scotland)
Liz Smith (Mid Scotland and Fife) (Con) (Committee Substitute)
Professor Cate Watson (University of Stirling)

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 1

Scottish Parliament

Education and Culture Committee

Tuesday 17 November 2015

[The Convener opened the meeting at 10:02]

Education (Scotland) Bill

The Convener (Stewart Maxwell): Good morning and welcome to the 27th meeting in 2015 of the Education and Culture Committee. I remind everyone present to ensure that their electronic devices are switched off at all times. We have received apologies from Mary Scanlon, Gordon McDonald and Mark Griffin—is there something better on that I do not know about? I welcome Liz Smith, who is substituting for Mary; James Dornan, who is substituting for Gordon; and Iain Gray, who is substituting for Mark.

Agenda item 1 is an evidence-taking session on the proposed Scottish Government amendments to the Education (Scotland) Bill. I make it clear that the amendments have not yet been lodged but, once they have been, they will be dealt with formally by the committee. Our first panel of witnesses will cover the proposed amendments to the national improvement framework, while the second panel will cover the standard for headship. We will then hear from the Cabinet Secretary for Education and Lifelong Learning on both areas.

Our first panel comprises Susan Quinn, Educational Institute of Scotland; Iain Ellis MBE, national parent forum of Scotland; Craig Munro, Association of Directors of Education in Scotland; and Professor Cate Watson, University of Stirling. Good morning to you all and welcome to the committee. If you do not mind, we will go straight to questions.

Chic Brodie (South Scotland) (SNP): Good morning. My question is about the need for change. Clearly the most discussed element in the framework is the proposal to create standardised national assessments, and I note that Susan Quinn's very readable submission says:

"A discernible tension appears to exist between the competing functions of Scottish Government, with responsibility for national policy in education, and local government, with its statutory responsibility for delivery."

Do you consider it necessary to make what has been termed a "cultural shift" in Scottish education?

Susan Quinn (Educational Institute of Scotland): A cultural shift is necessary. Ten-plus years ago, we introduced curriculum for

excellence, which was to have the most significant impact on the delivery of learning and teaching, the assessment of those things and outcomes for leavers in Scottish education. It provided us with a framework of principles and potential practices that should have had and can have a significant impact on how education is served for Scotland's young people, and we need to be able to continue with that and develop the areas that need to be developed.

It is quite clear in the work that has come out that aspects of assessment, moderation and understanding in the broad general education from early years through to the end of secondary 3 require continued work and practice. To take us to what would be the desired outcome for the various stages of the national qualifications, we would have to make a shift in how those look across the board, instead of having just a repetition of the old qualifications under new names, so—

Chic Brodie: I understand that, but we are looking at what we think needs to be changed. Why are some of the anticipated benefits of the framework not being delivered?

Susan Quinn: Clearly the benefits of the new framework will be that national Government will, in its opinion, have a clearer oversight of what is happening across the country. That is perhaps the one area in the work of curriculum for excellence that has been missing.

It is obvious from past work that local authorities have their own systems and understanding of the broad general education, the national qualifications and improvement in their local areas. They have developed their own policies and practices around the principles of curriculum for excellence; they make use of a range of strategies, taking into account a broad spectrum of supporting assessment tools; and they provide that information. I can only assume that, somewhere down the line, that information has not been getting to national level. I cannot comment on why that would be, but I would have thought that the introduction of the improvement framework is, as Education Scotland describes it, about local improvement but national accountability.

Chic Brodie: What are the discernible and tangible tensions that exist between Scottish Government and local authorities in this area?

Susan Quinn: As an EIS representative, I cannot honestly tell you. You will need to discuss that with local authorities and national Government. The EIS's position is that, at local level, we have engaged on all aspects of the work and support continued discussion around that, but with regard to the existing position, national Government must feel that it does not have the

information that it requires. I cannot comment on why that would be. The issue for us is that some aspects of the proposals take us into realms that are a step too far.

Chic Brodie: I believe that Craig Munro wants to answer this question.

Craig Munro (Association of Directors of Education in Scotland): It might be appropriate for me to come in at this point.

I want to return to Chic Brodie's original question about why we need change now, which I think was where he started before he moved on to his supplementaries. This is the right time for a national improvement framework, and I will tell you why, notwithstanding the various issues on which we have common ground with EIS, this is the right thing to do and the right time to do it.

On the question of why it is a good time, it was quite interesting when the Organisation for Economic Co-operation and Development published "Synergies for Better Learning: An International Perspective on Evaluation and Assessment", which looked at the education systems of developed nations around the world and brought out well the difference between a good education system and a great one. What it makes clear is that you should not do something at national level that has no effect whatsoever—or which has a damaging effect—in the classroom. The clue is in the OECD document's title: there must be synergies in the system between the classroom, the child, the teachers, the school, the local authority, the community planning partnership and so on and the national Government, and every layer of the system must be driving improvement with the child. There are examples of things happening at national level that are having no practical or important impact on children. In that category, I would put the Scottish survey of literacy and numeracy—and if you want me to expand on that, I can.

It is also a good time to introduce the framework, because Scotland is in a good place at the moment. I do not think that there is a crisis—no one in ADES thinks that, and I would tell you if they did. However, if we want a great education system, there are things that we can do better. Clearly, we are proud of the consensus across the education spectrum. Curriculum for excellence is a good example of that, and I would also put the Wood commission and the getting it right for every child strategy into the same category. Interestingly, GIRFEC is, like a number of things that we will come to, not amplified enough in the framework.

We need to get a compelling narrative that brings together the things that we are quite proud of, and we need to say, "Let's see if we can

describe in an exciting document how we can move from a good position to a great one and at the same time address those things that we think are blockers to that greatness." There are certain things in the Scottish context that we could improve: educational inequality, say, or the variation within schools. There are various things that we could begin to describe in a document that could lead to improvement, and they would neither damage classroom practice nor would have no effect at all.

Chic Brodie: I am sure that the issue of damage will come up in the course of our conversation.

Liz Smith (Mid Scotland and Fife) (Con): The First Minister has put on record that she wants to ensure that there is good access to the relevant data. Do you feel that there is a distinction between data performance material and that which points to actual performance data? Is there data there already that can be used to do what is requested, or is there a subtle difference between that and a performance indicator when it comes to national framework?

Susan Quinn: Before the summer holidays, Craig Munro and I attended the early stakeholders meeting on the improvement framework. At that meeting, it was apparent that there is a significant amount of data from the early years through to the end of the qualification stage. Local authorities use that data in a variety of ways to support their schools and provide information for the elected members at local levels. The EIS attests that there is enough data there. The issue is how you get that data to contribute to the necessary levels of national understanding in the system.

A raft of information is already available in terms of teacher professional judgment and moderation exercises. A range of standardised assessments is being used across the country to support young people in the classes and to support local decision making. As I understand it, there is a wealth of information already available. The difficulty is how you translate that to a national understanding of progress in the system.

Liz Smith: Is the argument not that, if that rich seam of data is already there, there should be no reason to legislate in the way that is proposed? Is there something else that we could do to ensure that an improvement can be made without top-heavy legislation?

Susan Quinn: I would suggest that the question is to do with whether the legislation is there to ensure that there is consistency or otherwise. I do not know whether legislation is necessary, but we would support any system that enabled us to make good use of the information that we already have.

What came out of the stakeholders meeting in June was that, although there is a wealth of information locally, that is not translating into the information that national Government requires.

Liz Smith: I want to spend a little more time on this issue, because it is important. It is probably the main issue in Scottish education. There are concerns about standards in literacy and numeracy. What do you think is preventing the correct assessment with regard to international correlations and, more importantly, the correlation each year for schools? What is stopping us doing a little bit better with regard to that data?

Susan Quinn: It will depend on the systems that are in place in the local authorities. One thing that might be stopping the sort of thing that you are talking about is time—teachers might not have enough time to engage in the kind of conversations that have to happen. Schools are struggling with a lack of teachers, which means that there are pressure points that mean that the sort of professional dialogue that needs to take place between headteachers and class teachers does not happen effectively, perhaps because—as is the case in many schools—the headteacher finds that they are having to teach more than they did previously.

10:15

Obviously, there will be staff development issues relating to data literacy, and there are issues around whether local authorities can continue to have the level of support service that enable the conversations to take place. When I started as a headteacher in Glasgow six years ago, there were enough quality improvement officers to ensure that they could conduct regular visits and have conversations with me about where we were going. By the time I finished, we were not having those conversations, because of the cuts.

A range of things will have an impact on whether those conversations can take place. However, schools are conducting those conversations to the best of their abilities. Where resources are available to have them, those conversations make a difference. Enabling a primary 1 teacher to have a conversation with their early years colleagues about the children who are coming in and their stages of development requires a time resource. The same is true of the transition from primary to secondary.

Even if the data is there, it cannot have the necessary impact if people are not able to talk about it.

Liz Smith: That is quite a serious thing to say, because it implies that the data is accurate and correct but that, for some reason, we are not very

good at putting it together and allowing parents—who are, obviously, extremely interested in it—and teachers to assess it.

Do the other panellists feel that the problem is not with the quality of the data but with the fact that we cannot interpret it properly?

Iain Ellis MBE (National Parent Forum of Scotland): You hit the nail on the head when you talked about parents. Most parents do not see the data, so we do not know how good it is. That is the good thing about the new framework. At the moment, the data is protected, in a sense—it is not really shared. It is proven that, if parents are involved in their children's education, it leads to better outcomes. However, in the current situation, we get parents nights once a year and a report card that—you may or may not agree—seems like it is made up of cut-and-paste text, which means that we cannot tell whether it is aimed at our child or someone else's. We need to start sharing data properly and having meaningful discussions in which parents are told, for example, the level that their child is expected to be at in six months and how they can help them to get there. I am not saying that that does not happen in some places, but it does not happen enough.

Liz Smith: That is pretty serious.

Iain Ellis: Yes.

Professor Cate Watson (University of Stirling): It is clear that we need to increase data literacy at all levels of the system. We collect lots of data around test scores such as PIPS—performance indicators in primary schools—assessments, but the understanding that is required to interpret that data and act on it is limited. I notice that the national improvement framework recognises that, so it should be addressed in initial teacher education. We support that.

Craig Munro: I will go back to the question of whether we have the data. My authority started standardised assessments 14 years ago, which was in the era of the five-to-14 curriculum. We have longitudinal studies of children's development in literacy and numeracy, as well as a range of teacher judgments to consider and various forms of assessment instruments. How consistent that is across the 32 authorities is the nub of this issue. That is why an improvement framework is required.

Do I, as director, know whether literacy is improving in Fife? Yes, I do. Do I know whether that is happening in a certain school? Yes, I do. Do I know whether that is happening for a particular child? Yes, I do.

Are we always using that information in as consistent and appropriate a way as we would like

to use it? No; I am sure that we could do more with the information and improve what we do. However, there is excellent localised practice in classrooms, schools and local authorities. We need to be aware of that. We are not looking at a broken system.

I want to add a rider. Iain Ellis and I know each other well and I hear his challenge about how we could do better with parents. However, issues to do with education inequality are not divorced from health inequalities and other matters.

Some information could be damaging to a child. For example, if we tell a child that they are in percentile 1 for numeracy—that is, that they are at the bottom—I can tell committee members that that child will never do mathematics again in their life. There is an issue with how we use information appropriately in a learning approach, which is essential.

There is information that we use to check whether we are making progress, and there is other information that we use in public reporting so that we can be held accountable for the progress that we are making on children's literacy and numeracy. We have to be careful about those two matters.

Susan Quinn: As Craig Munro said, the issues are specific to the area, and local authorities currently report on progress in their areas. It might well be that more can be done. Liz Smith asked what the barriers are, and I outlined them, but I do not think that they are significant across the country. The issue is that, for whatever reason, the Government is not getting the national picture that it wants about what is happening. That is my reading of why we need an approach that looks across the system.

I agree with Craig Munro that, when we are thinking about what to report to parents and young people, we have to consider what will benefit them. Simply telling people, "The child is at level D or E"—or whatever—might provide a number or letter that parents think they understand, but it does not necessarily tell people more than that. What is required is a quality conversation, such as happens across the country, as Iain Ellis said. We have to look at what is there.

As I said, each school must consider what is required for their parents. One size will not fit all. Some parents will want a particular approach, and others will want something else. That is why schools consider what will get parents in their area to come to appointments. The challenge for schools is how to engage parents so that they want to come along and hear as much as possible about their children's progress.

John Pentland (Motherwell and Wishaw (Lab): Some of the written submissions expressed

concern about the NIF, particularly the national assessment element. For example, the union Voice said:

"We believe classroom teachers, support for learning teachers and school management can provide better evidence and support for pupils than national standardised assessments."

Niall MacKinnon said:

"The Draft National Improvement Framework is a top-down imposition framed in suppositions drawn from the most banal clichés of global education corporate reform."

EIS acknowledged the value of the Scottish Government's approach but said that standardised assessments

"will act as a blunt instrument with which to administer an unsophisticated political accountability process".

However, the flip side of that is that Scottish Government has received support from ADES, Aberdeenshire Council and the centre for excellence for looked after children in Scotland. CELCIS said that

"placing the Framework on a statutory footing is a necessary step,"

and went on to say:

"we agree with the Scottish Government's analysis that limited data on children's progress, at key stages, is restricting our capacity to deliver improvement."

With all that in mind, how could national assessments best be used to drive improvement for pupils and inform teachers in schools about approaches to learning? Do the witnesses think that there are better alternative approaches, irrespective of whether and how the draft NIF is modified?

Susan Quinn: The starting point for me is that when the draft NIF was published, the only specific in it was a national, once-a-year standardised test for P1, P4, P7 and S3. Everything else was about that test supporting teachers' professional judgment and so on. I think that that is where we are getting things backwards. As the EIS submission says, we are not against the use of standardised assessments or tests—or whatever they are called—to support young people's development. However, we cannot see how we can avoid the danger that we have raised of going back to target setting around tests, which we moved away from only a very short time ago. It was virtually within this Government's time in office that we moved away from gathering national data on tests because it was counter to the principles and practices of curriculum for excellence.

