



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Education and Skills Committee

**Wednesday 8 March 2017**

**Session 5**



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**EDUCATION AND SKILLS COMMITTEE**

**7<sup>th</sup> Meeting 2017, Session 5**

**CONVENER**

\*James Dornan (Glasgow Cathcart) (SNP)

**DEPUTY CONVENER**

\*Johann Lamont (Glasgow) (Lab)

**COMMITTEE MEMBERS**

\*Colin Beattie (Midlothian North and Musselburgh) (SNP)

\*Ross Greer (West Scotland) (Green)

\*Daniel Johnson (Edinburgh Southern) (Lab)

\*Richard Lochhead (Moray) (SNP)

\*Fulton MacGregor (Coatbridge and Chryston) (SNP)

\*Gillian Martin (Aberdeenshire East) (SNP)

\*Tavish Scott (Shetland Islands) (LD)

\*Liz Smith (Mid Scotland and Fife) (Con)

\*Ross Thomson (North East Scotland) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

John Swinney (Deputy First Minister and Cabinet Secretary for Education and Skills)

**CLERK TO THE COMMITTEE**

Roz Thomson

**LOCATION**

The Robert Burns Room (CR1)



# Scottish Parliament

## Education and Skills Committee

*Wednesday 8 March 2017*

*[The Convener opened the meeting at 10:00]*

### School Education

**The Convener (James Dornan):** Good morning. I welcome everyone to the seventh meeting of the Education and Skills Committee in 2017 and remind everyone present to turn their mobile phones and other devices to silent for the duration of the meeting.

The first item of business is an evidence session on school education with the Deputy First Minister and Cabinet Secretary for Education and Skills, John Swinney. I welcome him and his officials to the meeting. Fiona Robertson is director of learning at the Scottish Government and Donna Bell is deputy director of strategy and performance at the Scottish Government.

Since mid-January, we have looked at a number of school education issues. We have held an evidence session on the curriculum for excellence management board and have undertaken a number of focus groups, which have largely comprised teachers. We have undertaken a survey of publicly funded mainstream secondary schools, on the senior phase, and surveyed higher education institutions on their entry requirements for young people who are taking Scottish Qualifications Authority qualifications. We have also held round-table discussions on additional support needs and personal and social education. We continue to receive submissions from individuals and organisations on Scottish school education.

I once again thank all the teachers, parents and young people who have taken time to inform that work.

In today's session, there will be questions to the cabinet secretary on three topics in this order: additional support needs, personal and social education, and delivery of curriculum for excellence.

I understand that the cabinet secretary wishes to make a brief opening statement.

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** Thank you, convener. I look forward to discussing those three topics with the committee. I will set out some context for that discussion.

On curriculum for excellence, the Government recognises and accepts that all education systems will face challenges and that Scotland's education system is no different. However, we are starting from a position of strength, and the overwhelming majority of children and young people are performing well under curriculum for excellence.

Notwithstanding my confidence in the foundations that curriculum for excellence provides, a culture of continuous improvement that is embedded by the national improvement framework must remain a key characteristic of Scottish education. That is the means by which we will ensure that all our young people have the opportunity to excel in a way that works for them as individuals.

I am clear that we must put the child at the centre of our policies through the getting it right for every child approach and curriculum for excellence, and that we must focus on meeting the needs of every child as an individual. There is an important connection between that and the other two topics—additional support for learning and personal and social education—that the committee has raised.

On additional support for learning, Scotland has one of the most inclusive systems for provision of support in schools. We have a system that focuses on barriers to learning, and that approach makes Scotland stand out from others. The approach is well regarded throughout Europe and has been adopted by a number of other countries.

A cornerstone of our inclusive approach is the presumption of mainstreaming for pupils with additional support needs. We know that significant numbers of children, young people and their families have benefited from that inclusive approach. However, it is necessary that we ensure that the approach to mainstreaming is undertaken in an effective fashion, which is why I have commissioned a review of the guidance on mainstreaming. That is to ensure that the existing guidance reflects the legislative and policy context and succeeds in delivering on individuals' expectations. I can confirm to the committee that the extended consultation on that guidance will begin on 19 May and will run until the end of August. That will enable individuals to respond to the issues over a long period of time.

The system in Scotland has much in it to be admired and much to be proud of, but we have to accept that no system will be perfect. I am clear that we are committed to ensuring that children receive the support that they need, and to continuing to work hard to make the system even better.

Finally, personal and social education is demonstrated through curriculum for excellence by

the emphasis on health and wellbeing, essentially, which is spread right through the curriculum. Personal and social education is represented not by a single subject or class; rather, it is organised into six areas. Those areas provide an holistic view of mental, emotional, social and physical wellbeing. They are: planning for choices and changes; physical education, physical activity and sport; food and health; substance misuse; and relationships, sexual health and parenthood. PSE is a taught subject that covers aspects of planning for choices and changes and the other aspects that I have set out.

I am interested in the evidence that the committee has gathered that gives reflections on the issue. The Government has also invited the Equalities and Human Rights Committee to reflect on a number of questions related to the guidance on aspects of PSE including relationships, sexual health and parenthood, and we look forward to seeing the feedback from that committee on those questions. I also look forward to engaging with this committee on the issues and challenges that arise around personal and social education.

The Government is undertaking a range of reforms in education, and I am very happy to discuss those with the committee this morning.

**The Convener:** Thank you, cabinet secretary. We have a number of important issues to discuss, so I ask committee members and witnesses to keep questions and answers as succinct as possible. In addition, members are reminded to ensure that supplementary questions relate directly to the issue that is under discussion.

As I mentioned, we will start by discussing young people with additional support needs. What work is being done to ensure that best practice in that regard is rolled out to all local authorities? There seem to be disparities between local authorities. Is the focus changing from inputs to outcomes? If so, can we be assured that that is the right way to go?

**John Swinney:** On assurance of performance, there are a variety of ways in which performance in individual parts of the country is assessed. Some of that is done through the inspection work that is undertaken by Education Scotland and the Care Inspectorate, and some is undertaken through assessment of the handling of cases, which may eventually end up in the additional support needs tribunal if there is a dispute about the way in which an individual's additional support needs are being met. Fundamentally, however, the statutory responsibility rests with local authorities to ensure that provision is delivered in accordance with the needs of every child, which requires that an assessment be made of the needs and circumstances of every young person who is involved. Clearly, a great deal of work is

undertaken to determine and design the most appropriate approaches to take; it is for individual local authorities to form their own conclusions.

Your question about a shift from inputs to outcomes is an interesting reflection of what we are trying to achieve with the support that is available. We are trying to ensure that young people's needs are best met so that they can fulfil their potential, so the focus will increasingly be on the outcomes that can be achieved. A crucial determinant of outcomes is proper support being put in place to meet individuals' needs.

**The Convener:** I will go back to the point about education being the responsibility of the local authorities. I note that it is, as you rightly said, about getting it right for every child. What role does the Scottish Government have if there is a clear disparity such that some local authorities are getting it more right for every child than others?

**John Swinney:** Our approach is essentially to create the frameworks within which additional support needs are met, to create those expectations on local authorities and to ensure that they work to deliver. Inspection also has a crucial role in assessment and guaranteeing that the interventions that are put in place at local level are of the quality to achieve what we all expect, given the statutory framework that the Parliament has provided.

**The Convener:** Thank you, cabinet secretary.

**Ross Thomson (North East Scotland) (Con):** The committee has received from teachers quite overwhelming evidence that they have limited ability to support pupils who have additional support needs because of cuts in the number of teaching assistants. That has come from witnesses and written submissions to the committee. Sylvia Haughney stated that things were better twenty years ago when she was training for the profession. She said:

"We had direct training from psychologists and speech therapists to give us some understanding and knowledge of what we were looking for ... That approach has gone."—  
[*Official Report, Education and Skills Committee*, 1 March 2017; c 13.]

How do you respond to that?

**John Swinney:** I saw the evidence that the committee heard last week. Obviously, there are elements of that evidence that are troubling. The example that, I think, Ms Haughney cited about training for autism awareness was, in my view, wholly unacceptable. As a consequence of that, I have made inquiries of Glasgow City Council to establish its view on that. I think it is important that I do that. Glasgow City Council has provided me with what I can only describe as very comprehensive information on the framework with which it deploys training to people who will be

responsible for supporting pupils with ASN, and particularly those on the autism spectrum. I have, in front of me, the provision and good practice document from Glasgow City Council, which, in my estimation, is a very comprehensive reference guide to what the local authority expects of its staff. It is important to put that on the record, to ensure that the committee hears about it.

I am not a spokesperson for Glasgow City Council, but I wanted to satisfy myself that it has in place a strong framework for handling such issues. I have seen the provision and good practice document, the good practice document that is the practical manifestation of that, and the specific training that the council has put in place for autism spectrum disorder—all of which appear to me to be very comprehensive frameworks. That is what I think all of us would expect of a local authority, and I am glad to see that it exists in Glasgow City Council. I was surprised by the evidence that the committee heard last week; in my estimation, what was said is not a charge that I would level at Glasgow City Council.

I put that on the record simply to say that although it is important to listen to evidence from individuals—we have to take evidence seriously—it is also important that we look at the arrangements and the frameworks that are put in place, and that we take steps, as the Government does, to support families to ensure that they receive the support and assistance that they require to meet the educational needs of their children. That is the type of arrangement that we have to have in place to make sure that the needs of young people are met in all circumstances.