What we would like to see the national improvement framework consider how we can gather the information from teachers' professional judgments to inform the national position and then

consider whether there is a “have to” national test within that. We would argue that there is no need for that and that there is evidence in the system just now. Local authorities are gathering moderated evidence of achieving levels at the key stages that are identified in the NIF. Some of them make use of standardised tests but, equally, some of them do not and they are of equal standing in their ability to report on the progress of the young people in their area. Had time been taken to develop what the actual NIF would look like in and of itself, rather than saying that one part of it has to be national, annually gathered information on tests, we would have moved to something that could have better informed the system that, as Craig Munro articulated earlier, we feel needs to be there.

However, having put into the draft NIF that there is going to be a standardised test on an annual basis for P1, P4, P7 and S3, we then hit the barriers to that. We are clear that there are major issues with putting in place a test that will be for every child. There are key educational arguments as to why that is not going to be helpful to the young people. Clearly, there are young people who will be disadvantaged by the introduction of a test of that nature. We would argue that it is counter to teachers’ professional judgment to say that they have to use a particular assessment tool to back up their assessment judgment. We would argue that it is for local authorities to decide what their assessment policy is.

Craig Munro: I will take Mr Pentland’s question in two parts. I think that you quoted Niall MacKinnon’s views on the NIF document. The ADES position is that we are very supportive of the national improvement framework and I think that this is the right time for it. However, that does not mean that we offer unqualified support for the NIF document. There is an issue of tone in the document—it suggests a culture of compliance. I am not sure whether Iain Ellis will say something about that later. However, that is a feature of the document and I think that there is a kind of system-speech in it that we need to consider.

In relation to the nub of your question about whether assessment information could be used to drive further improvement, I regard that issue as being in two parts. First, there is the test itself and what is assessed; we should really assess what we value, which is literacy and numeracy skills in children. Secondly, there is the question of what we do with that information. I think that it is that second aspect that is causing the angst.

The issue is not so much the testing but how we use information to drive improvement at classroom level, school level, local authority level, community planning partnership level and national level. There are various options for how we can do that

without creating league tables and going back to negative stereotypes and reinforcing them in communities; and without going back to the days of reducing staff morale and teaching to the test. There are ways around that when using information from classroom level at national level.

10:30

However, I can honestly say that, having had the opportunity to use the test as head of education in Fife since 2007, I do not think that it is the test that is the issue but the use we make of the information. That is what Susan Quinn is looking to safeguard in the document, and there is wisdom in that, because we have seen misuse of information in the past, which has led to perverse incentives in other jurisdictions and, not so long ago, here in Scotland.

Iain Ellis: I agree with quite a bit of what has been said, but my personal view is that parents welcome the assessment. The majority of kids are already getting tested now, so how are we using that information? As Craig Munro said, the key thing is what we do with the information to get the best for the children.

We get bogged down on assessment. It already happens across the country just now, and it is a bit of a jigsaw. Teachers’ professional judgment plays a big part in the assessment. A child could have had an off day or a spectacular day, so you could get a false result, but the teacher’s professional judgment will bring it back into context, and that should be shared with parents. We do not want to tell parents, “Your child did excellently today,” or “Your child did poorly today.” We want the context of how the assessment was done, and the only people who can give us that context are the teachers, so teachers’ professional judgment plays a bigger part than the assessment itself.

I need to watch what I say; I might say something that you will not like. To me, the assessment is a small part, and we have concerns about how it will be used nationally but, even if it does not go national, league tables will come out under freedom of information, no matter what we say. The press will be told by their editors, “Go and find out and make up a league table.”

The Convener: Is that correct? I am not sure that that is correct. If that was the case, you could do it now, and that is not what happens.

Iain Ellis: That happened after parentzone started producing results. On the Thursday after the results, the *Evening Times* in Glasgow ran league tables.

The Convener: Hang on a second. I see other witnesses shaking their heads, so I am going to ask them to respond to that.

Susan Quinn: It is quite clearly avoidable, particularly in terms of the kind of information that is available. League tables are most easily drawn up when the information is simple. If every single child in the country does a test during a certain period—I use the word “test” carefully because I do not want us to forget that assessment is about more than a single test and is more than testing of any kind—it is easy to make an FOI request and get information about how many young people got a certain result. However, if not every single child is tested and testing does not take place at the same time for everyone but is based on the professional judgment of the school or the local authority, that is much more challenging. There are ways and means of using teachers’ professional judgment, backed up by a range of assessment strategies, which is what currently happens, rather than put a particular focus on testing. If there is a focus on a single point in time in the year, that is when the test becomes the headline.

Craig Munro: There are at least six ways of carrying out an assessment that would not allow the information to be laid out in a league table. The danger is that the NIF document as it stands does not make that clear, and that is the problem. We are all reading the document and, if it had made it clear how that would have been done, we might all be a lot calmer at this end of the table.

We currently have a sample mechanism through the SSLN. It is such a small sample that few teachers in the country are aware of it. It is not even big enough to be at local authority level, so it is doing something at national level that has no practical impact in the classroom. We could increase the sample to a significant size so that it included everything right down to school-level and local authority data, and then it would actually be a useful tool. That is one example.

We could also anonymise the data under each level, so that the headteacher could see what was happening in the school, the local authorities could see what was happening in their schools, and national Government could see what was happening at local authority level. We could have a system where information was passed seamlessly upwards but was anonymised at each level. We could change the law. We could look at some information to be used in the NIF and pass an amendment saying what information would be reported on publicly and what information would be collected but not reported on publicly.

I could continue. There are different models, but there is certainly a consensus that some information is used for improvement purposes and other information is used for public accountability. The NIF has to walk within that tension if the consensus across Scotland is to be kept.

John Pentland: Concerns have been raised about teaching to the test and when it is best to apply the test. Should it be at the start of the year so that teachers can use it as a tool to identify and understand the child as the year passes on, or should it typically be a measure of progress at the end of the year?

Susan Quinn: There would clearly be a tension if we had a diagnostic test. The point of a diagnostic is to identify areas where there are gaps and where additional work is required. There is an issue if we also use it to measure achievement at an end point. As a teacher, I believe that diagnostics should be used earlier in the process so that we know what we are working towards in the final stages of a level. That is why the EIS position is that any assessment test that is added to the framework should involve the professional judgment of the school or local authority, because it would be used in different ways.

Similarly, why would we need to test a young person if a teacher knows, using their professional judgment, that they have achieved a certain level? If I, as a class teacher, have a raft of evidence that, following the three years of the first level, a pupil has achieved a broad understanding and used it in wider contexts, why do I need to test them on that? Doing so will not tell me anything more than I already know. With other young people, I might be scratching my head and thinking, “I wonder what they need,” but we already use a range of assessments in the system to back that up.

For us, the question is how the test can be diagnostic and also tell us how many pupils have achieved a level. There is a real danger that it will just become something that tells us that pupils have achieved the level. Some of the evidence, particularly from the work that we have been doing, shows that, in relation to writing, we can only really standardise spelling. There is no system for standardising the assessment of an extended piece of writing through an online test. We can judge progress only based on spelling, and that will not necessarily tell us what we want to know.

The question is what we are looking for. We use different assessment strategies to get different information. We do not use one strategy to do everything.

Professor Watson: A number of questions have been asked. There is good evidence that, when testing is combined with increased accountability, it drives up test scores, but there is little evidence that it improves the quality of learning that is taking place.

Returning to an earlier point, I add that there is an issue about the validity of the tests that are devised. Page 11 of the framework document sets out what the tests should contain, but it is not really for the Government to say what they should contain. That should be a question for professionals in education.

Liam McArthur (Orkney Islands) (LD): That is helpful. Professor Watson, you state in your written evidence:

“there is no articulation of the implied issues that are being addressed”.

Whether or not we accept that there is a problem to be addressed, I think that there is unanimity round the table on Craig Munro’s suggestion that we should always be looking to drive up improvement.

Legislation is, as Susan Quinn said, a blunt instrument. I was interested in other elements of the evidence that the EIS provided to the committee. It stated:

“the National Improvement Agenda Framework in its current form will result in heavy investment of valuable teaching and learning time, and of money, in a nation-wide standardised testing model which will not improve outcomes for Scotland’s poorest children and young people.”

Notwithstanding the examples that Craig Munro used, the EIS submission suggested that

“a ‘one-size-fits-all’ standardised assessment ... is a challenge that has proved to be beyond the capability of any education system which has attempted such an approach.”

The evidence from Professor Watson states:

“While such tables will be unofficial they are nonetheless likely to have considerable impact through parental influence and result in the unwanted outcomes coming to the fore.”

There seems to be agreement on what we do not want to happen. If we are putting something into legislation, we need to be pretty clear that we can avoid those things. I seek the views of the panel on how we can ensure that legislation does not lead to those consequences, whether they are unofficial or otherwise.

Susan Quinn: Craig Munro could finish the list that he started earlier.

Craig Munro: Let me first tease out Liam McArthur’s remarks about the way that we could use the information, and I will come to the bill later.

Most of the discussion has been about standardised tests. Those are a very small and limited aspect of assessment and they measure only certain things. I believe in them, and have done for most of my life, but I agree with Susan Quinn’s view that a wider range of measures is

required. What those tests measure, they measure well, but those things have to be well defined.

About eight years ago, we started to look at the teaching of phonics and letter recognition and some aspects of fractions. Standardised tests can measure such things well and produce useful information, but they cannot measure the wide range of factors that Susan Quinn began to exemplify in the area of writing, for example. That requires a broader range of instruments and the teacher’s judgment.

The conversation then becomes about what to do with the information. It should be used to drive improvement. I have no problem with the concept of teaching to the test in teaching phonics, but I have a problem with teaching to the test generally, where the teacher puts something in front of a youngster and says, “That is the course, and that is what you are going to do.” That would be very limiting.

Liam McArthur: Take the example of what Fife Council is doing, how it has used information and how that has helped inform not just the teaching but teachers’ engagement with parents. What provision in the bill will improve the ability to address shortcomings or inadequacies in what is being provided for pupils in schools across Fife?

Craig Munro: The issue is much more about what is needed for Scotland. We have inconsistency across schools and local authorities. We need a more consistent framework with a clear dashboard and the impetus to move our system from good to great. The removal of the unnecessary would help. The SSLN is not helping and is a waste of public money. It does not contribute anything to what I do.

I would love there to be a consensus about how we could drive the system from one that is largely good to one that is great. The bill should clearly spell out what the dashboard and the outcomes would look like, and build on the consensus that already exists.

I will share three or four examples of what the bill needs to do. It needs to set out—

The Convener: Could you do that very quickly, as we are running out of time?

Craig Munro: I beg your pardon.

The Convener: I do not mind you doing it if you can do it quickly.

Craig Munro: The bill has to set out the key actors in the system and what they do to drive improvement. The document “Synergies for Better Learning: An International Perspective on Evaluation and Assessment” made it clear that improvement comes from the classroom, the school, the local authority and the CPP—all the

key actors in the system. What is their role in driving improvement? Here is an opportunity for a document to set out explicitly and clearly what their roles are in driving improvement in the system and how we can have a more equitable Scotland moving forward. Clearly, the issue of educational inequality is one of the key drivers in the system.

10:45

Susan Quinn: On how unintended consequences can be avoided, I wonder whether things can be described as unintended consequences when they have been identified from the outset.

As regards how we move forward, in our written submission we are clear that it is about looking at a system that uses a range of assessment strategies that clearly back up teachers' professional judgment. The decisions about what strategies are used should be for the local authority and should be set out clearly in its policy structures.

If there is an issue around that, it is for Education Scotland to ensure that every local authority has a proper assessment and moderation strategy and can back that up. We are looking at investing in teachers' understanding and in data literacy so that we can continue to make improvements to the information that we have.

In the current system, where local authorities have worked closely with schools—either within their learning communities or in wider clusters—and have invested in training principal teachers and others around understanding the standards and working with them, we have seen great improvements in the understanding of the standards and therefore in the understanding of what is expected in the classrooms of Scotland.

As regards how we are going to make a difference to young people, we then have to translate the understanding of where need is greatest into the appropriate resources for that. It cannot just be about saying, "Oh, we know school X has problems—there is a gap there because of deprivation." We then need to look at how we support those young people from the very earliest age. We will continue to have a problem as long as poverty is there. We can make some differences, but we need to use the data that we have.

Liam McArthur: I am interested in the fact that we have been developing the framework for some time. Craig Munro has enunciated some examples that would prevent teaching to the test and league tables and all the rest of it, but the EIS appears unconvinced, certainly from the written evidence that was provided to the committee. Once we put

this into legislation, I cannot see how we are going to avoid a situation arising—whether official or unofficial—where school-level information is used to compare and contrast the performance of individual schools.

Susan Quinn: That information should already be in the system at local authority level and at school level. Our concern is about a single-point-in-the-year test that then becomes a driver of targets because it is a simple number. It then becomes about getting the test score.

From our point of view, there is enough data in the system now to identify the point that schools are at and how well they are doing. As Craig Munro says, local authorities do that in a range of ways, but the point is that, as soon as we introduce a single-point-in-the-year test for every single child, that becomes—as we know historically—a driver of teaching to a test that is much narrower than what we currently have.

George Adam (Paisley) (SNP): On that point, Susan Quinn has said that there is already a range of standardised assessments throughout the country in local authorities and that some of them use standardised testing. We have been told that 30 out of 32 of the local authorities use some form of standardised test. If we are going to have the teaching-to-the-test argument, could the argument not be made that currently we are teaching to the test?

Susan Quinn: No, because local authorities all use the tests in different ways. Standardised tests are probably being used in 32 out of 32 local authorities, but some of them will not be using them authority-wide; some will be using them as Fife does, to inform across the whole framework of its improvement work; and some schools will use them for diagnostic purposes for young people. The tests are being used in particular ways and schools are not being set targets based on their outcome, so they do not teach to the test.

Teaching to the test comes when schools are told, "Right, last year, 95 per cent of your young people got X in that test and, next year, we need 97 per cent to have that outcome." The point about the use of tests at the moment is that they are used at appropriate times in the year for the purposes of supporting improvement at a local level.

George Adam: Iain Ellis has told us that that information is not getting to parents. We have been told that parents are key movers in bridging the attainment gap, but Iain Ellis says that his members are not getting that quality information—it is not about having all the information; it is about quality information. Parents are one of the main partners in the process and they can make a difference, so where are we going wrong?

Susan Quinn: I argue that parents do not need to know the details of every single test or assessment.

George Adam: I did not say “every single test”; I said “information”.

Susan Quinn: It is about asking what information parents want and need. In my experience, they want to know how well their young person is doing and what they need to do next to continue to improve. Are they happy, doing well and behaving in school?

There are two separate issues. Introducing a national standardised test will not necessarily provide us with anything more than or different from what parents look for and are getting. It is about the conversations. As Iain Ellis says, even if teachers sit down once a year and say, “They got nine out of 10 in whatever,” that is not providing quality information for parents. There are separate arguments on the matter.

George Adam: Craig Munro mentioned that the important thing is how we use that information. For me, the idea of the national improvement framework is to identify where resource needs to be. We get accused of using the Scottish index of multiple deprivation as a blunt instrument for getting resource into areas. Would the framework and the attainment advisers in the local authorities help us to see where we need to put resource? Would it not also help parents by allowing them to know how things are working in their local areas?

Craig Munro: The framework needs to be clear about the role of all the key actors in the system, including parents, Education Scotland and local authorities. Just now, that is not the case. The teaching resource would have to come into it. The NIF needs to move on for us to have the discussion.

On how that connects with the use of standardised data, the focus of the discussion has been on one little bit of the matter, which has become the main thing. That is perhaps the danger of the framework. However, the critical issue is how we convey the information to a parent. We all have a service-level agreement with our provider and they will not give us a service if we put all the information out. There are very good reasons why we would not do it.

I accept that we could do an awful lot more to involve parents. That is not only about their receiving information but about getting them engaged in the learning process and harnessing the talent that parents and carers have for our young folks. Therein lies our biggest challenge. I want the framework to describe that and how we can move from a good system to a system that is like the most effective ones in the world.

The debate has become so dominated by one strand—standardised assessment—that we cannot get away from it. Personally, I do not experience a problem, because I have the data as a director. I can compare schools and classes and can use the data for improvement purposes. However, I know that that information is not nationally available. We plead for some kind of consistent framework that we can all sign up to throughout the country, which, to go back to an earlier question, might be legislation lite.

Colin Beattie (Midlothian North and Musselburgh) (SNP): I will consider the Scottish Government’s role a little bit more. If local government has statutory responsibility for delivery and the Scottish Government has responsibility for national policy, will the NIF change any of the levels of accountability in the mix?

The Convener: A one-word answer will do.

Susan Quinn: Well, it can do. My understanding is that the aim is to provide local information on improvement but national accountability, to fill what is clearly perceived to be a gap between national Government and local government, in relation to the picture that national Government has of improvement across the country. The position of the EIS is not that the framework in and of itself will not be helpful to us in the system; we have expressed concern about a single issue. I think that there is potential for the framework to provide something more at national level than Government currently has.

Colin Beattie: I want to make sure that I have understood you correctly. Are you saying that you think that national Government collecting more information will of itself potentially change accountability?

Susan Quinn: That depends on what is done with the information. If the issue is that national Government thinks that it does not have information that it can take back to local government, so that it can ask why certain things are not happening, what other purpose would it have for getting more information at national level?

Local authorities already have information in a wide range of forms about the improvement process in their areas. They make use of the information and if there are issues in that regard they can be addressed through Education Scotland’s processes or otherwise, as I said. Fife, for example, has very clear systems.

Craig Munro: There are two major tensions. One has been spoken about a lot today: the use that is made of data and the purpose for which information is collected. The second, which we have come on to, is the tension between local and national Government and the question of who is

accountable. It would be helpful if the next redraft of the NIF made that explicit.

The current legislation—the Standards in Scotland's Schools etc Act 2000—makes clear that the local authority is responsible for the educational outcomes of its young people. The 2000 act is very clear. However, the OECD's document, "Synergies for Better Learning: An International Perspective on Evaluation and Assessment" says that in the best systems in the world there is greater movement of information from classroom to school to local authority to CPP to national Government, with more joined-up synergy between them all.

That is what I think that we are pleading for. We think that there is some dislocation, with things happening in one bit of the system that are having no impact on others. I have given a couple of examples of that; another example is information not being passed on. Everything should be joined up, at each level of the system, whether we are talking about literacy improving at child, school, local authority or national level. Sometimes that cannot be done in relation to parts of a child's broad general education and development. I hope that that can be addressed in the next iteration of the NIF.

Professor Watson: I think that the collection of more information does imply greater accountability, and it is accountability that has the potential to distort processes and give rise to unwanted outcomes.

Iain Ellis: The issue is that, as Craig Munro said, it is the local authority that decides what happens in relation to education. My concern is that there is a bit of a bun fight going on about ministers' authority to tell councils what to do when Government has collected the data. Parents are probably a bit concerned about what is happening. At the moment, it is the local authorities that decide. Will Government take the responsibility on board? How will it do so? We are a bit concerned about what is happening.

Colin Beattie: It is self-evident that national Government needs information to inform its policies, so that it can get them right. We seem to be arguing about the level of information that Government needs. What level of information does national Government need to best inform its policies?

11:00

Iain Ellis: As we said earlier, it is about the information that we get. It is not acceptable just to get the assessment or test report. We need the bigger picture. We need all the bits in the basket to form a proper report, not just the results from a child's test today—that is not good enough, for

me. If there is to be an annual report, it has to have everything in it.

As I said, the biggest bit of it has to be the teacher's professional judgment. The report has to include a bit of everything. We are getting bogged down on the assessment but we need to look at the whole picture, not just the assessment. If we just want a report on the assessment, my personal view is that we are kidding ourselves on, because that would not enable us to get a true picture of what is happening at ground level. As Craig Munro said, our education system is very good—let us make it the best. The way to make it the best is to use every driver in the NIF and report on the whole picture, not just one individual bit.

The Convener: I will bring in Craig Munro in a second, but I want to bring in Liz Smith first.

Liz Smith: Surely the issue is that we all want to drive up standards. I hear what Mr Ellis says about there being a lot of very good things about Scottish education, but we would not be having this debate if we were not doing not particularly well in some aspects of literacy and numeracy. Parents naturally want that to improve, as we all do. The confusion and perhaps frustration is caused by the fact that, as yet, we do not seem to be finding a way through the data—you all agree that we have it—to allow us actually to drive up standards. Is that not the key problem?

Iain Ellis: I think that part of the problem is how we use the data now. The literacy and numeracy figure is down 2 per cent, but what is 2 per cent?

Liz Smith: It is enough to worry everybody.

Iain Ellis: But is it? What are the actual figures? Two per cent could be two kids or 2,000 kids. It is not just about what we do with the data but about being able to read the data properly. I agree that we all want to raise concerns, but is the education system as bad as some people make out? I do not think that it is and I do not think that parents think that it is. If parents thought that it was, we would be here virtually every other week saying that we want to come and talk to the committee.

Craig Munro: Colin Beattie's question was on how much information national Government should get. On the NIF as it stands, I think that there is a huge consensus on the four outcomes of literacy and numeracy; the idea of inequity—the gap; the whole idea of wellbeing; and the whole area of employability and positive school leaver destinations. Without a shadow of a doubt, the Government at least needs to know in every area of the country how it is doing on all those outcomes, because otherwise the information cannot be used to inform the Government's policy development. It is therefore necessary to have clarity around that.

We have an opportunity in Scotland that exists in no other jurisdiction in Europe. Not by design but by default, we have a system whereby every school in the country uses the same system. With a bit of support from national Government, we could have a situation in which information on all the areas that I just mentioned could move seamlessly from school to local authority to Government in an interoperable way.

I turn to Liz Smith's final point. I do not think that there is an issue about information, but there is definitely an issue about the systematic collection and use of that data across the country. In relation to the conversation that we have been having about a 2 per cent difference, some audiences might think that some sort of disaster is going on with literacy. The 2 per cent difference is in relation to the SSLN, but the Scottish credit and qualifications framework levels show that there has been a significant improvement in literacy. We need a more holistic picture. We need all the information in one place so that we can get an overview of what literacy is like in Scotland, in the CPP in Fife, in a particular school, in a classroom and—most important—for a child.

Only when we get that right—and in a way that does not create perverse incentives—will we have the NIF that takes us to greatness.

Professor Watson: We are getting rather bogged down in the issue of the data. The danger is that we reduce the very complex problem around disadvantage to the mantra about closing the gap, and say that if we can only close the gap, everything will be well. That does not tell us very much about the nature of the gap or define the problem that we are tackling. Are we just tackling the gap per se, or are we tackling the causes and consequences of the gap? I presume that we could close the gap by making the exams easier, but that might not address the problem. We think that the rationale behind the NIF needs to be strengthened.

The Convener: Susan Quinn can comment—briefly, if she does not mind.

Susan Quinn: Sure. You will require information around the assessment part. With reference to the NIF and the grand term “baskets”, you require to use the information that is in all the other baskets to inform decisions around policy. There is no point in reacting to a specific point in time and not taking account of everything else. There is information in the baskets on teacher numbers, on where teachers who are coming through ITE are going if they are not going into Scottish schools, on how many people are getting into headship—the committee's next discussion is on that—and on why and what the implications are of that.

All the other parts will be as important in the development of policy as knowing how many young people are achieving the levels. We would continue to argue that it is worth while your knowing how many are achieving at different levels but that teachers' professional judgment should be used, backed up by assessment information that is of a certain quality rather than just from a single point in time.

James Dornan (Glasgow Cathcart) (SNP): The EIS written submission on the NIF amendments states that the EIS

“would have significant concerns if these placed additional bureaucratic workload burdens on head teachers, teachers and schools”.

Are you happy that you would be able to drive improvements for learners without imposing an unfair burden on teachers? Given that 30 out of 32 local authorities already do standardised testing, where is the increased burden?

Susan Quinn: The increased burden will happen if you cannot stop the current assessment tests happening. The NIF document says that 30 out of 32 councils would stop using what they are using and would use the new test, but there is no way of guaranteeing that. If what comes forward does not meet the high level that Craig Munro currently has, he would have to consider whether he still needed to supplement it. The argument is not around whether the assessment tests should be developed and used in schools to replace what is there, but around how and when they are used, and who decides when they are used and who they are used with.

The other issue is that unless you are looking at the wider sense of assessment, the assessment burdens will continue to rise. Again, although 30 out of 32 councils say that they are using assessment tests, it is about how they are currently using them and what the differences will be between them.

James Dornan: Surely everyone around this table and out there is looking for the NIF that leads to greatness, as was said earlier. When we get to that point, there would be no further need for the assessments that are taking place just now because the NIF itself would suffice.

Susan Quinn: But the NIF should be able to reflect the data that currently exist within the system. A range of assessment strategies is used in schools to inform teachers' professional judgment. If a standardised assessment is developed that can meet the curriculum for excellence criteria, local authorities might well move to that. However, some local authorities have said that if the level of information that they currently have is not available, and that they cannot get it, they will continue to use what they

are using now because they need that information in the system. It is then a matter of ensuring that there is not a doubling of information.

As we said in our submission, the workload side of things is a very small part of the argument and our argument is clearly more about the educational rationale. We are more concerned about the implications for young people and the potential for target setting being driven by data that is taken out of context because it is delivered in a particular way.

James Dornan: We have discussed that.

Iain Ellis: Parents are quite concerned about the idea of a national standard test being brought in while authorities continue to use the tests that they have. The only way round the problem is to ensure that what we bring in is better than what is out there. If we do not bring in something better, I would not blame local authorities if they kept doing their assessments. We need to ensure that whatever we bring in is better than what is already there.

Craig Munro: I agree 60 per cent with Susan Quinn and Iain Ellis—that is not bad, is it?

In practical terms, doing the standardised assessments for years has not created a teacher workload issue. Most of the assessments are computer adaptive and they do not involve marking and so on, so I think that we can get round some of the problems that are associated with their introduction.

The fear that has been expressed is a real fear. That is why we need an absolute consensus on the issue. We have been pretty good about getting a consensus in Scottish education. My one fear concerns the rush around getting this through. It would be better to take our time, get it right and get consensus across the board. That would resolve the concerns that have been expressed by Susan Quinn and Iain Ellis.

Professor Watson: I agree that the process has been rushed and that more time should be taken to get it right. We might introduce tests in haste next year and then repent at leisure.

Iain Gray (East Lothian) (Lab): I have a lot of questions, but we are close to the end of our time with this panel. I will ask the summary question, which follows on from the point that was made by Craig Munro and supported by Cate Watson.

The committee is in the rather curious position of taking evidence on amendments that have not appeared before us but which will be based on the national improvement framework. In the course of the meeting, we have heard a lot of concerns around the framework but those are all concerns about the document as originally published. However, there is an on-going process during

which the document and the framework are supposed to develop. Craig Munro said that the document needs to become something that we can all sign up to, and Iain Ellis described the process as a bun fight.

Three of the panel are involved in the process around the document moving on—I am sorry, but I do not know whether Professor Watson is involved in that. The document has to move on before amendments come to the committee; I think that that will happen in a fortnight. Is there any possibility that, when we see those amendments, they will describe a framework around which there is consensus, which will establish clear and understandable reporting and drive improvements and which will not place an unfair burden on teachers?