Finally, I made reference in my original answer to the convener to the role of the tribunal. The law is quite clear that there is a role for the additional support needs tribunal to ensure that families that feel thwarted in their dialogue with public authorities can seek recourse to the tribunal to resolve an issue. The guidance that we give to local authorities—and the approach that I think many local authorities aim to take—is that they should avoid going to tribunal by satisfactorily addressing, at the earliest possible opportunity, the issues about which parents are concerned. Acting in that fashion strikes me as being the most effective way to deal with such matters.

**Ross Thomson:** I thank the cabinet secretary for his answer. He has pre-empted some of my questions, so I thank him very much—particularly for addressing the example that was raised by Sylvia Haughney to do with “The Big Bang Theory”.

In the submissions, a number of teachers make it quite clear that they have seen an impact due to the reduction in the number of teaching assistants, in particular. There has been quite a marked

decrease. Do you see a correlation with the support that is available? Also, what steps does the Government intend to take to improve on that?

**John Swinney:** The first thing that I will say is that I acknowledge that there are challenges in public expenditure. The Government works assiduously to try to address them. They are, of course, caused by the fiscal environment in which we operate, Mr Thomson, which is a product of political decisions with which you are closely associated.

**Ross Thomson:** You are, too.

**John Swinney:** Yes, I acknowledge that, Mr Thomson—

**Ross Thomson:** Good.

**John Swinney:** —but I also recognise that the fiscal environment of the UK makes the situation challenging for us. Obviously, if the Scottish Government had taken a different course—for example, to pass on a tax cut in the budget—there would be less money available for public services for the forthcoming financial year.

10:15

On the number of support staff who support pupils with additional support needs, there were 12,572 in 2008 and 12,883 in 2016. The latest data available to me on what local authorities spend on additional support needs shows that the spend increased by about £5 million and the total amount of expenditure was £584 million, which was 12 per cent of the total education spend. The numbers are therefore increasing. Of course, many more children are being identified as having additional support needs, but that is because of the change in the classification of young people with additional support needs and the broadening of definitions, which took place in 2011-12.

**Ross Thomson:** I have one more question, if that is okay, convener.

**The Convener:** If you are brief—we have a lot to get through.

**Ross Thomson:** First, I make the point that the financial environment in an independent Scotland would be an awful lot more challenging.

We received a large number of submissions from parents in particular, who suggest that access to resources to support their children is patchy across the country, with some parents having to persist with requests and support for children sometimes depending on how persistent their parents are. That has come through clearly in some of the evidence that we have had. What steps can the Scottish Government take to ensure that there is more equal treatment for parents and

that they do not have to keep fighting against the machine?

**John Swinney:** There are a couple of important issues there. The statutory framework gives local authorities, as democratically elected organisations, the authority to take forward their responsibilities for the support that we are discussing. Members of the Scottish Parliament frequently take exception to my intruding on the roles and responsibilities of local authorities. If I were to follow the logic of his question, Mr Thomson would have me stipulating much more directly to local authorities what they should and should not do in terms of provision. That would be a political choice, but statute gives local authorities the ability to design the approach in their locality.

The Government does, in essence, three things in this area. First, we preside over a legislative framework that provides recourse for parents who are frustrated by the support that is available to their children. Secondly, we fund enquire, which is a national advice and information service that supports parents and equips them with knowledge and information to help them to navigate their way through the system to ensure that the needs of their children are met. Thirdly, the Government presides over a policy framework that is anchored in the concept of getting it right for every child, and every local authority in the country is signed up to GIRFEC. We have to work in partnership with local authorities to ensure that they have in place the necessary approaches to ensure that the needs of every single young person in the education system are met.

**Richard Lochhead (Moray) (SNP):** I am tempted to say that most parents I speak to would rather have taxpayers' money spent on issues such as education than on nuclear weapons, but I will not go down that route in response to Ross Thomson's comments on independence.

**The Convener:** Thankfully, you are not going to go down that route, so we can get on with discussing education.

**Richard Lochhead:** On the issue of resources, the area of additional support needs is very complex because the situation across local authorities is variable. In addition, every child has different needs, so it is difficult for us to get a national picture of support needs as we take forward this debate. However, we have heard in evidence time and again that ensuring that we do get it right for every child is a question of resources, especially for those who have additional support needs. Do you think that when the Education (Additional Support for Learning) (Scotland) Act 2004 was passed, the Parliament and the Government envisaged the resources that would be required to ensure that we could properly implement its provisions?

**John Swinney:** I think that Parliament in 2004 recognised the position, in the sense that I do not think that it was under the illusion that legislation of this type would not require a level of expenditure per pupil that would be significantly different from the level that would be allocated routinely for primary or secondary education. Parliament was clearly aware that this would be a more costly type of provision to put in place. However, I think that Parliament was mindful of the importance of ensuring that we took steps to address the needs of every child, and that those needs should be effectively met within our education system, whether that was in a mainstream environment or a special environment that was available for young people with particular needs.

I think that Parliament was cognisant of the issues when it passed the legislation and put in place a framework that is designed to serve young people extremely well.

**Richard Lochhead:** Like you, I was in Parliament in 2004 and voted for this legislation. However, never for a moment did I think that there would be such a huge demand on resources to fulfil its aims. I suspect, therefore, that the public purse has been unprepared for the demands of additional support needs.

I am trying to work out how we can arm parents with the ability to hold their local authorities to account on the question of whether local authorities are devoting appropriate resources to additional support needs. Is there a way in which we could do that on a national basis? Have you given any thought to how we can ascertain what the situation is? I know that the Care Inspectorate goes into schools and determines how they are fulfilling their obligations, but how do we get to the bottom of the question of the resources that are allocated?

**John Swinney:** Fundamentally, I think that this issue has to be addressed through a number of different steps. There are various opportunities to ensure that the needs of children and young people are being met appropriately in the system.

At the very start of the process, where the education needs of a young person are being identified as not being mainstream educational ones—that is, where a young person has additional needs—it is important that that is addressed properly at the earliest possible opportunity. In our approach, in our frameworks and in our guidance to local authorities, we place an emphasis on that period. We want to ensure that early intervention on those questions delivers what families are looking for. Our system is designed to do that. Obviously, if that does not happen, families have recourse to individual decision making processes in local authorities,



and the issue can ultimately end up at a tribunal, which will determine whether the needs of a young person have been met, consistent with the legislation that Mr Lochhead and I supported in 2004. Obviously, working through all that to get to a tribunal is an extremely stressful journey for families who are already dealing with tremendous stress. Therefore, the emphasis has to be on the earliest possible intervention that will resolve issues.

Bearing in mind the point that I made to Mr Thomson about the proper role of local authorities and the need for them to exercise their functions and to be held to account in that regard, I would be interested to hear the committee's view about how we could place greater obligations on local authorities to ensure that those needs are met at the earliest possible opportunity. That approach would give us the best opportunity to address the needs of young people in our system.

**Richard Lochhead:** As we are having a big debate on additional support needs and the two subjects are not unrelated, will the cabinet secretary also acknowledge that emotional and disruptive behaviour is an issue that teachers constantly raise, as it makes them unable to give children enough time in the classroom to be taught properly?

**John Swinney:** That is a product of the additional support needs debate, and it is an area where we have to ensure that we have in place support and assistance. I see many good examples of such support being put in place but, equally, I deal with constituents and meet parents who have their frustrations about the issue, and I hear from members of the public around the country about the frustrations that Mr Lochhead raises. It is important that local authorities put in place the arrangements and the support that meet the needs of young people in their educational setting.

We also have to be open to the fact that the needs of some young people will not be met within a mainstream educational environment, and more focused support has to be put in place to address those issues. The judgments about that are implicit in the review of the mainstreaming guidance that I am taking forward.

**Gillian Martin (Aberdeenshire East) (SNP):** I have a brief supplementary that leads on from Richard Lochhead's comments about support to help parents if their children have challenges in school. I want to look at that issue from the perspective of teachers. If teachers feel that they are not getting continuing professional development, is that something that we can look at? Can we hold local authorities to account if teachers feel that they are not getting the specific

CPD that will enable them to help those children in the classroom?

**John Swinney:** Certainly there is a need for CPD to be available for members of the teaching profession across this and a range of other issues. Of course it is important that it is delivered in all circumstances around the country.

**Ross Greer (West Scotland) (Green):** Cabinet secretary, one in seven of the additional support needs teachers who were in post in 2010 is no longer there, because one in seven of those posts has been cut. We have in the past debated the cause of that. Why, in your recently announced recruitment drive for new teachers, does none of the proposals specifically address additional support needs teaching?

**John Swinney:** The proposals that I have announced are about ensuring that we identify new routes to encourage more recruits to come into teaching. The range of teachers who meet the needs of young people in an educational setting is broader than just those who are identified as teachers who are focused on additional support needs. However, we also have to make sure—this is part of the on-going dialogue that we have with the initial teacher education system in Scotland—that, in the ITE activity, due account is taken of equipping new teachers with the skills that they require to support young people with additional support needs.

**Ross Greer:** I agree with you that, with one in four young people being identified as having an additional support need, they cannot be—and do not need to be—all taught specifically by ASN teachers.