Susan Quinn: The view of the EIS is that, if the framework does not insist on a standardised test being administered in every school to every young person at one point in time during the year, with the results being reported nationally, we would be able to consider it a framework that might take us forward.

As we have discussed this morning, the vast majority of the conversation around the development of the national improvement framework has been on the introduction of a national standardised test. That is the thing that has got teachers waking up to the political considerations around this. It is the one area of major concern for them. Those teachers are already using standardised tests to inform their professional judgment in other ways, of course, but their view has to be considered.

Beyond that, the EIS and everyone else have been involved in the on-going conversations, and we will continue to be involved in the next couple of weeks. It is difficult to say whether we will reach consensus by the time that the amendments come to you in a fortnight, because we have not seen any further iterations of the document. However, each of our agencies will make clear what the sticking points are for us. If those issues are taken account of, it will be possible for us to move forward. However, as has been said, the timescale is tight and certain areas of the framework could do with a bit more consideration.

Craig Munro: All of us are working closely with the Scottish Government. There is a feeling that there is a willingness to get it right. However, that does not mean that we are confident that we will get there within two weeks.

We have set out some red lines in the sand. There must be a compelling narrative. The purpose of the NIF must be clearly set out, along with the outcomes—

Iain Gray: Susan Quinn detailed her red line issue, but I am not sure what yours are.

Craig Munro: The framework lacks a compelling narrative. It does not clearly set out how we will move from good to great. It does not present a dashboard that clearly sets out the outcomes that matter. It does not clearly set out how the information will be collected at each level in the system and between each level of the system. Further, it does not set out what the key actors are in the system and how they will drive improvement. The governing arrangements that will support it, which were touched on during the earlier questions, are important, too.

Iain Ellis: My approach is probably a bit easier than that. The big thing that favours parents is that we have our own basket, so we can influence quite a lot of what is going on.

I agree with Craig Munro. We had quite an interesting meeting yesterday. The NIF is moving in the right direction. I do not think that any of us would say that it is there yet. We are waiting to see the next draft, because the first draft certainly was not right. It said that parents will do this and that, but what happens if they do not do those things? We all chuckled when we read that. I am interested to see where it is going, and it is good that it is moving.

For parents, the key factor is that it must benefit the children. As has been said this morning, if it comes together in the way that we hope that it will, it will benefit children. However, two weeks might be a bit tight.

The Convener: For the sake of absolute accuracy, it is three weeks.

Iain Ellis: Three weeks, sorry—that is still a wee bit tight.

The Convener: I accept that. I was not going to raise the point, but it has been mentioned several times. We will come to that part of the bill at stage 2 on 7 December, which is three weeks away.

Professor Watson, do you have anything to add?

Professor Watson: No—that is the answer to the question that was asked.

Iain Gray: So your answer to my question is no.

Professor Watson: That is correct.

The Convener: We are pushed for time, so I thank everyone for coming along and answering questions on the national improvement framework.

11:17

Meeting suspended.

11:20

On resuming—

The Convener: Our next panel will give its views on the proposed Scottish Government amendments on the standard for headship. I welcome John Edward, from the Scottish Council of Independent Schools, Terry Lanagan, from the Association of Directors of Education in Scotland, Greg Dempster, from the Association of Headteachers and Deputies in Scotland, and Audrey Edwards, from Shetland Islands Council. Good morning to you all.

Liam McArthur: Before we get into the standard for headship, I want to ask about concerns that the provisions in the bill are being brought forward at a time when certain local authorities are struggling to recruit to headship posts, notably in rural and island areas. Do the panel members have views on the extent of the problem and on measures that are being—or should be—taken to address it?

Audrey Edwards (Shetland Islands Council): I can talk about the extent of the problem in my local authority area, which is a very remote and rural part of Scotland. Over the past four or five years, we have found that when we advertise a headteacher post, depending on the nature of the school, we might at first go have no applicants or we might have two or three applicants.

As I said in my submission, our greatest difficulties are in our very remote and far-flung islands, where transport links are difficult and schools might have only one or two children to teach. That is a unique and challenging set of circumstances, and in our experience what is required for leadership and management in such circumstances is quite different from what is required in large schools with a large group of staff and a large number of pupils and parents.

Terry Lanagan (Association of Directors of Education in Scotland): The problem is far more acute in rural areas, but it is certainly not confined to those areas; we have a similar situation in my council, West Dunbartonshire Council, which is an urban council. I have trawled back through the past few years and I can tell members that recruitment to primary school posts is particularly difficult. We have had several instances in which our first advert has attracted no applicants and several in which there has been only one applicant, and in the past three years no primary school has attracted more than four applicants for the post of head.

If the new approach is introduced in the timescale that is outlined in the bill, we will quickly get into a crisis situation in which we are unable to recruit to the post of headteacher, right across the country. The problem is not confined to my

authority or to rural authorities. The ADES personnel network has discussed the problem frequently in recent years and we know that it is faced by virtually every local authority in the country.

Liam McArthur: It is interesting that you have removed some of the distinction between urban and rural council areas. It has been suggested that the national picture and the statistics underlying it are less than clear. Beyond the anecdotal evidence that you hear from your colleagues throughout the country, has there been an attempt to capture the extent to which, when a position is advertised, either no or very few candidates come forward?

Terry Lanagan: The ADES personnel network has looked at that. Every local authority is finding it an issue, although it is less of an issue in some areas than it is in others. In many cases, it is a greater issue for local authorities with schools in the denominational sector. The number of applicants for posts in that sector is often lower than it is for posts in the non-denominational sector.

Greg Dempster (Association of Headteachers and Deputies in Scotland): It is fair to say that the issue has been fairly acute for a while. Although that is particularly the case in rural authorities, it applies pretty much throughout the country. As an association, we tried to gather data at three-yearly intervals about the number of applications for headships and the number of readvertisements, but that information became harder to get because some local authorities did not hold it for more than six months.

We have not gathered that information for three or four years. However, over the period when we did gather it, it showed a significant downward trend in the number of applications and an increase in the number of readverts. I hear examples of that from authorities around the country. There was an example in Highland Council not so long ago in which every headteacher post that was advertised was then readvertised. It is quite a significant and long-standing issue.

Liam McArthur: Presumably your conclusion from that is the same as Terry Lanagan's, which is that the bill's provisions will not make anything easier in those areas and that they will potentially make a difficult situation even more difficult.

Greg Dempster: I absolutely agree that simply introducing a qualification will not increase the supply of candidates.

John Edward (Scottish Council of Independent Schools): Obviously, my organisation is a slightly different case. In our sector in the past three years, six of the people

recruited to the 18 or 20 posts that were advertised came from outside Scotland and all of them came from other independent schools. There is not a recruitment issue as such, but that is because schools and their governing boards literally have to search globally for the appropriate candidates. There is no sense in which the bill would improve the situation because, if you are looking for the best candidate for a particular type of school or a particular curriculum, the last thing that you will consider is the applicability of a particular qualification.

Iain Gray: Let us set aside the standard for headship for a moment. Given your evidence that there is already a recruitment problem, what should the Scottish Government and local authorities do differently to try to address it?

Terry Lanagan: A number of local authorities are trying to address the question by developing their own leadership and talent-spotting programmes. There are a number of issues with the recruitment of headteachers, especially in the primary sector. There is definitely a perception that the job is almost too difficult and certainly that it is a far more difficult, challenging and lonely job to do than the job of a depute in a primary school—and sometimes for very little additional reward. Differential pay scales are causing issues. If you are a depute in a medium-sized school, becoming head of a small school might not involve any increase in salary, but it would involve taking on a significant level of responsibility. That is a national issue.

Individual local authorities are doing their best to promote posts and indicate the sort of support that headteachers would get. However, that is having a limited impact and I do not think that the issue can be sorted in a three-year period.

11:30

Greg Dempster: The answer that is sometimes given to that question is that school leaders need to talk up the role more, but the reality is that the potential candidates for headship are all sitting in schools—I am speaking mainly about the primary context—and watching the existing headteachers grappling with increasing workloads and responsibilities, and they see very little financial incentive to take on that role.

What needs to be done about the issue? One immediate problem that the committee has already considered in other discussions is to do with the availability of teachers and supply teachers. School leaders in primary schools find themselves teaching an awful lot of the time. There was a summit in Aberdeen recently about the lack of supply of class teachers. A representative from Aberdeen City Council explained that all his

headteachers in city schools, which means reasonably large schools, were spending an increasingly large amount of time teaching classes. That is a workload issue.

We need a review of the expectations on school leaders in primary. There is an issue with bureaucracy. The biggest issue that I hear mentioned as an absorber of headteacher time is the bureaucracy associated with the named person duties and GIRFEC. It would be useful to have a look at that bureaucracy.

We need to fix job sizing to create financial incentives and have clear blue water between the roles of depute and headteacher. If there is no financial incentive for people to make that step, any other work that is done to make the role more appealing will have less benefit than it might otherwise have.

Iain Gray: The salary scale issue will maybe come up later. Terry Lanagan talked about local authorities running leadership programmes to encourage teachers to consider and work towards headship. Could the standard for headship not add to that as a formal target for such programmes to aim for?

Terry Lanagan: I think that it could. Ultimately, ADES would like all headteachers to have enhanced qualifications. That is an admirable aim, but the problem is the practicality. I do not believe that the timing is right for making it compulsory to have a qualification.

I could point to examples of headteachers who have additional qualifications and who are maybe not fully effective, and to many examples of headteachers who do not have the Scottish qualification for headship and who are doing a superb job in serving the community. We should not equate someone who has an additional qualification with a high-quality headteacher. Having said that, we want all our heads to be highly qualified. Provided that the qualification is the right one and is linked to the job that they will do, it should aid them in doing that job and make them more confident. However, I do not think that that is achievable in the three-year window that the bill outlines.

Audrey Edwards: I agree with a lot of what Terry Lanagan said. My local authority has been looking at middle-level leadership opportunities for aspiring class teachers. We have looked at giving our aspiring class teachers opportunities to do pieces of improvement work for the local authority. As I said, because of the nature of our geography, our school estate has many small schools. In those schools, headteachers have a class teaching commitment in their contracts and there are no other promoted posts, which means that there is no career ladder, as there are no middle-

level opportunities to be principal teachers or deputies. We have a gap, in that a class teacher's next step is to apply for a headteacher post.

I have absolutely no difficulty with increasing the professionalism of our school leaders, because that is fundamental to the whole improvement agenda and to the raising attainment agenda in education; I just think that there is diversity in the system, which a one-size-fits-all qualification does not reflect.

Colin Beattie: I want to get your views on one or two of the practical issues. On appointments to the post of headteacher, would you have only the people who already have the qualification applying for the job, or could a job offer be made on the basis that it was contingent on the applicant gaining the qualification at some point after the appointment?

Greg Dempster: That is a big unanswered question in the Government's proposals. The answer has not been clear to me, and there are a few such questions. Would a school be able to appoint someone who has held three or four acting headteacher posts for a long period and has performed well? What would a teacher's status be if they had moved into an authority to work in an education officer role or if, for personal reasons, they had taken time to work in a depute's role or in another country and had then come back? We need clarity about such issues.

We are here today to comment on amendments that you and we have not seen. There is a letter that states the Government's intention to lodge the amendments, but it contains very little detail.

Colin Beattie: What would your preference be? What is your opinion? How do you see it working?

Greg Dempster: My preference would be to have some flexibility to make sure that you do not put in place more and larger hurdles to getting the right people into the job.

The Convener: Do all the witnesses agree with those comments?

Terry Lanagan: Yes. My first year of being a secondary headteacher was the most full-on experience that I have ever had in my professional career—I learnt new things every day. My reservation is that, if there was a requirement to embark immediately on an additional qualification, that would place a very significant burden on the individuals concerned.

I am similarly unclear as to whether the proposed amendments would allow someone to be appointed and then get the qualification. In any case, I do not think that that is a full solution; we need to get recruitment and workforce management right before we introduce the requirement for the qualification.

John Edward: The trouble for us is that, regardless of whether the qualification is gained prior to or post the appointment, there are a lot of schools that simply would not be able to find the appropriate people.

We have additional support needs schools where the principal, the head of education or the chief executive are recruited by their governing board specifically for their professional abilities in relation to a particular complex set of needs. It would not make any difference whether the qualification was gained before or after appointment, because the likelihood of getting someone who could achieve it as well as meeting all the other necessary criteria would be slim.

I do not understand how the proposal would be implemented. If one of our independent governing boards made what they saw as the perfect appointment, having looked through all the necessary criteria—given expectations of changes in infrastructure, estates, curriculum, single-sex provision, boarding or whatever—and that person did not subsequently achieve the certificate, what would happen? Who would impose any sanction?

Most of our headteachers coming into post have 20 or more years' experience and have worked either as a deputy head or as a head somewhere else. They are members of associations that provide huge amounts of mentoring and personal training—indeed, we run our own course, which has just been accredited by the General Teaching Council for Scotland.

Audrey Edwards: There has to be flexibility. As I said before, we continue to increase the professionalism of our school leaders, who are in charge of our children and their futures. Leadership development opportunities are available in all our local authorities. One aspect of how we could move forward is to put more energy into developing them. They are more reflective of each particular group of schools that a local authority supports, because they come from within that local authority. If we could have some kind of flexibility against the standard within that context, that would be a useful way to progress.

Colin Beattie: Would it be reasonable to say that a teacher might decide to undertake the standard with a view to applying for a post down the line? If so, is there enough capacity among trainers in the market?

John Edward: I cannot imagine the circumstances in which someone would voluntarily undertake the qualification, given everything else that they are doing in terms of their professional review and development at the moment. The GTCS's introduction of professional update and the bill's introduction of full registration for teachers in our sector will mean that they have

quite a lot on their plate already—never mind the named person duties, pastoral responsibilities, child protection and whatever else.

The other trouble that we would have is that the one proposed standard does not appear to reflect our sector at all. Scottish College for Educational Leadership told us directly that it did not consult the independent sector—we know that it did not—when it designed the qualification. The equality impact assessment for the standard did not refer to the independent sector. There would be absolutely no value in someone in the independent sector undertaking a qualification that was never designed with them in mind in the first place.

Colin Beattie: What sort of pool of applicants do you need for future vacancies? To make this work—for you to have enough flexibility—how many teachers with the qualification would you need to fill the posts as they came up?

Greg Dempster: That is going to be a very big number. It is not just that there are—I am not sure how accurate this will be, but let me pick a figure out of the air to work with—150 primary headteacher vacancies a year. You would want not just 150 people coming through the system, because clearly you would want to find the new postholder who is the best fit for the role. They would also have to be in the right geographical area. You need the right number of candidates to create a pool of applicants for each post in every area, so you probably need to multiply that figure of 150 five or six times.

John Pentland: The Scottish Government's proposed amendment could very well add a financial burden to those who want to enter the programme. Considering that there has been a lack of applicants prior to that development, who should be responsible for meeting those costs?

Greg Dempster: It should not be the candidate. We have a problem in that people are not hammering on the door to fill these roles. If we add another lock by asking people to pay for the qualification that would allow them to apply, that will not lead to more of them knocking on the door. It seems wrong-headed to put the cost at the candidate's door.

Terry Lanagan: If we had a situation in which there were many more applicants than posts, it might be reasonable to ask candidates to pay for part of such a qualification. That would indicate buy-in and a personal commitment to the process. In a situation in which we already face severe shortages, it seems entirely wrong-headed to add a further hurdle in the way of making appointments.

Audrey Edwards: I add a plea for our remote and rural local authorities—not just my one, but

others—where there is an added dimension to the expense for candidates participating in these types of courses. Many courses are developed and available online, but there is often a requirement for candidates to get together face to face at some point during the year. That increases the financial burden for either the candidate, if he or she is paying, or us as a local authority, if we decide to support them. How our candidates are supported can be a significant factor in whether they wish to embark on something such as a headship qualification.

11:45

Greg Dempster: At the moment, candidates are being asked to pay one third. The point that Terry Lanagan made was that, if there were a surplus of people wanting to take on the role, that would be a reasonable thing to do because it would show commitment to the programme. The Government has used that argument for charging candidates now. One way to ensure the commitment would be for candidates to pay one third of the fee, which would be then repaid at the end. That would get around the concern about people's commitment to the programme.

John Edward: Individual teachers and leaders are already spending an enormous amount of their own money on their training. We have thousands of people going through continuing professional development courses each year. None of them is obligatory, apart from those on child protection, which the schools will sometimes pay for. People will be undertaking the courses themselves as part of their own professional development. They will also be members of professional associations such as the Headmasters and Headmistresses Conference.

Many of them will do that work, particularly in the additional support needs or boarding sector, while undertaking 24/7 pastoral duties as well. They are making a substantial personal commitment to their profession as it is, aside from something that is being asked of them that they would not seek to do in advance. They would probably maintain that, if they put a short application on the basis of their previous experience on two sheets of paper, that should be more than enough.

John Pentland: While there may be an argument for courses if applications are oversubscribed, I was thinking more of equal access and equality issues for, for example, single parents or sole earners. What would your thoughts be about that?

John Edward: Anything that has a financial element will discourage people, in the same way that the assessment has the potential to

discourage people on the basis of age. Younger candidates will feel less inclined to apply for headship posts on that basis.

We have legal advice that suggests that there are strong arguments against the proposal on the grounds of the free movement of people within the European Union. There are all sorts of potential barriers, which are very hard to quantify here and now but which will make a huge difference to people deciding whether to apply for jobs.

Terry Lanagan: There is an underlying assumption, in the way in which the proposed amendment is stated, that the applicants for the post will be comfortably off and will therefore easily be able to afford the £1,000. That is not necessarily the case. If you are a deputy in a small school or a principal teacher, and if you are the sole earner in the household, have two or three children and have a large mortgage, your disposal income will not be large and £1,000 will be very significant. I therefore have a problem with the proposal, in that it would discriminate against some very good candidates who would not be able to afford the qualification or who would really struggle to afford £1,000 up front.

Liam McArthur: I am interested, as the panel is, in the provisions in relation to GTCS registration for those in the independent sector. The evidence we received was that, although there had probably been inadequate prior consultation, the sector was moving in that direction, the numbers who were not so registered were coming down by the month, and what was needed were transitional arrangements to avoid a situation in which unnecessary problems were caused.

The evidence this morning on the proposed amendments on the standard of headship seems different. Terry Lanagan has already questioned whether the qualification provides some kind of gold standard guarantee of better quality provision, and it seems that, for all the reasons that have been given, even transitional arrangements are not necessarily a solution. There therefore has to be a question over whether the provisions should be in the bill at all. Is that a fair assessment?

Terry Lanagan: The ADES written submission indicates that there should be some sort of phasing, and I think that the issue would depend what that phasing involved. It would depend on the timescales and on the exact wording. There could be some phasing over time, provided that the issues that I mentioned earlier—pay differentials, workload and perception of the job—were addressed at the same time. However, I believe that the three-year period in the proposed amendments to the bill would lead us to a crisis in three or four years' time, when we will have a

large number of headteacher posts across the country unfilled.

Liam McArthur: Even with a transition, we are talking about introducing the measure at a time when recruitment is already a serious challenge in some parts of the country. A transition would not only make that more difficult in the short term; it will be next to impossible for some local authorities to get on top of the problem in the medium to longer term.

Greg Dempster: To say that that is true of parts of the country is an understatement: there are problems with recruitment to those posts in most of the country. As Terry Lanagan has pointed out, and as I said earlier, the reasons for the lack of applications certainly need to be addressed; otherwise, we will find ourselves in a situation in which a local authority's only response is to appoint acting headteachers all over the place. That is not the consequence that anyone is looking for from the bill.

The underlying reasons for lack of applications need to be addressed. I do not have a particular view about the timescale in which that could be achieved, but the sooner the better. The lack of applications for headship is an issue that has been around for a long time. It is absolutely right to say that creating a qualification and an obligation to have it will not solve the problem; it will just make it worse.

Liam McArthur: Can you think of something that in the current circumstances would achieve the objective of driving up standards—which everyone would share—without providing the straitjacket of a specific qualification that applicants would be required to have, either at the point of assuming the role or shortly thereafter?

Greg Dempster: There is another part to the continuum that the Scottish College for Educational Leadership is looking at, which is the post-appointment period and the extended induction that will be developed. Perth and Kinross Council has a good system in which a significant number of days are given over to induction, development and support within the authority. That is not something that exists across the board, but it would be a positive development to improve support for school leaders on appointment and to increase standards.

We are quite positive about the development of the qualification. The fact that it will be obligatory is something that we can also welcome, but the timescales are an issue.

The Convener: My understanding is that the new qualification will replace the Scottish qualification for headship.

Terry Lanagan: Yes.

The Convener: Can you explain to me what happens with the current qualification—the SQH? Do individual teachers apply for that and go through it? Who pays for it? How does it currently work?

Terry Lanagan: The current situation is that it is not a compulsory requirement.

The Convener: I know that.

Terry Lanagan: People apply for it. We have a small number of applicants each year in my local authority area, and the local authority pays for it.

The Convener: That is what I was getting at. You pay for the current qualification for those who go for it.

Terry Lanagan: Yes.

The Convener: So what is wrong with you paying for the new qualification?

Terry Lanagan: There is nothing wrong with us paying for the new qualification. The problem is the compulsion for people to have it before they are appointed.

The Convener: I am sorry, but in answer to questions about the possible problems a moment ago, you related the terrible financial burden that there could be on certain individuals to apply for the qualification. Now you are saying that, as an authority, you pay for the current qualification and there is no problem with you paying for the new qualification. Where is the financial burden problem?

Terry Lanagan: I understand that the assumption is that the candidate would be expected to pay a third of the cost for the new qualification.

The Convener: Yes, that is what is drafted as a possibility, but we are exploring the matter as a future amendment. Do you have no problem with the local authority paying for the qualification?

Terry Lanagan: It would certainly help if the cost element was removed. To answer the earlier question about any possible phasing in of the new qualification, I say that changes to the requirements would help and removing the cost would be one of them. However, what is really required is a longer timescale. If we were to extend the timescale from 2018 to, say, 2022, that would allow for the other recruitment issues to be addressed. The ADES suggestion about some sort of phasing is partly to do with phasing the qualification but also to do with addressing the other issues. Three years is not enough time to do that.

The Convener: Okay. I get the point that you are making about the timescale.

John Edward: In the case of all our schools, the cost is met entirely by the teacher or the school. If it is met by the school, that means that it comes out of parental fee income or the coffers of an organisation such as Capability Scotland, the National Autistic Society, Common Thread or the Royal Blind.

Greg Dempster: My understanding is that the Convention of Scottish Local Authorities is entirely opposed to funding the qualification from the local authority settlement because it is a new obligation. At the moment, the qualification is not obligatory and penny numbers go through it in comparison to the numbers of people who would have to be funded through the new qualification for headship if it became obligatory. Therefore, there will be an on-cost for local authorities that the Government was not setting out to fund.

The Convener: I accept that, at the moment, local authorities pay for those who go through the current qualification, as Mr Lanagan says. The difference is in the numbers.

Terry Lanagan: Yes, the difference is in the numbers. We are a small local authority. Normally, we have three applicants on average for the SQH but eight to 10 primary vacancies each year. The other issue that we need to bear in mind—

The Convener: I am sorry to interrupt you. Are all those vacancies filled by new headteachers?

Terry Lanagan: No. Some will be current headteachers who move to larger schools.

The Convener: My understanding is that the qualification is for new headteachers.

Terry Lanagan: That is correct. In the past year, only one primary headteacher in my authority has moved from an existing post to a bigger school.

The Convener: The burden would not apply in those cases.

Terry Lanagan: No, it would not. However, the other issue is the age profile of the current headteachers. About a third of the primary heads in my local authority are due to retire in the next four to five years, so there is a demographic issue. I gather that that is reflected throughout the country. We will have to replace a large number of primary heads over the next five years or so.

Chic Brodie: Good morning—just. I think that it was Charles Kettering who said that, if you are still doing things the way that you have done them for some time, you are probably doing them wrong.

In your answers over the past hour, each of you has mentioned leadership not just once but twice or three times. I wonder how much attention is given to a head's leadership qualities as opposed to their educational qualities. A qualification,

whatever status it has and whoever pays for it, does not necessarily mean that we have good leaders. I leave that thought with you.

What emphasis is there on financial incentives that might be offered to encourage teachers to apply for a headship post?

12:00

Greg Dempster: Headteachers' salaries are arrived at through the job-sizing toolkit, which measures a raft of aspects of the job, such as pupil and staff numbers, free school meal entitlement, classes and other duties. All that information goes into a black box that spews out the results at the other end, which tell us what the salary for a job will be. Headteachers and depute are on the same pay spine, which means that the numbers that come out often create a situation in which there is not much difference between depute and headteacher salaries. That needs to be addressed to create a financial incentive for people to pursue a headship.

Another development, which has happened over the past couple of years, is that tiered contributions have been introduced as a result of pension changes, which means that higher earners pay a higher proportion into their pension, although we are moving to a career average scheme, rather than the final salary scheme, which advantaged higher earners in the past. Flattening the contribution tiering arrangement would slightly improve the financial incentives to take on a headship.

Chic Brodie: That comes back to my point about leadership. We are always doing things the same way, and Kettering was right: if you do something too often, you will be wrong. Has there been any meaningful proposition to encourage the differentials and bring—not necessarily from the education environment—the leaders that we need into the education field? Has the education establishment put any such proposition to get the education heads and leaders that we need in our schools?

John Edward: Yes. That is what each of our schools does every time it goes to the market. That is what the independent trustees are for and that is what they do as company directors. One of the big schools near here in Edinburgh is an independent day school. A couple of years ago, it appointed the head of the biggest state boarding school from down south as its head. The Edinburgh school was not interested in anything other than whether that was the right person for the right job in terms of leadership. That is the governing board's primary responsibility.

I was just looking at what we do in the various blocks of the SCIS leadership training that I

mentioned. It includes leadership and management, coaching, leadership for learning, school development planning, change relationships, marketing and budgets—all those aspects are part of the day job of an independent school head, and no qualification for headship will cover all those areas. Leadership is primary for the role.

Chic Brodie: That partly proves my point about the public sector.

Terry Lanagan: We do a lot of work on leadership at all levels in the system. We do a significant amount of mentoring, training and coaching. The Scottish qualification for headship is not just about the educational aspects of the job; it is also about tasks and projects that are to do with developing leadership.

Chic Brodie talks about bringing in people from outwith teaching, but the emphasis for that has to be on getting people with other experience in as teachers. Once they are in the profession as teachers, what is done with them to develop leadership is important.

Chic Brodie: Why?

Terry Lanagan: Because at the moment a person has to have a teaching qualification to become a headteacher.

Chic Brodie: Again—

The Convener: This is your final question.

Chic Brodie: We are on the same route and are not achieving the objective.

Terry Lanagan: That is the situation and it has had broad support across the Scottish education system. Other systems have gone down different routes, where people with leadership qualities have been brought in to head public sector schools, even though they have no teaching qualification. I am not sure that I would welcome such a development in Scottish education but, if it were the intention, it would require legislation.

Liz Smith: I put it on the record that I am GTCS registered and am a governor of two independent schools.

Mr Edward, I want to tease out something that you said in answer to an earlier question. You said that you do not believe that the independent sector was consulted in the design of the qualification. Can I clarify that there was no consultation with the independent sector or with any governors in that sector?