However, on the point of all teachers being equipped to support young people with additional support needs, one of the proposals in your recent recruitment drive discusses combining the one-year postgraduate course and the one-year probation. Concerns are being raised that that would limit the opportunity for new teachers to receive adequate training in supporting young people with additional support needs. As there are such clear issues with mainstream teachers being able to support young people with additional support needs, why are we reducing the amount of time that new people in the profession will get to gain those skills?

**John Swinney:** That is one of a number of proposals that have been brought forward by the colleges of education, at my invitation, to identify routes by which we could encourage more teachers to come into the classroom and get them there quicker. But—there is always a “but” in this area—those routes cannot compromise the standards that are expected by the General Teaching Council of Scotland. All of them have to

be considered, verified and certified by the General Teaching Council, and they might not all get there. I think that it is important that I put on the record that they are proposals and that the issues that Mr Greer raises are legitimate issues for the General Teaching Council to consider in order to assure itself that the quality threshold that we expect of all teacher education in Scotland is maintained by each one of those routes.

I have invited the colleges of education to come forward with proposals, but I will not be the decision maker about whether they pass the test; the independent General Teaching Council for Scotland will determine that issue.

10:30

**Ross Greer:** I accept that, but do you think that teacher training courses offer adequate time and opportunity for training in additional support needs?

**John Swinney:** Yes, but I will listen to evidence that suggests the contrary, and I will happily discuss with the colleges of education whether initial teacher education is generating the breadth of expertise that is required for members of the teaching profession.

**Ross Greer:** The evidence that the committee has received indicates that; I would be happy to take that up with you.

**The Convener:** Thank you. I call Ross. Sorry—Fulton. [*Laughter.*]

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** You are my next-door neighbour in the Parliament, so I thought that you would get my name right.

My line of questioning has been mostly covered and I am glad that the cabinet secretary has had the opportunity to outline for the record the role of local authorities in this key area. If we accept that additional support needs are part of the overall attainment issue, how might the attainment fund be used to help to close the gap with this group of young people? What role might individual headteachers have in that?

**John Swinney:** The performance of young people with additional support needs has improved; 86.2 per cent of those pupils have a positive destination, and that figure is up on previous years. A rising proportion of pupils with additional support needs are leaving school with one or more qualification at Scottish credit and qualifications framework level 5 or better. The improvement in performance of young people with additional support needs is encouraging.

Mr MacGregor is correct that part of the attainment gap that has to be closed relates to the

performance of young people with additional support needs. The focus that can be delivered in schools through pupil equity funding can enable headteachers to take decisions that will directly address the requirements and circumstances of young people with additional support needs and make sure that those can be best met. There is every opportunity to do that and, because of the mechanism that we have chosen, it rests with headteachers to take forward that agenda.

**Fulton MacGregor:** Thank you.

**The Convener:** That was Fulton MacGregor, folks.

**Johann Lamont (Glasgow) (Lab):** I have a couple of questions about the reality of support for additional support needs in schools. The cabinet secretary will be aware of the reports from Enable Scotland and from the National Association of Schoolmasters Union of Women Teachers—the NASUWT. Does he regard those reports as legitimate in terms of telling us about what is happening in our schools?

**John Swinney:** Yes.

**Johann Lamont:** I note what has been said about training. On the definition of mainstreaming, I was there back in the day when the argument made by parents about the presumption in favour of mainstreaming was utterly compelling, because it was to the benefit of all young people in a school setting to learn together. One matter that has come up is that personal support assistants may be well trained but they are now stretched across two or three classes, instead of concentrating on one or two children, or on one class. Is that reasonable support? Some young people with additional support needs may be in the main stream but only be expected to attend a couple of days, or a couple of mornings, each week, because the support is not there. Is that mainstream education?

**John Swinney:** That would not strike me as mainstream education. In general, it does not strike me as education that would fulfil the potential of young people, because they have to be given every opportunity to fulfil their potential in every respect. I do not think that the example of part-time education that Johann Lamont cites is satisfactory.

I probably come at the issue from the same perspective as Johann Lamont, in that I believe fundamentally in the principle of mainstreaming. I have seen some fabulous examples of it at work. I would like to share an anecdote with the committee. Some months ago, I was at St Roch's primary school in the east end of Glasgow, which has many children who are hard of hearing. I went into one class and, as I started to speak to the class about some project work that was on the

wall, I was stopped by a boy in the class, who came up to me with a loop, which I had to put over my head, so that one of his friends could hear what I said. I thought that the fact that that young boy was looking after the interests of one of his pals in the class demonstrated the power of inclusive education.

That is an illustration of where mainstream inclusive education is working very effectively, but we must be satisfied that that is what young people are receiving, which is why it is important that we go through the exercise of looking at the guidance. We must be satisfied that the guidance enables local authorities to come to the correct conclusions—in partnership with families—about what will meet the needs of young people. Enough cases come to me, either as a constituency member of the Scottish Parliament or as a minister, for me to know that families are expressing frustration about that point. The balance as to whether the needs of a young person can be met in a mainstream setting or whether they need a different educational setting is a very fine one to strike but, in my view, the judgment on that should be driven by the educational needs of the young person.

**Johann Lamont:** Enable Scotland says:

“truly inclusive education is still far from a reality for young people who have learning disabilities”.

The NASUWT has said—and we have had evidence to this effect—that, for many young people, mainstreaming is far from a reality. I hear what you say about how effective and powerful mainstreaming can be, but there is no doubt that there are phenomenal pressures inside schools. Where are those pressures coming from if we accept that local authorities and members of the committee are, as the Government is, committed to the policy? What is the solution to the various problems that are being encountered with mainstreaming, such as the problem of part-time education or the personal support assistant who has to cover three classes rather than one?

A hugely experienced primary school teacher of 40 years' standing, who is an unbelievably committed professional, told me that the job has never been as hard as it is now, and that the pressure in the classroom from the point of view of the support that teachers get to do their job is immense. What is causing that? How do we address the situation?

**John Swinney:** The fact that there is a range of needs in the classroom means that local authorities will be presented with scenarios that they must make judgments about as regards whether the appropriate skills and resources are available to support young people in fulfilling their

educational potential. Fundamentally, those judgments will be made in schools.

As I said in my response to Fulton MacGregor, the Government has put in place resources and taken an approach to enable schools to have more opportunity to determine what will best meet the needs of young people in their educational setting, and we look to schools and local authorities to work in partnership to deliver on those objectives.

**Johann Lamont:** You mentioned the fiscal pressures that you are under. Would you accept that local authorities are under resource pressures as a consequence of decisions by the Scottish Government and that, because the resources that are now available to meet the support needs of young people are under pressure, the mainstreaming policy is under pressure? Do you share my concern that many young people's experience of mainstream education is one of failure? Given the existence of those pressures, the danger for the policy is that the young person with additional support needs will be seen as the problem. How do we address the issue if we cannot address the provision of resources to local authorities as part of our consideration?

**John Swinney:** I will make two strategic financial points in response to the issues that Johann Lamont has raised. First, a recent Accounts Commission analysis showed that the reductions in Scottish Government funding from the UK Government and the funding implications for local authorities in Scotland are of largely the same magnitude. The level of reductions in the Scottish Government's budget has largely been reflected in the local authority situation in general. That means that, in challenging budget environments, local authorities have been treated fairly in the process.

Secondly, the figures indicate that, in the previous financial year, there was a 2.7 per cent increase in local authority education expenditure and a 1.9 per cent real-terms increase. In addition, the Government has put in place pupil equity funding that invests directly in 95 per cent of the schools around the country to ensure that there are new resources to provide additional interventions that will help us to close the poverty-related attainment gap in Scottish education. That will also help in the context of mainstreaming.

My final point goes back to the point about the attainment and achievement of young people with additional support needs. I accept that parents will be frustrated because their children cannot achieve all that the parents think that they should be able to achieve because of certain types of support not being available to young people with additional support needs. However, I go back to the statistics that I put on the record earlier about the rising proportion of young people with

additional support needs who are securing qualifications at SCQF levels 4 and 5 over the past few years. That is a welcome indication that young people are fulfilling their potential in the education system in Scotland.

**Johann Lamont:** So you do not accept the evidence of Enable Scotland and NASUWT, and the anecdotal evidence that we have heard in our communities, that the situation with regard to the mainstreaming policy is very tough, that teachers and families are highlighting major challenges with the support that young people are actually getting, and that teachers and support staff have challenges in making it all work.

**John Swinney:** I have said that I take seriously the reports by Enable Scotland and NASUWT. I have also indicated that I can clearly see that there are challenges and strains within our education system. However, I am pointing out to the committee that, even in the context of the financial constraint and the pressures under which we have operated, we can see the achievements of pupils with additional support needs continuing to rise, which I think is a welcome trend.

**The Convener:** Thank you, cabinet secretary. We are going to move on to the issue of personal and social education. First, though, you mentioned earlier the option for parents to challenge local authority decisions. Can you clarify for the committee which children can have their cases considered by a tribunal? Am I right that not all children can do so?

**John Swinney:** The tribunal will make its judgments based on the cases that come to it. Obviously, processes will be undertaken first in a local authority to address any issue, but the opportunity to go to a tribunal exists if the case passes the tests that are set out in legislation.

**The Convener:** Right. Thank you.

Last week, the committee wrote to you detailing all the ideas that came from a very constructive session that we held on personal and social education. There is clearly some inconsistency in the delivery of PSE, and the ideas that were sent to you focused on how that could be improved. Do you have comments on the potential merits of the ideas that were raised by the young people who gave evidence last week?