John Edward: There was none with any governors or with any schools directly. The first communication that we had with the Scottish Government about the proposal was after the letter that proposed the amendment had been sent

to the committee. When we spoke to the Scottish College for Educational Leadership, it said that its impact assessment—and indeed the design of the qualification—was done before any suggestion was made that it would apply to our sector.

Liz Smith: Thank you for that clarification.

Am I right in thinking that you have serious concerns about the appointment process for some of the special, as well as the mainstream, schools in the independent sector, in that their choice of candidate could be restricted as a result of the proposal?

John Edward: Absolutely—that could apply if the primary or sole concern was the headship qualification. If someone runs a small residential school of, for example, six, 12 or 18 pupils that deals with a range of behavioural, emotional, social and, potentially, physical impairments, the primary concern of that person—who usually also manages the budget, the property, the facilities, relationships with the health board and everything else—is to understand the complex needs of the people in the school. Such understanding usually comes from a range of professional qualifications that relate to those particular needs. It would be an enormous problem for the very small schools, which are incredibly strapped for cash, time and resources anyway, to have to go out and find people who meet all those criteria and who have also had the time and space to do the headship qualification.

A lot those schools do not teach SQA qualifications. They might do Award Scheme Development and Accreditation Network or other special needs qualifications, so the Scottish curricula would not even be applicable.

Liz Smith: A complex issue might arise if a governing council in an independent school decided that it wanted a particular candidate who brought the expertise that you just described but that person did not have the headship qualification, which is basically an instruction from the Government. How does that sit with a governing council's autonomy?

John Edward: Given that we have spent an awful lot of the past 10 years in a very close relationship with the Office of the Scottish Charity Regulator, it is extremely problematic if schools are asked at all times to demonstrate their autonomy and diversity and to have scrupulous lists of the charity trustees and company directors who run the schools and are left to their own devices to do it but, when it comes to the one primary objective that a governor has—to appoint the correct head for the school—they must do so with that consideration over their shoulder.

If a school was switching from the SQA system to the international baccalaureate or back again,

switching from being single sex to coed, doubling or halving the size of the school estate, or taking on more learning support facilities, doing that would be as much of a priority as the day-to-day teaching in the school, which might be devolved to a senior head's deputy heads. That is part of the head's responsibility. That is the first thing that a governor will look at, as their responsibility to the Government, the charity regulator and everybody else is to make sure that the institution is run in a fit and proper way.

Liz Smith: Where do you believe that the Government perceives a problem with headship? The question is for the rest of the panel as well. Why is the Government intent on introducing the standard of headship? Where is the problem?

John Edward: Speaking for SCIS, I genuinely do not know. There is not a leadership issue, perceived or otherwise, in the independent schools sector, because when there is, the governing boards tend to deal with it quickly. That is what they are there for. That goes back to the point about leadership.

As for the overall discussion, including the committee's discussion with the earlier panel about the national improvement framework, if the absolute priority is attainment, I can say that the one thing that is not at fault in our schools is attainment. When I am called by journalists, it is usually to justify why we are attaining too well, rather than attaining too badly.

Audrey Edwards: We have to remember all that "Teaching Scotland's Future" contained on evaluating and considering the future of Scottish school education and how to enhance professionalism at all levels. Out of that we had some wonderful developments in professional update, career-long professional learning and standards for leadership and management. All of that is welcomed by us all. The headship qualification is another part of that big picture; what we are all struggling with is the bit about the qualification becoming mandatory.

Terry Lanagan: I would not presume to guess what the Government is thinking, but I agree with what Audrey Edwards said. I imagine that part of the reason is that this is part of the bigger picture. "Teaching Scotland's Future" was an ambitious document that addressed levels of qualification, professional expertise and leadership at all levels in the profession, from probationary teachers right through to headteachers.

As I said at the start of the discussion, ADES has no problem in principle with the idea of expecting headteachers to be well qualified and to have additional qualifications in time. I am afraid that I come back to the point that the problem is one of timing.

Greg Dempster: I do not think that the Government is trying to address a deficit in the quality of leadership; this is about continual improvement. For that reason, we welcome its efforts to improve the quality of leadership. However, there is a timing issue. Recruitment issues that are already in the system need to be addressed.

The Convener: I thank all the witnesses for coming along; we appreciate your time.

12:11

Meeting suspended.

12:14

On resuming—

The Convener: I welcome our final panel today: Angela Constance, the Cabinet Secretary for Education and Lifelong Learning, and her accompanying officials. I understand that the cabinet secretary wants to make opening remarks.

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): Thank you, convener.

I very much welcome this opportunity to give evidence to the committee on our proposed stage 2 amendments to the Education (Scotland) Bill that deal with the national improvement framework and the headship qualification.

The bill sends a strong signal, nationally as well as locally, about the value that we place on ensuring that the voice, needs and ambitions of all our children are central to everything that we do. The amendments will help to strengthen that signal, by placing the national improvement framework in law, requiring ministers and councils to work together towards the priorities that are set out in the framework and putting in place reporting arrangements. The amendments will ensure that all new headteachers in Scotland are suitably qualified.

The national improvement framework will make the links between national priorities and classroom practice. It will look at the full range of evidence and tell us how children's learning is progressing and what more needs to be done to close the attainment gap.

We are currently consulting on the draft national improvement framework. We have held a series of engagements with stakeholders, including nine events across the country. Overall, the events were attended by more than 1,000 teachers, parents and others. We have also heard the views of around 700 children, through local and online events. A full summary of our engagement will be published next month, but I thought that a quick

run through the emerging themes might help the committee.

There has been widespread support for the breadth of the framework and for the high-level priorities that it sets out. There is a sense that, if we all work towards those priorities, we will see the improvement for children that the framework is all about. We have also heard that there is a need for more consistent evidence, which can tell us whether we are making progress and allow for more sharing across schools and authorities of what is making the difference in closing the gap and raising attainment.

There has been concern about aspects of the framework, and I am keen to reassure people, particularly committee members, in that regard. Some people have worried that a narrow approach to assessment, or indeed the publication of data, might create perverse incentives. We have been listening to views and expertise during our consultation and we have been considering what local authorities already do. We know that standardised assessment is in use in different forms in schools across Scotland. Learning from that range of practice is informing our thinking about a national approach to a broad range of assessment data. Our engagement has reinforced what we already know, which is that teachers' judgment is key to improvements for children and the success of the framework.

We have said from the beginning of the process that standardised assessment should only inform teacher judgment and should not replace it. A more consistent approach to a broad range of data is needed, to give everyone who has an interest in children's progress—from parents to ministers—meaningful information with which to work. Our future publications should include a range of information that shows where we are making good progress and where we might need to do more to close the gap and improve standards more generally.

On the headship qualification, strong leadership and the best teachers are a fundamental part of improving attainment and achievement for our children and young people. The introduction of a standard for headship qualification will ensure that educational leadership in Scotland is top quality. The idea that prospective headteachers should be qualified before they take up post is not new and has been Scottish Government policy since 2005. The amendment will clarify what already exists in guidance.

I am happy to take questions on the two issues.

The Convener: Thank you, cabinet secretary. We will start by asking about the national improvement framework and then we will move on to the headship qualification.

Chic Brodie: In light of what we heard from witnesses this morning and the comments that we received, for example from the EIS, about the role of the Scottish Government and local authorities, does the Government consider that a cultural shift in Scottish education is required? Does the framework, as it stands, make the case for statutory change? Why are some of the anticipated benefits of the framework not being delivered already?

Angela Constance: In essence, we want to build on the success of curriculum for excellence. I see the national improvement framework very much as part of the next phase of curriculum for excellence. We want to introduce more consistency in our approaches to raising attainment overall and to closing the gap, we want more sharing of best practice and we want reports that focus on the evidence that explains how improvements have been made rather than just measuring what improvements are being made. We are building on the culture that already exists in our schools and in curriculum for excellence, but we want a degree of consistency of approach. That is imperative if we are to tackle the inequality that we know exists in classrooms, schools and local authorities and across the country.

The reasons for our three proposed amendments to anchor the national improvement framework in legislation are fourfold. Given the shared ambition that all of us in the Parliament have, it is important that we have a renewed focus on our national priorities and that we agree them as shared priorities. In the Government's view, we need robust permanent arrangements that will help to drive up standards. I have already spoken about the desire for a degree of consistency, and the planning and reporting requirements that the amendments will deal with are an important part of that.

It is also about decluttering the legislative landscape, if you like. Some of the Standards in Scotland's Schools etc Act 2000 now, so many years on, bears little resemblance to current practice and the scrutiny arrangements in local authorities. The current legislation does not support an improvement cycle that involves the annual reviews and reporting that are required for a national improvement framework.

Chic Brodie: Thank you for that answer. I am not questioning the priorities. My colleagues will ask other questions about assessment, but is it not the case that we are asking for consistency across the country when, in fact, what we need is flexibility to recognise the diversity of the country? Will the NIF not lead to the Scottish Government micromanaging what is done to improve outcomes, as distinct from the targets that might be set?

Angela Constance: No. Consistency is not the same as conformity. We can have a degree of consistency while recognising the flexibility that curriculum for excellence offers teachers at the classroom level, and we know from our consultation that there is a broad consensus in the areas that we have identified as the six drivers for improvement.

The amendments that the Government will lodge in a few weeks' time will put in statute that ministers have a duty to establish a national improvement framework and that it will be subject to annual review; that local authorities have to work towards delivering the priorities that are identified in the framework; and that ministers as well as education authorities will have to publish annually details of the progress that they are making. Those are important anchors for the national improvement framework to enable it to operate effectively. I would not describe any of that as micromanagement.

We are enhancing the responsibilities of the Scottish ministers and local government to report and account for our progress, but there is no micromanaging. We are not changing the legal or operational responsibilities of local government to deliver education.

Liz Smith: We have heard several times this morning that people feel that the data already exists. It was pointed out that 30 of the 32 local authorities already use standardised tests. Has the Scottish Government carried out a detailed and comprehensive analysis of which local authorities are doing particularly well in improving literacy and numeracy levels with the testing that they use? Which local authorities are doing particularly well?

Angela Constance: We certainly accept that the vast majority of local authorities use data, and we believe that there are benefits from a more consistent approach to the use of data. It was apparent to me on taking up my position that one of the debates is about how we use data sensibly to drive improvement. An Audit Scotland report that was published a few years back pointed to a variation in educational outcomes across the country. It also pointed to some authorities being better than others at overcoming deprivation. The report said that the two broad factors in that are teacher professionalism and a sensible, proportionate and coherent use of data.

I ask Donna Bell to speak a bit more—

Liz Smith: May I pick up on those points, cabinet secretary? Crucially, the proposals are about raising standards. That is the whole intention. You and the First Minister have said many times on the record that that is the reason for the national improvement framework. Has the Scottish Government done significant research on

the local authorities that use that type of testing and, if so, does it prove that they are doing particularly well in raising their standards? When we look at your amendments, which we have not yet seen, it would be helpful if we could have good-quality qualitative and quantitative evidence that proves what is working well in the system and that identifies the specific problems that you feel are holding people back.

Angela Constance: We have had considerable dialogue with local authorities over the years.

Liz Smith: Will you publish that information?

Angela Constance: I can ask Donna Bell to speak a bit more about the granular detail of what we know about different types of information that are made available to the Government from our partners in local government.

I am sorry, but what was your other question?

Liz Smith: It was whether you will publish that information, as it would be helpful to the committee to know that. If we are trying to solve a problem that there is clearly evidence for, we need to know who is having success in addressing that problem and where that is happening. That is what I am driving at.

Angela Constance: We will certainly do an interim report, which will be published at the beginning of next year. That will be in advance of the national improvement framework kicking in, and it will reflect information that we have received from local government colleagues. The purpose of legislating for a national improvement framework is to get consistency and a clear understanding of information that the Government can expect to receive from local authorities. Local authorities are not under any obligation to forward information of the nature that you have described.

Liz Smith: With respect, cabinet secretary, we will shortly be asked to debate in a very short timescale amendments that you will lodge. Would it not be helpful if we had in front of us some of the qualitative data that many people argue already exists so that we can make an informed decision about what has to go into the national improvement framework?

12:30

Angela Constance: I am saying that local authorities do not have any obligation just now to forward all that information to the Scottish Government. That is, in part, why we are where we are. It is fair to say that we have more information about some local authorities than we have about others. We need to ensure that information is consistently available, which points to a strong argument for the need to legislate in the area.

I ask Donna Bell to give you an overview of the information to which we currently have access, as that might be helpful.

Donna Bell (Scottish Government): A number of local authorities have been happy to share their information with us. We are seeing no specific link to the type of test that local authorities are undertaking in terms of attainment and literacy. Some key features of the assessments are important. We are working with local authorities to develop the specification for the standardised assessment at a national level, and our intention is that that assessment will feature the best of the best from those things.

An important point concerns the way in which teachers and headteachers use data. We are working up a package of support that will sit alongside that assessment.

Liz Smith: My last question—

The Convener: Very briefly, please.

Liz Smith: Craig Munro said in evidence earlier this morning that he was quite sure, as a director of education, that he knew exactly where improvements had been made, but we also heard that parents do not feel that that is being communicated to them. Can you comment on that?

Angela Constance: That is an important point. Parents are right to expect a certain level of information. I know from engaging with parents the length and breadth of the country that provision of information is variable.

There is a broader issue of parental engagement overall. The information that a parent gets about the progress of their child is very important, and it varies between local authorities.

John Pentland: The Scottish Government's approach to NIF has been supported in written submissions from the Association of Directors of Education in Scotland, Aberdeenshire Council and CELCIS. However, I am sure you are aware that significant concerns have been raised by others, including the union Voice, Niall Mackinnon and the EIS, regarding the national assessment. How do you think national assessment could best be used to drive improvement for pupils and to inform teachers' and schools' approaches to learning?

Angela Constance: I can best characterise the Scottish Government's position as seeking a balanced approach to use of data. It is important that schools, local authorities and national Government get consistent information to drive improvement. That is the focus. There are debates about what that information should consist of. We are not looking for information for information's sake—we have to gather it for a purpose, which is to drive improvement.

It is clear that what is needed at classroom level is likely to be very different to the information that is required at national level. However, it is important—we have spoken about it a lot—that there is a clear line of sight between the classroom and local and national policy making. At local and national levels, we must be acutely aware of whether we are delivering to meet the individual needs of children, and we have to make choices on policy and resources accordingly.

The debate in response to the publication of the draft national improvement framework document has thrown up a distinction between data and information: data are for accountability and other information is to drive improvement. As a Government, we believe that there should be information to enable our actions to be held to account, and I suggest that it is the same for our partners in local government. We have to reconcile the two. Information is needed for accountability purposes but, first and foremost, the national improvement framework must be driven by what will improve children's educational outcomes and life chances.

Mr Pentland mentioned standardised assessment. It is important to say that assessment of children's progress is just one of the six drivers of improvement. In the context of curriculum for excellence, standardised assessment would be 10 per cent of the curriculum. Much of what we do relies on teacher judgment; we are clear that standardised assessment needs to inform teacher judgment and will certainly not replace it.

I am alive to the debates around the information that is published, how it is used and at what level. It is fair to say there are different needs at school, local authority and national levels, and we are actively engaged in resolving that.

John Pentland: Some concerns have been raised about teaching to the test. Do you have a view of whether assessment should be done at the beginning of the year as a tool to assist teachers, or as a measure of progress at the end of the year?

Angela Constance: I have been clear that the purpose of standardised assessment is to assist teachers on the front line. One of the compelling reasons to introduce a form of standardised assessment is that it can be used for diagnostic purposes. I am alive to the debate around the window of assessment and how having a narrow window of assessment at the end of a school year might impact on the ability of standardised assessment to be used for diagnostic purposes.

Current practice is that some local authorities have a window of assessment, some have a few, and others have none. That is the type of detail that we are engaged with, but it is an aspect of the

debate that we are alive to. As well as standardised assessment, which is just one part of a wider range of assessment, the data have to be used for purposes of accountability of local government and national Government. Ultimately we do not want that drive for accountability to impact adversely on the great gift in the potential use of standardised assessment to diagnose and inform the need for action that will improve outcomes for children.

Liam McArthur: We heard this morning that standardised testing and assessment are already going on in 30 of the 32 local authorities. There is even an argument for saying that it is going on to some extent in all local authorities. The provision in the bill for national standardised testing and assessment does not make clear what the status of the activity that is currently going on will be. On the standard for headship, there appears to be clarity at least around the fact that the statutory provision that the bill will introduce will replace the current non-statutory qualification for headship. There are among teachers concerns that the bill will add to their workload—over and above their concerns about league tables and teaching to the test. What assurances can you give about the status of the current activity that schools and local authorities are undertaking?

Angela Constance: From the outset, we have been clear that introduction of a national standardised system of assessment is to replace current activity.

The last thing that I want to do is add to the workload of teachers. Therefore we are working very hard on the specification work to pull together the nuts-and-bolts detail of the standardised assessment part, because we want it to be of such a high standard that it has relevance to, and meets the needs of, all local authorities, so that there is no need for duplication. One of the benefits of getting the standardised system right at national level is that it can strip out duplication in the system. That is our ambition, which we are striving to achieve.

Liam McArthur: The bill will require local authorities that are—from the response to Liz Smith's question—doing very well to replace with a standardised model what they are doing in assessment and how they use it to inform teaching and learning. You are going to require local authorities to stop what they are doing at the moment and take on something different that is consistent, if not exactly the same across the board.

Angela Constance: The bill will require local authorities to work towards delivery of the priorities in the framework—the six areas that have been identified as significant drivers for improvement. We have no plans just now to legislate for a

specific assessment model. We will work collegiately and very hard with our partners in local government to reach a shared understanding and agreement in and around the specification of the standardised assessment so that it removes the need for duplication. We want the specification to be of a high standard that meets the needs of all local authorities.

Liam McArthur: On whether the bill will result in league tables or teaching to the test, we have heard again from the EIS this morning that the bill's provisions represent a blunt instrument. In its written evidence, the EIS said:

“the EIS is of the view that designing a “one-size-fits-all” standardised assessment for use across Scotland that would provide policy makers with a framework to positively impact on teaching and learning in the classroom is a challenge that has proved to be beyond the capability of any education system which has attempted such an approach.”

What confidence can we have that we will not see a return to league tables—official or unofficial—and teaching to the test as a consequence of standardised assessment?

Angela Constance: Mr McArthur will know that the Scottish Government has no desire whatsoever to return to crude legal tables, to teaching to the test or to narrowing down the curriculum: this has never been about returning to the high-stakes national testing of the past. We have heard evidence from the EIS today, and in the Government's engagement with the EIS and others, that there is considerable focus on the window of assessment. That is one of the reasons why we are very alive to the debate in and around whether there should be a window of assessment or whether that assessment should be able to be done at any time of the year.

In some of the commentary—even some of the media commentary—around education there is a move away from producing crude league tables. I know that some newspapers still do it. However, the work that we have done on the senior phase and in producing parentzone gives a good indication of the benefits of having a dashboard of information. We are currently in dialogue with our partners about producing that dashboard of information on the broad general education part of the curriculum. For example, data might be published on teachers' judgments of whether children had achieved curriculum for excellence levels.

It may be comparatively easy for someone who has the will and the time to examine every high school in Scotland and produce league tables based on the number of highers that were passed—3 or more highers or 5 or more. However, we are talking about something quite different for 2,000-odd primary schools.

12:45

I do not think that any of the problems are insurmountable. It is difficult and we are in detailed discussions, sifting through the intricacies of it all. I stress that the standardised assessment is but one part of one part of the national improvement framework, and that we are looking to publish a range of information that is important for national and local government as well as for teachers, and, crucially, for parents.

George Adam: Craig Munro from the ADES told us earlier that one of the most important issues is how we use the information to drive attainment forward, if we want to turn a good education system into a great education system. When we talk about assessment, are we talking about getting the information that will help the attainment officers who are now in local authorities and who enable us to get resources to the families and individual pupils who need them?

Angela Constance: To be fair, I think that that has been the focus of debates in Parliament and more widely across the education sector. The nuances of the debate are about what information is gathered and how it is used to drive improvement. Standardised assessment is one part of a panoply, or dashboard, of information.

I have heard Craig Munro speak many times about how some aspects of the curriculum lend themselves to use of more standardised assessment of literacy and numeracy, which we know are the gateway to all learning. However, we know that we cannot assess everything in a standardised way. This Government values teachers' professional judgment.

As a parent, I have seen the results of standardised assessment and how they have informed teachers' judgments in relation to my son. When I asked for the information to be shared with me, it was shared in a way that was meaningful. I was not just given a list of scores; I was given information that chimed with my understanding of my son's strengths and with the information that teachers had given me on many parents' nights.

Standardised assessment is just one aspect that informs teachers' professional judgment. We should not be afraid of it, but we need to work through the detail, and we are utterly committed to doing so. The national improvement framework is a draft and I am confident that the final version, which will be published at the start of next year, will look quite different, given the quality of debate and informed input on the many issues that it covers.

I apologise for answering George Adam's question at length. My final point is that there will be a legal requirement to review the national

improvement framework annually, so the framework will continually evolve and be refined to meet the needs of our education system. In introducing more standardised national assessment, we are looking to replace a myriad of local arrangements with an approach that is bespoke to our curriculum.

George Adam: You made an important point when you said that under the current system you asked for information that related to your son.

Although the EIS and ADES have said today that there is a lot of data out there just now, Iain Ellis from the national parent forum of Scotland said that a lot of it is not being shared with parents. Doing so would give them the opportunity to be part of the solution as we try to work towards closing the attainment gap. He said that it might be better in the future if parents get an opportunity to see the information that is relevant to them and their children.

Angela Constance: Parents will all request different information about their child or children; we should not generalise about what parents need or want. I was informed when my son started primary 1 that the local authority used CEM—centre for evaluation and monitoring—testing and I opted to ask for the results of that in recent times.

I am hesitant about making gross generalisations about what parents need, but parents should be informed about how teachers assess the children; a standardised assessment is part of that. Parents should be aware of that, and it is through that dialogue between parents and teachers that we can establish what information the parents wish for or request. I stress that this is just one small but important part of a wider parental engagement agenda.

The Convener: Thank you very much. Before I bring in Colin Beattie, I just want you to clarify something. I think that you said a moment ago that you would publish the final version of the NIF at the start of next year. However, in the annex of the draft NIF document, which we have in front of us, it says that you will publish the NIF in December 2015. That was our understanding as well. The committee will reach stage 2 and deal with the amendment on 7 December. That is the likely date that we will have to vote on this particular issue. However, I think that you just said that the framework would be published at the start of next year.

Angela Constance: Yes. The NIF will be published at the start of next year. I am sorry if the committee has not been kept up to date on that or if there have been inconsistencies in the information that has been given to the committee. I should perhaps have said in earlier answers that we will receive the OECD report on our broad

general education at the end of the year. I believe that it is important that that is published and available to everyone because that is part of our process in informing the final version of NIF, although I stress that the framework will have to be reviewed annually.

The Convener: I understand why you want to wait for that OECD report. My concern is that publication of the final version of NIF will be after the committee's consideration at stage 2 of the NIF amendment. Surely you can understand that concern?

Angela Constance: I can understand it, convener, and I know that we are talking in a vacuum in respect of the Government amendments, which the committee has not yet received. However, we are talking about amendments in three areas. The first is to do with ministers having a duty to establish a national improvement framework, which will have to be subject to annual review. The second is around local authorities having to work towards the delivery of priorities that will be set out in the NIF and the third is to do with ministers and education authorities having to publish their progress annually. The amendments will deal with those discrete areas.

The Convener: That is helpful.

Colin Beattie: Cabinet secretary, I would like to look at some aspects of the role of the Scottish Government. The EIS written submission questions whether the Scottish Government feels frustrated about its lack of access to the data that is available at local level. It adds:

"A discernible tension appears to exist between the competing functions of Scottish Government ... and local government".

Do you recognise that?

Angela Constance: I would articulate it with a different tone. There is a lack of information available to the Scottish Government—a lack of consistent information. That is not necessarily because of some deliberate foible by local government but because there is different practice out there, which is reflective of current reporting arrangements. There is general frustration about the lack of consistent information, and I would contend that consistent information is important to inform aspects of local and national policy, such as how we use our resources and how we get better.

Colin Beattie: Our first panel seemed to be a little concerned about collecting data. I asked a specific question about whether that affected the level of accountability between local government and national Government. They were a little hesitant but they seemed to indicate that in certain

circumstances, it could. Would you agree with that?

Angela Constance: I do not think that the proposed amendments that I have outlined today or the NIF overall will radically change the balance of accountability or the balance of responsibilities. I would contend that national Government has a responsibility and a duty to set out national priorities.

Of course, we want to ensure that those national priorities are shared priorities, but there is nothing in the amendments or in the NIF that changes the fact that local authorities have the legal and operational duty to deliver education. Crucially, we are not asking our partners in local government to do anything that we are not going to do. We are asking them to report annually—we are going to have to report annually to Parliament. Scrutiny at local and national level is important. The reporting arrangements will enhance scrutiny of the Scottish Government as well as of local government and that is absolutely right. To state the obvious, if the Scottish Government is to report annually on the national position to Parliament, we will of course need to gather information that is held at a local level.

Colin Beattie: Cabinet secretary, you mentioned an annual plan being submitted to ministers. The COSLA submission, which came in rather late, I believe, seems to be broadly supportive of the initiative but believes that councils should not be required by law to send plans to ministers. Do you have a view on that?

Angela Constance: If local government was not required by law to submit information to the Scottish Government, that would continue the current position. I believe that there is a growing consensus that more visible and consistent information needs to be available so that progress can be measured.

Iain Gray: Cabinet secretary, earlier on I asked the panel whether they thought that shared agreement on the NIF could be reached in time for consideration of the amendments. Essentially, they said no. Can I just be clear—are you also saying no? Will the amendments at stage 2 simply say that there shall be a national improvement framework but we will not know what it is?

Angela Constance: I am clear that we will do everything that we can to build a national consensus around the national priorities and how they are articulated and are to be implemented in the NIF, which is to be published at the beginning of next year. A crucial part of the process, which will make it an informed process, in addition to the high-quality and detailed input that we have had from a range of stakeholders, is the OECD report. I think that most people would see that it is

important not to publish the final NIF prior to the OECD assessment of broad general education in Scotland.

That is distinct from the amendments that will come to the committee at stage 2, which, as I have outlined, are quite specific and will anchor the national improvement framework in legislation and give the reporting duties. There will be a whole lot of other detail in the national improvement framework itself, and there is also the matter of statutory guidance, which will require on-going dialogue and engagement and on-going opportunities to build that national consensus. I do not think that stakeholders are far apart.

13:00

Iain Gray: On how far apart stakeholders are, the EIS representatives, when asked earlier today whether they thought that they would be able to reach shared agreement on the national improvement framework, said that that would happen only if the proposal for single-diet national standardised assessment in P1, P4, P7 and S3 was removed. You have said in your evidence that you are alive to that debate, minister. Does that mean that it is your intention to remove that from the national improvement framework?

Angela Constance: Our position on the value of standardised assessment as part of the overall process that informs teacher judgment and as part of a range of data that is available for assessment purposes is, as I indicated earlier, that it relates to only 10 per cent of our curriculum. What I said was that I was alive to the debate around the window of assessment and the links between having a narrow window of assessment and perverse incentives.

Iain Gray: I am asking whether it is your intention to meet the EIS's requirement in order to reach a shared agreement.

Angela Constance: It is our desire to reach a shared agreement with all the stakeholders involved. There is broad agreement. The agreement that we have on the overall high-level purpose of a national improvement framework and the six drivers of improvement being the right ones—

Iain Gray: I am asking specifically about the national standardised assessment.