10:45

**John Swinney:** Fundamentally, I am open to ensuring that we address those issues. As I set out earlier, personal and social education covers a range of topics that are distributed through the curriculum under the theme of health and wellbeing. Health and wellbeing is one of the three primary curricular areas, alongside literacy and

numeracy, that are deployed across the curriculum.

The nature of our curriculum is that we do not have a national template—we do not specify at national level that this or that must be taught. It is very much up to the teaching profession to formulate approaches in the classroom that meet the expectations of the guidance on the curriculum. That is inherent in the thinking behind curriculum for excellence. I am certainly happy to look at the elements of personal and social education and at the issues that have been raised with the committee so that we take every step that we can to ensure that the education is more consistent and that it is meaningful to young people where it is deployed.

**Ross Greer:** Do you believe that every young person gets sex and relationship education that is relevant to them? To pitch it another way, do you believe that every school delivers relevant and useful sex and relationship education?

**John Swinney:** That is a difficult question for me to answer for 2,500 schools in the country. We have set out very clear guidance on those questions. One of the six elements that I talked about earlier is on relationships, sexual health and parenthood. The guidance sets out that we expect that to be undertaken in every school in the country. I can certainly assure Mr Greer that, when it comes to inspection, Education Scotland will assess and consider those issues as part of its inspection approach.

**Ross Greer:** The evidence that the committee has heard suggests overwhelmingly that young people do not receive anything like consistency in sex and relationship education. For example, almost nine in 10 lesbian, gay, bisexual and transgender young people are not receiving an education that is relevant to them, and huge numbers of young people are not being educated about consent, which seems like an essential principle—a starting principle—in that education. This month, the UK Government has tabled a bill to make personal, social, health and economic education mandatory. The aim is not to specify line by line exactly what every young person is to be taught; it is to ensure that there is a minimum standard that all young people are guaranteed. What is your reaction to that? Will the Scottish Government consider doing something similar?

**John Swinney:** My fundamental response to that is that, obviously, we do not operate in the same education system as prevails in England. My second point is that the Government attaches great significance to that question, which is why, in the direction that was given in August last year by the chief inspector of education to all teachers in the country, one of the key messages was to prioritise literacy, numeracy and health and

wellbeing across the curriculum to ensure that all learners make the best possible progress. Health and wellbeing includes an emphasis on relationships, sexual health and parenthood.

Mr Greer talked about a number of issues, including issues around consent, and I unreservedly agree with him about the importance of young people understanding the question of consent. He also raised the issue of lesbian, gay, bisexual, transgender and intersex young people and the education that is available not just for them but for all young people about LGBTI issues. As Mr Greer will be aware, I have agreed to the request of the Equalities and Human Rights Committee for it to have time to reflect further on those questions before the Government publishes our updated anti-bullying guidance. Ordinarily, we would have published that, but the committee asked me to give it an opportunity to reflect further on the information, and I have happily agreed to that.

The issues that Mr Greer raised are important and are ones on which we must satisfy ourselves that the guidance is effective. That brings me back to his fundamental question about our approach. In the Scottish education system, our approach is to ensure that the guidance is effective—that is how we assure ourselves that the correct approach is being taken in schools. We also have the inspection arrangements and mechanisms to ensure that that can be followed up.

**Ross Greer:** I accept that the curriculum for excellence has a flexible approach and I support that, but our policy making should be evidence led. The evidence on PSE is that a flexible approach is resulting in inconsistencies in areas in which essential life skills should be delivered to all young people.

In a lot of our evidence, PSE seemed to come up as something that was undervalued in schools, because it is not an assessed subject and it does not feature prominently in inspection reports. How can we make PSE more valued in schools, acknowledging that, often, the issue at the core of the matter is teacher workload? When teachers are under pressure, the priority for them is to get young people through assessed subjects.

**John Swinney:** Fundamentally, the purpose of curriculum for excellence—this is at the top of the requirements—is

“to help children and young people to become successful learners, confident individuals, responsible citizens and effective contributors”.

We look to the teaching profession to take those aspirations and turn them into reality in every one of the 2,500 schools around the country. I fail to see how we can do that without the emphasis that the chief inspector of education has put on health

and wellbeing by saying to every teacher in the country that there are three superior curricular areas: literacy, numeracy and health and wellbeing.

If we believe in the structure of our curriculum arrangements, whereby we put in place a framework at a national level that sets out our aspirations to make sure that young people are equipped with the capacities to face the modern world, we rely on the teaching profession to put that into practice at local level. I cannot see how that can be done convincingly and effectively, meeting the needs of young people, without health and wellbeing being central to the approach that we take. That is why it is so prominent in the commentary of the chief inspector of education.

**Ross Greer:** Thank you.

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** One of the things that struck me when we took evidence on PSE a week or so ago is the sheer breadth of subjects that were suggested by the people who gave evidence and in the submissions that were made. In isolation, each of those subjects is valid and useful, but there are so many of them. Some might be picked up elsewhere in the curriculum, but a great many are not. We are saying that we will not be prescriptive with the local councils or local schools that determine the subjects, but should some subjects be mandatory? Should some subjects be prioritised?

**John Swinney:** That is reflected in the answer that I just gave to Mr Greer and is in what the chief inspector of education set out to the teaching profession. There are eight curricular areas in the curriculum for excellence, but the chief inspector is crystal clear in his documentation that planning should prioritise literacy, numeracy, and health and wellbeing across the curriculum. That is in the direction that he has given.

It is important that that prioritisation is reinforced by clarity about what one might expect to find in health and wellbeing—that was part of Mr Greer’s point about consistency across the country. That must be reflected in all circumstances so that, as we have attached that priority to health and wellbeing, it is followed through in schools across the country.

**Colin Beattie:** Given the validity of many of the other aspects that we would like people to be trained or at least educated in, is there a danger that we are expecting teachers to cover too many subjects? I would not expect teachers to have all the necessary skills and training to deliver on each and every item that is being put forward. Even if it was distilled to a smaller number, it would still be a big ask.

**John Swinney:** There are opportunities for teachers to deliver those elements of the curriculum. They can also bring in resources and external parties that might well make an impression in relation to some such questions. Around the country, there are very interesting projects—schools are inviting external organisations to come in to provide education on certain issues, such as substance misuse. Effective communication with and education of young people by external organisations, facilitated by teachers, can give young people beneficial insight. Curriculum for excellence is structured to encourage that.

**Colin Beattie:** Another aspect is that schools allocate limited time to PSE, which limits the number of subjects that can be discussed.

**John Swinney:** We should not expect the requirement to cover the issues to be fulfilled just by the time that is allocated to PSE, because—to go back to the chief inspector's guidance—health and wellbeing is identified as the responsibility of everyone in a school, so it is not just about what is done in the allocated time for PSE. Throughout the curriculum, young people have various opportunities to explore health and wellbeing issues that will meet the expectations of the curriculum.

**Gillian Martin:** I declare an interest, as my husband is a guidance teacher and my question is about how the training for guidance teachers might be a route for addressing some of the problems that the young people who spoke to us had with PSE. The quality and training of guidance teachers seem inconsistent. Given that most guidance teachers went into secondary teaching to do a subject and became guidance teachers later, can we address that issue through teacher training? Perhaps anybody who is going to teach guidance should have to do a specific course to qualify to become a guidance teacher.

I have mentioned to my colleagues that becoming a guidance teacher is seen as a route into management by some people, when in fact a person should opt to become a guidance teacher because they want to be a guidance teacher and they want to be effective at PSE. I am interested in your thoughts on that.

**John Swinney:** One of my general priorities is to strengthen the focus on continuing professional development in education. A lot of the steps that I am taking to declutter the curriculum and reduce the volume of advice and bureaucracy are about creating the space and the capacity for teachers to do CPD.

Gillian Martin makes an important and appropriate specific point about making sure that guidance professionals are equipped to support

young people as effectively as possible and to assist with their wellbeing. That is likely to carry over into the additional support needs issues that we considered a moment ago.

**Gillian Martin:** We talked about how you are discussing with the GTCS and education colleges how teacher training could be adapted to best reflect the increase in demand for ASN support. However, the point was thrown up the other week that PSE training perhaps needs to be given some sort of boost or overhaul to be able to adapt to new circumstances and pressures in relation to things such as consent, the use of the internet and social media, and all the issues that are thrown up as a result.

11:00

**John Swinney:** As I have indicated in my answers, I am open to considering that question. We had been planning to produce further guidance on relationships, sexual health and parenthood, but committees have asked me to provide them with the opportunity to reflect on that further and I have agreed to that. I would have expected that guidance to be available by now, but I am happy to engage with parliamentary committees on the question. This committee's work and inquiry may open up a wider issue that I am happy to consider.

**Gillian Martin:** When talking about PSE, it would be remiss of us not to refer to some of the evidence from Jordan Daly from the time for inclusive education—TIE—campaign, who said:

"The obvious elephant in the room is faith schools and their position on what they are prepared to teach. It is not acceptable to continue to allow opt-outs on moral grounds as there are LGBT young people in faith schools"—[*Official Report, Education and Skills Committee, 22 February 2017; c 20.*]

who do not have the same PSE provision as those in other schools have. That is an issue. It is controversial, but perhaps we need to consider it.

**John Swinney:** We need to be mindful of that issue. It is important for young people to be equipped to deal with the modern world. Faith schools in Scotland have a particular perspective on how to equip young people with the knowledge and awareness to address the world in which we live. We have to work constructively with those schools to ensure that young people are equipped in the best way possible to deal with the challenges of the world as they find it.

**Tavish Scott (Shetland Islands) (LD):** On Gillian Martin's sensible last point, the evidence that we got was that faith schools are not equipping young people. That is the point. I understand the need for the cabinet secretary to

be intensely tactful on the matter, but he may wish to reflect on the evidence.

I have a question that relates to Gillian Martin's point on guidance teachers. Should guidance staff have a much broader range of skills than just teaching? In other words, should they have a social work background and a youth work background, particularly in the context of PSE and the rather alarming evidence that Ross Greer cited?

**John Swinney:** There may be a case for that and it is certainly something to consider. The other way to look at the issue is to consider how guidance staff can facilitate the coming together of such skills to meet young people's needs.

It might be quite difficult to recruit individuals who passed the matrix that Mr Scott just talked about of having an education, social work and community development background. It would be difficult to get that breadth, but it is possible that guidance staff will be able to establish connections with other professionals, who should be able to work together to meet young people's needs in a school setting and put together a proposition for the delivery of health and wellbeing in the curriculum that fulfils what we would all like to be delivered. That might not be able to be embodied in one individual, but guidance staff need to be well connected to deliver health and wellbeing in schools.

**Ross Thomson:** In your answer to Ross Greer, you spoke about the guidance that is available to schools. I understand that there is no requirement on schools to act on that. Do you have any idea how many schools are delivering on the guidance and how many are not?

**John Swinney:** That comes back to Ross Greer's question about whether I can be certain that something is happening in 2,500 schools in the country. I cannot answer that question definitively. The Government puts in place the framework and guidance and it relies on teaching professionals the length and breadth of the country to implement that in their educational settings.

**Ross Thomson:** My question follows on from Gillian Martin's point. In his evidence to the committee, Jordan Daly stated that

"86 per cent of LGBT people ... reported that LGBT issues were never discussed or taught in their schools".—[*Official Report, Education and Skills Committee*, 22 February 2017; c 14.]

I do not know whether the cabinet secretary is aware of yesterday's press report about a young boy of 14 committing suicide. I urge caution, because we do not know the reasons, but it was reported that that was because he had recently

come out as gay and had suffered severe bullying at school.

I ask—not as an MSP or a member of the committee but personally, as I have been bullied simply for who I was—whether the Government intends to act with urgency. I appreciate what the cabinet secretary is doing in relation to the Equalities and Human Rights Committee, but will there be urgency from the Government on the issue?

**John Swinney:** I have seen the press reports to which Mr Thomson refers, and the committee will understand that I am not in a position to comment other than to express my deepest sympathy to the family of the young man in question. I cannot imagine what they are experiencing.

On Mr Thomson's substantive point about bullying, my view is that bullying is reprehensible in any shape or form. We have a clear expectation that the education system will tackle bullying and support young people in all their needs. We are looking carefully at the issues that the TIE campaign has raised. I willingly agreed to the request from the Equalities and Human Rights Committee to look into the question further, and I will move as quickly as I possibly can on that.

We want to get our approach correct, because there is a fundamental statutory obligation on schools to follow the guidance that we set. Given that Parliament has created a statutory environment around addressing bullying, we want to ensure that young people's expectations are met in their experiences of the school system.

**Ross Greer:** I refer to Gillian Martin's previous point. Does the cabinet secretary believe that it is acceptable for a school not to teach LGBT young people about their own lives and identity if that school has some kind of moral issue with that?

**John Swinney:** It is important that young people are equipped to face the world, to know themselves and their own sexuality, and to have an awareness of all the questions around sexuality, and they must be equipped to enable that to be the case.

**The Convener:** We move to questions on the delivery of curriculum for excellence.

**Liz Smith (Mid Scotland and Fife) (Con):** Mr Swinney, I would like to ask about the letter that you sent to the committee last week, and particularly about the criticism that you have levelled at the committee for some of the evidence in our report. You have stated strongly that you do not believe that our report was based on an assessment of "sufficiently broad evidence", and I note that that has been reported in *The Times* this morning. You go on to state that, because the evidence was from a survey dealing with only 1

per cent of Scotland's publicly employed teaching workforce, you believe that it was biased. However, do you accept that that was only one part of quite a lot of evidence that we received, which included representations to us from bodies that represent quite a number of teachers, such as geographers, modern studies teachers and computing teachers, as well as a number of teaching unions, and quite a number of people who have made observations on education and particularly on curriculum for excellence? Was your comment a wise one?

**John Swinney:** The first thing that I want to say is that at no stage have I used the word "biased". I want that to be clearly understood by the committee. That was Liz Smith's word and it is not one that I have used.

**Liz Smith:** It is one that has been reported in the press.

**John Swinney:** It is not one that appears in any communication that I have made, so I do not want it associated with me. I put that firmly on record for the committee.

What I have said is that the committee's reliance on the survey is not indicative of a balanced view of all the available evidence, given that the education organisations themselves commission feedback from members of the public and the individuals with whom they interact, which provides different perspectives on the performance and impact of those organisations.

For example, in the surveys that were carried out after Education Scotland inspections, the overwhelming majority of respondents—if my memory serves me right, the figure is possibly in excess of 85 per cent—thought that their school was enhanced as a consequence of the Education Scotland intervention through inspection. That, to me, is counterbalancing evidence that the committee should have weighed up in coming to its conclusions.

**Liz Smith:** You were obviously not able to be present at the focus groups that were organised in private sessions. Johann Lamont and I chaired sessions three weeks ago. During those, strong representation was made to us—obviously I cannot go into detail, because of the private nature of the sessions—that made clear the depth of feeling and backed up a lot of the evidence that we took, particularly in the formal committee meetings with SQA and Education Scotland. It certainly backed up a lot of the anecdotal evidence that MSPs are all receiving when we visit schools.

Do you accept that very strong representation is being made to you and to the Parliament that the delivery of curriculum for excellence has fundamental problems that need to be addressed?

**John Swinney:** No.

**Liz Smith:** Will you explain on what basis you believe that that is not correct?

**John Swinney:** To assist me in giving an answer, I would be grateful if you explained the basis of the criticism of curriculum for excellence.

**Liz Smith:** Absolutely. The point that was put to us by the groups that I mentioned is that the actual delivery of curriculum for excellence is confused. You yourself commissioned the abolition of something like 20,000 sheets of guidance, because you rightly thought that it was confusing and was not in the best interests of directing teachers.

The basic problem for many teachers just now is that the fundamental principles of curriculum for excellence, which we all agree are good, have got lost, because the delivery has been clouded in considerable difficulty. That is a very strong message that we are getting from a considerable majority of the people who speak to us. Therefore, I am struggling to find a reason why you think that it is not correct to say that the delivery of curriculum for excellence has fundamental problems.

**John Swinney:** Well, we are going to have a difference of opinion about all this, because I take a fundamentally different view.

I came into office nine months ago with a very open mind about many of these questions and I have looked carefully at what has happened over the years to get us to where we are today. In essence, there has been a build-up of guidance over a number of years, which has been requested by the education system.

The discussions around the issue have been collaborative, involving the teaching profession, as represented by the professional associations; the education agencies; the Government; local authorities; directors of education; and professional advisers in academic and curriculum development. All have worked collaboratively as part of the process and have presided over the growing volume of guidance that has been available to members of the teaching profession.

Since coming into office, I have looked hard at all that guidance, and I required clear and definitive guidance to be issued to every teacher in the country. I, too, get feedback: sometimes in big, formal gatherings, and on other occasions when I am in a school and a teacher stops me and tells me that the guidance has helped to clarify the direction of the curriculum.

Indeed, I think that I have previously recounted to the committee that once when I was standing on the pier at Tarbert ferry terminal in the Western Isles a teacher came up to me and told me that



the guidance had helped them to improve their delivery of curriculum for excellence. Guidance has grown up at each stage of the development of curriculum for excellence; we have now got to the point where we need to provide definitive clarity to assist the teaching profession, and I am in the process of delivering that.

11:15

What went with the guidance that was issued was the delivery of literacy and numeracy benchmarks, which were to give clarity to the teaching profession about what was expected of them at different stages in the journey of young people through the education system. In my opinion, that move has been generally well received by the teaching profession; it is supported by the professional associations and it is viewed as having an effect on the system. Moreover, having listened to the professional associations, before the end of March I will be issuing benchmarks for areas of the curriculum other than literacy and numeracy. I have discussed those with the associations to ensure that the teaching profession has absolute clarity about what it is expected to deliver. In short, a number of steps have been taken over the years to provide the guidance that the profession has been looking for, and we are now in the process of focusing that guidance in the most effective way we can.

Finally, I point out that in its statement of 15 December 2015 the OECD concluded:

“We applaud Scotland for having the foresight and patience to put such an ambitious reform as Curriculum for Excellence in place; we hope that our OECD review will help ensure that it will live up to its full potential and realise excellence and equity right across Scotland.”

The national improvement framework, over which I preside, is designed to deliver against the expectation expressed in the OECD review that curriculum for excellence should

“live up to its full potential”.

**Liz Smith:** If that is all true, I must highlight your assertion in the third paragraph of page 2 of your letter to us that you do not understand why committee members are “unclear” about the lines of

“responsibility for decisions on all matters pertaining to national education policy”.