Angela Constance: We are seeking agreement with the EIS, COSLA and parents' groups. We want it to be a shared endeavour, not just for Government to set out the national priorities but for those national priorities to be seen as shared priorities.

Iain Gray: Mr McArthur asked about the impact of the new national standardised assessment

replacing what already happens in different local authorities and at the hand of different teachers. In response to him, you said that you were not intending to legislate for the national standardised assessment to happen. Are you suggesting that there will be a national standardised assessment but it will be optional and local authorities can choose to take part or not?

Angela Constance: No, because the obligation on local authorities will be to deliver the outcomes in the national improvement framework, so it—

Iain Gray: So it will be obligatory for all local authorities and all schools to pursue the national standardised assessment that is contained in the NIF.

Angela Constance: It will be obligatory for local authorities to work towards delivering the priorities contained in the national improvement framework, and the assessment of children's progress is just such a priority, but that is quite different from anchoring the particular specification of a standardised assessment—

Iain Gray: It is also not an answer to my question. If the NIF contains national standardised assessments, will it be obligatory for those to be applied in every school in Scotland? Your answers both to Mr McArthur and to me were ambiguous.

Angela Constance: I am not being ambiguous. I am saying that we do not need to legislate for standardised assessment in the manner that you suggest.

Iain Gray: Because it will still happen everywhere in any case.

Angela Constance: Because we are building that shared agreement and there will be compelling practical reasons for local authorities to opt for the standardised assessment. We are aiming high to deliver something that meets the needs of local authorities and we are investing in it.

Iain Gray: I am sorry, but are you saying that rather than local authorities being obliged to do it, they will have the choice, but the specifications will be so good that they will all choose to do it?

Angela Constance: I am saying that local authorities will have a duty to deliver education that is in keeping with the national improvement framework. As yet, I do not see the need to legislate for a specification for a standardised national assessment. However, we will expect local authorities to deliver in the spirit and practice of the national improvement framework and they will have a duty to do so on a range of issues.

Iain Gray: I am not sure that I understand the answer.

The Convener: I am not sure that I understand the answer either, cabinet secretary.

For clarity, could a local authority carry on doing what it is doing at the moment, because it believes that it is working towards the outcomes that you have described?

Angela Constance: If we have consensus, there is no need to use some of the blunt instruments that have been suggested by others. There will be statutory guidance and we will be working hard on the detail of that. We are in the business of building consensus, as opposed to creating inflexibility by legislating for a specific specification of standardised assessment.

The Convener: Is it your expectation that local authorities will stop doing what they are currently doing?

Angela Constance: Yes, it is.

The Convener: Okay, thank you. I will move on to questions on the headship qualification.

Liam McArthur: With the last panel, we started by setting the scene before turning to the provisions in the bill. We are all aware of issues around headship recruitment. I thought that it was an issue primarily in rural and remoter parts of the country, but the previous panel suggested that it is a widespread problem, affecting councils in both rural and urban areas. We heard about a number of examples of openings in primary schools, in particular, attracting no applicants or a very limited number.

We want to understand what the Scottish Government is doing to respond to that challenge, what local authorities are doing and what both are doing jointly. Can you shed some light on what is being done to address a problem that seems to be affecting local authorities across the country?

Angela Constance: The most up-to-date information that I have seen shows that headteacher vacancies stand at 3.6 per cent. However, it is fair to say that around a third of vacancies are located in particular parts of the country: about 35 per cent of current vacancies are in Aberdeen Council, Aberdeenshire Council and Highland Council areas. We accept that the situation is more acute in some parts of the country than in others. A vacancy rate of about 3 per cent is not unknown or abnormal.

In broad terms, we recognise that becoming a headteacher is personally and professionally demanding and the standard for headship is a way of providing support given the demands that are placed on headteachers. We see it as part of the solution—although not the whole solution—to the issues in recruiting headteachers that parts of the country face. It is a sensible way forward. It has been Scottish Government policy since 2005 that

headteachers should have the appropriate qualification.

Liam McArthur: I do not think that any member of our previous panel thought that the standard for headship was part of the solution to the problem that we currently face. Our discussion was about how we accommodate the provisions in circumstances that are quite challenging.

You talked about a vacancy rate of more than 3 per cent. We have heard about acting heads being appointed to bridge a gap and we heard that in West Dunbartonshire the age profile is such that in the next four to five years around a third of heads are likely to retire. I do not suppose that the demographic in West Dunbartonshire is radically different from the demographic in other parts of the country.

Against that background, it would be reassuring to hear that, rather than layering on additional responsibilities that are statutory as opposed to being at the discretion of individual schools and local authorities, the Government is making a more concerted effort to address the recruitment problem.

Angela Constance: The two things can operate in tandem. We are working with ADES and others on a range of issues that impact on the recruitment of headteachers. There is complexity in that regard—I expect that you have heard evidence about salary and job size.

There is a credible case to be made for headteachers having a specific qualification, given their personally and professionally demanding role. We expect classroom teachers to have qualifications as a prerequisite, and our approach builds on the “Teaching Scotland’s Future” report. Across the education system, we are debating how we increase professionalisation among early years workers. Our approach on this is very much about increasing professionalism and, crucially, supporting leadership among the cohort of headteachers.

I acknowledge that there is more to do to alleviate recruitment difficulties in parts of the country, but that is not an argument against having a headship qualification, which has been policy since 2005. Some 1,600 headteachers have the existing qualification. The Scottish Government does not employ headteachers—we are not the employer; nonetheless, we seek to work with others to assist with recruitment difficulties when that is appropriate.

Liam McArthur: On that point and against that backdrop, concern has been expressed about the speed at which the provisions will come in—I think that they will come in over three years. It was argued that pushing implementation out to 2020 or 2022 might allow enough opportunity for changes

to bed in. Would you be willing to consider such a change?

Angela Constance: We are always willing to consider ideas and suggestions.

A headship qualification for the state sector has been Government policy since 2005 and many headteachers in the system have the existing qualification. There will have to be regulation-making powers, because we acknowledge that we might have to look at a date post 2018 for the requirement to kick in for the independent sector, given that the sector must work through the issues to do with ensuring that all its teachers are GTCS registered. We are alert to some of the complexities.

Colin Beattie: I will consider one or two more practical issues. Will it be necessary for prospective headteachers to hold the standard before they are appointed to a post? Will they be given the opportunity to qualify within a certain period afterwards?

Angela Constance: Our intention is that, before a headteacher could be permanently appointed, they would have to have the standard for headship. When local authorities are making temporary or acting-up provisions, there could be some flexibility, which could assist with the recruitment issues that Mr McArthur alluded to.

13:15

Colin Beattie: Would anyone who applied for a headteacher post be required to have the qualification already?

Angela Constance: Yes—if it was a permanent appointment.

Colin Beattie: In connection with training, could any teacher decide to take the standard and get the qualification in advance, with a view to applying for a headteacher's post later down the line?

Angela Constance: That happens just now, because there are more people with the existing qualification than there are people employed as headteachers with the qualification. There are 1,600 people with the existing headteacher qualification, 1,000 of whom are in headteacher posts.

John Pentland: The Scottish Government's proposed amendments could very well add a financial burden and perhaps create equality issues around access, especially for single parents, sole earners and possible candidates living in different parts of Scotland who want to enter the programme. Greg Dempster, who was on the previous panel, said that that financial burden should definitely not fall on the candidate.

Who should be responsible for meeting those costs, given that there was a lack of applicants prior to this development because of apparently inadequate financial incentives to take on headship?

Angela Constance: In the first cohort for the new qualification, there are nearly 140 people from 31 local authority areas, which is an encouraging take-up rate. The Scottish Government is prepared to meet two thirds of the cost. We would have preferred to do that in partnership with local government and to have a three-way sharing of costs, but we are committed to the process and we did not want debates about who should contribute to be a barrier, so we decided to meet two thirds of the cost.

In the longer term, we need to go through a spending review and we will continue to have dialogue with local government partners. It is fair to acknowledge that some local authorities meet the cost and that there is therefore no additional financial burden on participants in some areas, but I appreciate that that could be iniquitous, and we want to revisit the issue. I should also say that there is evidence to show that individuals investing some of their own income in obtaining a qualification improves completion rates, but I appreciate that different things operating in different ways in different parts of the country might appear iniquitous to some.

John Pentland: Do you not think that there is a disadvantage for those people who might want to go up the career ladder but cannot afford to? How would you support them?

Angela Constance: I have acknowledged that issue. The Scottish Government is supporting individuals to participate in the qualification by meeting two thirds of the cost. Some local authorities step up to the plate and make a financial contribution as well. Aberdeen City Council, Aberdeenshire Council and Perth and Kinross Council are examples of that.

We have made a substantial commitment by meeting two thirds of the costs. I appreciate that, in itself, that might not be desirable to everybody and that people will present many arguments to say that either local government or the Scottish Government should meet the costs in full.

James Dornan: I will be brief. You suggested that the local authorities that already pay part of the cost of the existing qualification could do the same for the new qualification. Is that right? The previous panel seemed to have fears that individuals would have to pay that third of the cost. Are you saying that there would be no issue with local authorities stepping up to pay one third of the cost for somebody who is in their employ?

Angela Constance: There would be no issue with that at all. In my answer to Mr Pentland, I acknowledged that there is a wide variation in local practice but that the councils in Aberdeen city, Aberdeenshire, Dumfries and Galloway, Shetland, and Perth and Kinross are paying the individual contribution.

James Dornan: Would the same apply to the new qualification?

Angela Constance: Yes.

Liz Smith: I will be quick. The independent sector has expressed concern not about the fact that professional qualification numbers are to be increased—the sector has demonstrated already that it is increasing GTCS registration—but about the requirement to have the new headteacher qualification. The evidence this morning was that that could restrict the pool of people from which independent schools might wish to appoint to headteacher posts. That is particularly the case for special schools, in which significant specialisms are required. Is it the Government's right to tell governing boards what categories of people they can and cannot appoint in the independent sector?

Angela Constance: There are two parts to Ms Smith's question. One reason why we might well look at a delayed implementation date for the standard for headship qualification for the independent sector is to enable the GTCS to establish equivalency procedures. That would mean that, if there were headteacher candidates who came from abroad who could demonstrate skills, experience and qualifications that were equivalent to the standard for headship, there was a process for recognising that.

I do not think that it is unreasonable for baseline standards and terms—whether we are speaking of the national improvement framework, registered teachers or the qualifications that are required to be a headteacher—to be in place to the benefit of children and parents across the independent and state sectors.

Liz Smith: The independent sector is not arguing about that at all. It is arguing a technical point—that in the independent sector it is a governing council that appoints a headteacher and that the policy would restrict the categories of people who might be able to apply.

Angela Constance: The policy is to ensure that the qualifications, or the equivalent qualifications, are appropriate. I do not think that that is unreasonable—

Liz Smith: SCIS just alluded to the fact that—

Angela Constance: We are not appointing or choosing candidates.

Liz Smith: The governing council is. The implication from SCIS's evidence is that the policy might restrict appointments of people from abroad, and the legal advice seems to indicate that as well. Would you consider an amendment that would indicate that you recognise that the independent sector has different governing roles?

Angela Constance: The independent sector is already subject to registration and inspection processes, whether from Education Scotland or the Care Inspectorate. I am not sure whether I am really grasping what your specific concern is.

Liz Smith: It is exactly the same concern as the independent sector put to us this morning, which is about the fact that the governing council in an independent school has, by law, the authority over who it appoints. If the categories of people whom it could appoint were restricted, there would be a serious problem, because the Government would be influencing a type of body that often has charitable status. I am not sure that you are entitled to do that.

Angela Constance: I do not think that we are interfering with the legal responsibilities of board members. Of course, when regulation can clarify matters, that is always helpful.

The Convener: I thank the cabinet secretary and her officials for coming along to give evidence on the two proposed sets of amendments.

13:24

Meeting suspended.

13:25

On resuming—

Subordinate Legislation

Glasgow Clyde College (Removal and Appointment of Board Members) (Scotland) Order 2015 (SSI 2015/348)

The Convener: The next item on the agenda is the consideration of subordinate legislation. Do members have any general comments on the instrument?

Liam McArthur: The Delegated Powers and Law Reform Committee has looked at the instrument and it complies with powers under the Further and Higher Education (Scotland) Act 1992. As I said when the statement was made to Parliament, it is not a comfortable position for the minister or the Parliament. The task force has been established, but we need to return to the issue in due course. I do not know when the task force is due to report back, but lessons have to be learned. A nuclear option is being proposed and it would be useful for the committee to explore the checks and balances that led up to the point where the minister felt that she had no option but to take the decision.

Iain Gray: I support Liam McArthur's point. The Delegated Powers and Law Reform Committee has considered the matter and it is not clear that there is any great benefit in trying to reverse what has happened. However, the matter is so serious for the sector, the college and the individuals involved that there is an obligation on the committee to consider what has happened in rather more detail, at the very least to learn what lessons might be applied in the future. The committee should commit to ensuring that it does that.

The Convener: I agree with both those comments. Given that the task force has been established and will publish a report in the new year, it is important that we go over the issue and learn any lessons that we can.

If the committee agrees, I suggest that we return to the matter in the new year, in the context of the task force's publication. Do members agree?

Members indicated agreement.

The Convener: There are two issues in relation to the instrument. We will come to the general question in a moment.

Under rule 10.3A of standing orders, the committee is required to decide whether the reasons given for the breach of the 28-day rule as provided by the Interpretation and Legislative Reform (Scotland) Act 2010 are acceptable in the

circumstances. Does the committee agree that the reasons are acceptable?

Members indicated agreement.

The Convener: Finally, does the committee agree to make no recommendation to the Parliament on the instrument?

Members indicated agreement.

Meeting closed at 13:28.

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