You then say that the buck stops with you—I think that we all understand that—and that your colleague Fiona Robertson made it “very clear” to us how decisions are made. I must tell you—and I hope that I speak for many members around the table—that we found it incredibly difficult to get out of the education agencies exactly who makes a

decision, the basis on which a decision is made and who, finally, is responsible for that decision.

I think that my colleague Tavish Scott will say a bit more about that. He has—quite rightly—pointed to the fact that although there has been a curriculum for excellence management board for nine years now, it has been very difficult indeed to get any understanding of how decisions are made, the basis on which they are made and who is ultimately responsible for them. Is that not the basic problem just now with curriculum for excellence?

**John Swinney:** No, I do not think that that is the problem. Forgive me if I am repeating things that I have said to the committee at other times when I have appeared before it—I speak on these subjects all the time—but the fact is that Scottish education is a collaborative endeavour. If I wanted to have a discussion about charting a way forward in it, I would not get away with having it in a gathering as small as this committee meeting—this is quite a small gathering—because of the number of stakeholders, including professional associations, local authorities, specialist directors of education, local authority chief executives, professional advisers and our agencies, who need to be around the table.

Let us consider the working group on assessment and national qualifications. I chair it—I do so only because I want to get some movement on the issue as quickly as possible. The Government is represented, as are Education Scotland, the Scottish Qualifications Authority, the Educational Institute of Scotland, the Scottish Secondary Teachers Association, the NASUWT, School Leaders Scotland, academic advisers from Glasgow and Strathclyde universities, the Association of Directors of Education in Scotland, parents, the National Parent Forum of Scotland, the colleges and the universities. I was not counting, but I think that I have mentioned 17—

**Liz Smith:** The issue is who takes responsibility for the decisions.

**John Swinney:** I am coming to that.

That is my explanation: there are many stakeholders who have to be brought together. My letter could not be clearer. I am accountable to the First Minister and to the Scottish Parliament for those decisions. Ultimately, I carry that responsibility, which I accept—indeed, I am articulating it.

It might suit Liz Smith’s narrative every so often to suggest that I am a man of immense power who can dictate that this, that and the next thing will happen around the country, but in coming to the decisions that I arrive at, I must take a lot of people with me. This is not anything other than a collaborative endeavour.

Ultimately, some decisions have to be taken when not everyone is in agreement, and the committee will sometimes feel some of the consequent swell. It will hear from people who do not agree with the decisions that have been taken. In the evidence paper that has been circulated for today's meeting, at one point the committee cites one headteacher saying that pupils should do eight subjects at national 5 level, whereas in the next paragraph it cites another headteacher saying that pupils should do six subjects at nat 5 level. I do not mention that to be critical of the committee; the committee is simply reflecting the fact that there is a wide variety of views about what to do. In my days as finance secretary, once the money was allocated, that was it, but here there is a necessary debate about a range of questions. There will be many different opinions but, ultimately, we have to navigate a way through.

To come back to what I said to Ross Greer, curriculum for excellence was not designed to be a curriculum that would be delivered uniformly in every school in the country. If Liz Smith is a supporter of the principles of CFE—she has just told me that she is—she must accept that point. That means that there will be variation. Fundamentally, curriculum for excellence is driven by the work that is done in every school to achieve the four capacities of successful learners, confident individuals, responsible citizens and effective contributors.

**Liz Smith:** Of course there will be debate, and of course you will have to make difficult decisions; Government ministers do. The point is that, as a committee, we would like to know on what basis and through what process on the management board decisions are made. A wealth of teachers are concerned about that. Unions tell us that they would rather go to the minister than to the CFE board. That is the problem that we have. The lines of responsibility are blurred. When there is a body of opinion that shows that people are not entirely happy with curriculum for excellence, it is very difficult to identify a way of resolving the situation. That is my point.

**John Swinney:** Let us look at the changes to the national qualifications. The assessment and qualifications group considered that issue in detail. A number of papers were put to us and we got to a point in the discussion at which we reached the conclusion that the removal of unit assessment at nat 5 and higher level was the right thing to do. That paper and its contents were put to the CFE management board, which agreed those provisions. I accepted the view of the CFE management board, and that change is being implemented. That is an illustration of how a decision is taken.

**Liz Smith:** I will let colleagues come in.

**Tavish Scott:** This morning, *The Times* is reporting that you judge our paper to be unbalanced. Is that factually accurate? I want to be very clear about the terminology, so that I do not put words in your mouth. Is “unbalanced” the right word?

**John Swinney:** That is the word that I have used in my letter.

**Tavish Scott:** Is your concern about the committee being unbalanced in relation to our recommendations on Education Scotland and the SQA, or is it wider than that?

**John Swinney:** For the avoidance of doubt—I have the letter in front of me—I refer specifically to the areas in connection with the SQA and Education Scotland.

**Tavish Scott:** It is quite important to clarify that.

In the first paragraph on the third page of your letter to the committee, you say:

“Of course, separate, unique responsibilities for implementation of CfE reside with the delivery bodies and the Board”—

I presume that you mean the curriculum for excellence management board—

“has played a key role in holding those organisations”,

which I take to mean Education Scotland and the SQA,

“to account for those responsibilities”.

Could you give the committee some examples of that, because that is what we were trying to tease out in the meeting that we held on 18 January?

**John Swinney:** Let us take a live example: the curriculum for excellence management board's strategic decision to remove the unit assessment. Essentially, it would say, “We have taken that decision. We now want it to be implemented by the Scottish Qualifications Authority, and we want to ensure that that is done in a fashion that satisfies our objectives.” The management board must be mindful of the status of the SQA, which can use its own internal processes and decide its resourcing requirements. However, fundamentally, the management board is looking to the SQA to deliver on the policy choice that has been made.

**Tavish Scott:** Why, then, did Larry Flanagan say in his evidence to us that the teacher workload issues were addressed only when he and his union went directly to the minister—not you, but one of your predecessors—despite many discussions at the management board? In other words, they felt that they got nowhere at the management board and had to take the matter offline directly to the minister.

**John Swinney:** That is a question for Mr Flanagan. I cannot interpret his comments in that

respect and it would not be appropriate for me to do so.

**Tavish Scott:** His evidence was that things started to happen with your predecessor Mr Russell when the EIS spoke to Mr Russell and the response was positive, but that he and his union got nowhere when they raised the issue time and again with the management board.

**John Swinney:** I cannot comment on Mr Flanagan's behalf.

**Tavish Scott:** I understand that.

**John Swinney:** It would be best to put the question to Mr Flanagan.

**Tavish Scott:** We did, and his evidence, which you will have read, is on the record. He also said that Education Scotland would publish guidance, and the SQA would regularly send new exam material to schools, without joined-up communication with or the involvement of the management board. We were under the impression that the management board was there to manage the process of implementing the curriculum for excellence, and the evidence that we got was that that did not work effectively.

**John Swinney:** That is what the structure is designed to achieve—it is designed to ensure that there is a cohesive approach to the implementation of all those questions, in accordance with the implementation plan that all organisations signed up to as part of the implementation of the curriculum for excellence.

**Tavish Scott:** Do you accept that the committee found legitimate areas of concern as to where the management board had not functioned as any of us would understand a management board should function in respect of implementing something as fundamental as the curriculum for excellence?

**John Swinney:** Fundamentally, the management board has to bring together the different and disparate views of organisations that are involved in the process, and not everyone will be comfortable with every detail. There are differences of view around a management board, which must ultimately come to a conclusion about how to proceed.

**Tavish Scott:** One thing that is pretty fundamental is the enormous amount of guidance that was published, which many of us across the political spectrum have given you credit for tackling since September last year. As Liz Smith said, the amount of guidance grew and grew. You would be right to reply that, in many cases, teachers were asking for it, but the fact remains that it grew and grew. The evidence that we got was that at no time did the management board look at that and say, "Gosh, more and more is

coming, so we need to take some off at the bottom end to give teachers some space to teach."

11:30

**John Swinney:** I took steps to reduce the volume of material, and it is interesting that I received some direct criticism from members of the teaching profession about some of the stuff that had been removed. The challenge is to navigate our way through the process of providing the clarity that the profession requires while remembering that one of the key objectives of curriculum for excellence is to empower teachers to make their own judgments about how best to deliver the curriculum in the settings in which they operate.

**Tavish Scott:** That is, indeed, true. It reinforces the finding in the OECD's report of 2015—which I reread last night—that you have cited this morning and many times in the past. It said:

"The complexity of the layers and dimensions, when all are put together, raises its own questions about how comprehensible is the Curriculum for Excellence".

That was on page 45 of the report. What did the management board do about that fundamental finding on the complexity that teachers faced?

**John Swinney:** The management board was responding to the demand for guidance that emerged from the profession at different stages of the journey. I have established a clear focus within the available guidance about what should structure teachers' decision making. In some circumstances, the framework of experiences and outcomes in the curriculum for excellence was interpreted as a tick-box exercise. It was interpreted as meaning that literally every experience and outcome had to be proven to be delivered to every pupil in the country, which is a colossal bureaucratic exercise. That is total nonsense, but it was allowed to emerge through local practice. With the guidance, I have tried to give clarity that experiences and outcomes are the context of learning, but that what we need to be satisfied about are the levels that we expect young people to reach. The benchmarks will deliver those levels, and teachers should be confident of getting young people to them.

**Tavish Scott:** I absolutely accept that, although it is important to remember that there were 1,820 experiences and outcomes, with 1,488 across the eight curriculum areas. Again, that was the OECD's finding.

**John Swinney:** I appreciate the numbers that Mr Scott cites, but that calculation applies to the whole curriculum across all the subject areas over all the years involved. I have been around the houses with Mr Scott before on benchmarks. I

think that he was brandishing in Parliament a volume of benchmarks.

**Tavish Scott:** Brandishing? I never brandish anything.

**John Swinney:** Okay, “waving” is perhaps a slightly less—

**Tavish Scott:** Pejorative, I would say.

**John Swinney:** —pejorative term. Mr Scott was waving at me a vast volume of benchmarks. Those are the benchmarks for the whole system, but only a fraction of them are relevant for a teacher who is dealing with an individual class. Although we might wave big documents around, only parts of them can be relevant at one particular moment in the education system.

**Tavish Scott:** Perish the thought that I wave any more.

You mentioned to Liz Smith that you were going to introduce new benchmarks—I am sure that you will not brandish them; I am sure that you will just introduce them—before the end of March. Will you assure us that those new benchmarks will replace some of the existing benchmarks, guidance and other information, for want of a better expression, that is currently available to teachers in the curriculum areas in which you are about to introduce them?

**John Swinney:** There is an exercise, which is close to completion, to provide clarity on what teachers are expected to achieve in the curriculum areas outwith literacy and numeracy, on which we have already published material. In his circular to practitioners, the chief inspector of education makes it clear that

“the two key resources which teachers should use to plan learning, teaching and assessment are:

- Experiences and Outcomes
- Benchmarks”.

That is the essential clarity that all members of the teaching profession will require.

**Tavish Scott:** Finally, I will just relate to you one of the other paragraphs in our committee report, on teachers themselves:

“teachers may feel inhibited from ‘expressing critical and independent views’ as suggested by the Royal Society of Edinburgh. The Committee is determined that it should have access to the candid views of teachers and front-line staff who have valuable contributions to make to its scrutiny.”

I hope that you share my concerns—and, I suspect, those of the committee—about the fact that we had to ask for teachers to come forward and many said that they would only give evidence to our committee anonymously. That alone says that there is something quite wrong with the

culture of teaching across Scotland. Will you at least accept that we have some issues to address?

**John Swinney:** I want to have an empowered teaching profession—

**Tavish Scott:** I agree.

**John Swinney:** As education secretary, I receive a regular flow of communication—often through my MSP inbox—directly from teachers, which has their names on it. I get lots of communications from teachers, some of which are critical of decisions that have been taken, because there are different views about the right steps to take.

I want to have an empowered profession. I have just put in place pupil equity funding, which I think will be seen in a few years’ time as being one of the most empowering things that we have done for the teaching profession, as it gives greater scope and leadership to the profession. As well as hearing directly from teachers, I speak to teachers face to face without management present when I visit schools; I know their names and they speak to me freely about issues. Some of those conversations are challenging, because there are different views about the right steps to take in education.

**Tavish Scott:** I do not think that the issue is about you at all, cabinet secretary; I think that it is about Education Scotland and the SQA. Teachers were frightened to put their names to their concerns about the operation of the quangos that they have to deal with. That was the main point that the committee picked up on.

**John Swinney:** I see no justification whatever for that. The curriculum for excellence is designed to create an empowered profession and that is what I want it to do.

**Tavish Scott:** Thank you.

**The Convener:** Fulton MacGregor has a supplementary.

**Fulton MacGregor:** It follows on from Tavish Scott’s last point. The weight of opinion that the committee heard runs counter to what I experience in my local schools and what the cabinet secretary has experienced on school visits. Does the cabinet secretary think that the committee has perhaps become a forum for those who are most disheartened by the process? I think that, as politicians, we can all accept that we are more likely to get responses from people who are critical than we are from people who are positive and think that things are going well.

Does the cabinet secretary think that that is a possibility? If it is, what can be done with Education Scotland, the SQA and local authorities

to enable those people's voices to be heard more locally so that they feel that they are getting a chance to affect change? I accept that that is quite similar to Tavish Scott's point.

**John Swinney:** In my letter to the committee, I made the point that

"I expect the highest standards of all public bodies contributing to the education and skills agenda in Scotland".

I expect the SQA and Education Scotland to engage with the teaching profession and to take the views and feedback of its members seriously. That is my position. I want us to have an open dialogue about those points. However, there comes a point when we have to come to decisions and not everybody will like all those decisions.

**Daniel Johnson (Edinburgh Southern) (Lab):** I would like to return to the structures in the curriculum for excellence management board. It is probably fair to say that the committee has had some questions on that issue. On the key issues of the design of the curriculum and the responsibility for monitoring how successfully implementation is taking place, how do you see the respective responsibilities of you as cabinet secretary, the curriculum for excellence management board, the SQA and Education Scotland?

**John Swinney:** Let me answer those points in reverse. The Scottish Qualifications Authority has a specific responsibility, which in my view is twofold. One aspect of it is to preside over an authoritative certification and examination process for our qualifications, and the other is to contribute towards the wider educational process in Scotland. Education Scotland has a responsibility to carry out the inspections that are required by statute. That is its statutory role, and it must also provide me with advice on educational issues and practice, as well as contributing to the general education debate.

The curriculum for excellence management board was created with a responsibility to co-ordinate the implementation of the curriculum for excellence over a number of years' gestation, and it would obviously draw on input from the SQA and Education Scotland. However, as I rehearsed in my answer to Liz Smith, it would also draw on input from a range of other stakeholders as part of that process. The curriculum for excellence management board would give the cabinet secretary advice, guidance and recommendations, and responsibility would ultimately rest with the cabinet secretary with responsibility for education.

For completeness, I have already told the committee that I am looking at whether those arrangements remain appropriate on an on-going basis, and I will consider that as part of the governance review.

**Daniel Johnson:** Thank you. I appreciate that fact.

One of the issues that we identified and asked about was the design of the qualification system and how well that integrated with a broad general education. In particular, we asked about the recommended period of 160 hours, the requirements that that places on schools, and what that meant in terms of the breadth of subjects that pupils were able to take. Setting aside the reality of those impacts, where does responsibility lie for the design of the curriculum, both in terms of the hours that are required for the qualifications and in assessing what that means in terms of breadth? Whose is the responsibility for breadth and deliverability?

**John Swinney:** This will not be a short answer.

**Daniel Johnson:** I did not expect it to be.

**The Convener:** Daniel Johnson always gives us long questions.

**John Swinney:** He has incited a very long answer. If the committee will be patient with me, I will try to work through the question, because Mr Johnson's point is entirely valid and I want to do it justice.

The assumption of the curriculum for excellence is that the broad general education will deliver young people's capability and capacity to a certain level, and the benchmarks that I will put in place at the end of this month will make that absolutely crystal clear across all subject areas. If there is any doubt around the country about what is expected of the broad general education in establishing the competence of a young person, that will be clarified beyond peradventure in the course of this month.

Young people then move into the senior phase. The design of qualifications reflects assumptions about what knowledge young people have acquired in the broad general education and the specifics of what they are required to do in the senior phase.

Mr Johnson has raised the matter of the 160 hours, which he is perfectly entitled to do. That is the SQA's assessment of how many hours a student needs to do to complete a qualification. The danger of how that has been interpreted is that everyone takes the view that the clock starts at the end of the broad general education, when in fact there must be capacities and capabilities that have been acquired during the broad general education that act as foundations for what will contribute to elements of the senior phase and the 160 hours.

That has an effect on some of the planning that schools undertake about the choices and approaches that young people make and take.

Different models exist around the country and schools are free to choose them, although I have been questioned on occasion about whether it would be appropriate for the Government to specify how many subject choices should be available in whatever circumstances.

Fundamentally, the senior phase must be built on the capacities and capabilities that have been acquired in the broad general education and decisions taken at school level about how those should be applied, given the interests and perspectives of young people.

11:45

**Daniel Johnson:** That helpfully anticipates my follow-up question. Two things have been reported to us regarding what happens in secondary 3 and the consequences thereafter, although I am far from claiming that they happen everywhere. One is that, as you alluded to, some schools start to teach national 4 and 5 in S3 in order to get through the 160 hours. Based on the answer that you have just given, I would be interested to know whether you think that that is a valid thing to do.

**John Swinney:** Mr Johnson raises an interesting point, but I will be crystal clear about what I said. I am saying that there will be elements in the broad general education that contribute to national 4, as opposed to saying that schools should teach national 4 in S3.

**Daniel Johnson:** That is helpful clarification. It answers the question.

The other issue that has been flagged up in our work is that, in order to timetable subjects, some schools teach national 4, national 5 and, indeed, higher in a single composite class. Do you agree that that is a signal that there might be design issues and deliverability issues that require further investigation? Do you agree that that does not sound like an ideal way to teach any of those qualifications, let alone a subject in its entirety?

**John Swinney:** I would be happy to explore further detail of the matter, but I think that some of the judgment about that will relate to pupil numbers and the extent to which discrete classes can be put in place for discrete cohorts. School size and rurality may affect that, too. Teachers are accustomed to teaching and are equipped to teach at multiple levels. I have certainly seen successful practice in which the approach that Daniel Johnson describes is deployed. However, I am happy to explore whether a systemic issue lies at the heart of the question.

**Daniel Johnson:** Does responsibility for how easy it is to deliver the qualifications within the timescales that are set out lie ultimately with the curriculum for excellence management board? If

not, where does the responsibility for that integration lie in the structure that you outlined at the beginning of the meeting?

**John Swinney:** I will come back to Mr Johnson's original question to me, which was a "Who does what?" question. Certification and authorisation of qualifications are the exclusive responsibility of the Scottish Qualifications Authority. The CFE management board does not supervise the SQA's qualification decisions on individual candidates; that is the SQA's statutory duty, and nobody—not even a minister—can interfere in it.

When I answered Mr Johnson's original question, I said that the SQA not only has a responsibility to undertake certification and authorisation for qualifications, but has a role in contributing to the wider education discussion. Let me give a practical example of that. In formulating the benchmarks that will be issued in the course of this month, I have told the chief executives of Education Scotland and the SQA that I want there to be—if I may use the analogy—no room for a cigarette paper between the judgment of the SQA on what it expects candidates to be able to achieve at the end of the broad general education and what Education Scotland puts into those benchmarks. They must have the same view about the capacity and capability that candidates must have at the end of their broad general education. That is an example of how those organisations need to work intimately together to ensure that the right conclusion is arrived at.

**Daniel Johnson:** I am sure that the cabinet secretary will agree that breadth is one of the enduring qualities of the Scottish education system and should be maintained. Breadth is something for which there are a lot of indicators that you could point to, but one piece of evidence that I have looked at is the number of students who are sitting and passing modern language qualifications. There has been quite a precipitous drop, with falls of more than 40 per cent in French and German. Does the cabinet secretary think that that warrants further investigation into what is going on, and is he concerned about it? Is he actively considering what the picture is for breadth, given the changes in the education system over recent years?

**John Swinney:** I agree that breadth is fundamental. That is why the broad general education is as it is within curriculum for excellence—it is to provide that breadth for every learner. When education reaches the senior phase, we must consider the point that Mr Johnson raises about qualifications. Obviously, we will have different patterns of performance on particular subjects, and we need to explore those. Mr Johnson cited modern languages; we also face

challenges in respect of science, technology, engineering and mathematics, so we have to explore where we are not getting sufficient candidates to meet the needs of our society. We look actively at those questions and then we intervene to try to boost interest and participation as effectively as we can.

**Ross Greer:** At our evidence session on the curriculum for excellence management board, we heard that it has never been independently evaluated at any point in its history, and that its performance has never been assessed. Why is that the case? You listed various organisations that are involved in the management board, and it is fantastic to have teachers' unions and parents represented, but it raises the question of why there is no direct learner representation.

**John Swinney:** That is a fair comment. We will address that.

**Ross Greer:** Thank you. I look forward to that.

**John Swinney:** On the question of independent evaluation, the Government invited the Organisation for Economic Co-operation and Development, which has a global reputation for and credibility in examining education systems, to come in and look at curriculum for excellence. That was a timely intervention, because the OECD made a report of two halves. It said that we had undertaken bold and world-leading curriculum reform and had done it well, but we must now ensure that it is embedded successfully and that it succeeds in fulfilling the potential of all learners in Scotland. That is why we formulated the national improvement framework; fulfilling the expectations of the OECD review is what guides my priorities as the cabinet secretary with responsibility for education.

**Ross Greer:** That is interesting, but it is not an answer to the question that I asked about the curriculum for excellence management board and its structure and performance being independently assessed. That was not the purpose of the OECD report. It touched on that, but that was not what it was looking at.

**John Swinney:** The OECD looked at the curriculum for excellence management board. As I stated in my letter to the committee:

"The OECD in its 2015 review recognised that this had ... been the right approach ... noting that it 'has been well fitted to the task of implementing CfE as a Scotland-wide curriculum programme. That task required consensus and managing processes so that implementation, including of assessment and qualifications, would happen as smoothly as possible'."

That quotation in my letter is from page 104 of the OECD report. The management board therefore has had independent assessment, as part of that process. There was a whole chapter in

the OECD report about governance and decision-making, so that has all been the subject of evaluation. However, I come back to the point that I made to Mr Johnson, which was that the OECD report throws up the challenges that lie ahead in respect of what the right governance arrangements are for handling that.

**Johann Lamont:** I am a bit disappointed by the cabinet secretary's response to what I thought was a very measured report by the committee. In fact, I commend the convener on doing so well in setting out the unanimous view of this committee and reflecting our concerns. I will quote from the cabinet secretary's response to highlight why I am disappointed. He writes:

"The Chair of the CfE Management Board, Fiona Robertson, made this very clear to you at the evidence session on 18 January and there are no grounds for members of the Committee to be unclear on this point."

If a teacher said to a child in a classroom, "I have made this clear to you—there are no grounds for you not to understand it," they would quite rightly be hunted. If the committee unanimously says that there are concerns, we expect the cabinet secretary to reflect on those concerns. I do not think that people are saying that they are not in favour of curriculum for excellence; I think that they are saying that they are concerned about how it is being implemented.

I hear what you say about the fact that there are disagreements. What do you think about the motivations of teachers who took the time to contact the committee to highlight their concerns? It cannot possibly be that they have all lost the argument and therefore feel, in a curmudgeonly way, obliged to pursue that argument through the committee. What do you think the motivations are of the overwhelming number of people who contacted us with their serious professional concerns?

**John Swinney:** As I said to Tavish Scott, I want to have an empowered teaching profession that contributes to the debate about education, but we need to take a considered approach to all the issues to make sure that we are taking steps to ensure the effective delivery of curriculum for excellence.

**Johann Lamont:** Do you accept that the whole committee felt that there is an issue—that the evidence that we got was telling us something? I am assuming that you would want to distance yourself from the views of the SQA, which I think basically said, "Well, you know what some of these people are like—they don't like change; they prefer things to be done the way they were before." As I pointed out at the time, I was in teaching when there was a transformation after the Munn and Dunning reports, with the introduction of the standard grade. Of course there

were people who did not want change, but the vast majority of people then—as now—recognised the need for change.

When people raise concerns, it is because there are problems around their being able professionally to deliver that change. Do you accept that the characterisation of people who have highlighted concerns to us as the usual suspects who would do that anyway is simply unfair? If you accept that that characterisation is unfair, how will you respond in a serious way to the genuine concerns that people are highlighting, as opposed to taking what is, to be frank, the rather arithmetical view that they do not really represent anybody because they are only 1 per cent?

**John Swinney:** I say in my letter:

“Whilst I welcome views from anyone involved in Scotland’s education system and will always pay close attention to constructive criticism, I believe the points advanced by the Committee on the performance of the SQA and Education Scotland in particular are not based on an assessment of a sufficiently broad evidence base.”

My point is that the committee had other evidence at its disposal, which emerged from the dialogue that both those organisations have conducted independently with individuals and bodies. That evidence would counterbalance some of the evidence that emerged in the dialogue with the committee—

**Johann Lamont:** You already said—

**John Swinney:** Let me finish. I listen carefully to the teaching profession the length and breadth of the country. I listen to the profession almost daily about issues. I am communicated with daily. I had an email last night from a headteacher raising issues with me, which I replied to personally from my email account last night to explore some of the issues that that headteacher is concerned about. I take those points very seriously.

I was inviting the committee to reflect on a broader evidence base than what it heard and dwelt on in forming its report.

12:00

**Johann Lamont:** I am happy to do that, but the issue is the mindset of those who say that the people who expressed concerns have simply lost the argument or are curmudgeonly. I am not saying that you have said that.

**John Swinney:** I have read out on the record my view about how we should consider—and address—criticism from individuals.

**Johann Lamont:** I urge you not to explain criticism away. Frankly, counting up the number of teachers who sent comments against the whole teaching profession, does that. You quite rightly

accepted the evidence of Enable Scotland and NASUWT earlier, in relation to additional support needs. You should do the same in this regard.

**John Swinney:** For completeness, convener, I will read more of my letter. When I talked about the survey that the committee undertook, I highlighted the fact that the description of the survey by the Scottish Parliament information centre is that it was

“not based on a random sample, so may not be representative of the general population”.

**Johann Lamont:** If we get that amount of responses in evidence, I say that you should not explain it away, but try to understand it. I will move on to a couple of other points.

You have talked about the level of sign-up to curriculum for excellence, which is true—we have had conversations about it in the committee—but there are concerns about the way in which it has been implemented. Who decided that it would be a good idea not to have an external exam in S4 for the national 4 qualification? If I had known that that would happen when I signed up to curriculum for excellence, I would not have supported it. We did not have any clarity from Education Scotland or the SQA about whose responsibility that is; when we pressed them, it was said that it was a conversation that Scotland has to have. Will you look again at the consequences of that decision for the motivation of some young people in S4, especially given that their qualification is not externally assessed but is assessed internally on a pass or fail basis.

**John Swinney:** Ministers decided that there would be no external examination for national 4. The national qualifications group, under my convener’ship, looked at the issues around national 4, because the value and the esteem that are placed on it are questioned. That is not how it should be, and is not fair to the learners who acquire national 4 qualifications.

On Johann Lamont’s point about internal assessment, opinion is divided on whether the answer is an external examination.

**Johann Lamont:** The certification, for all its significance, was a massive step forward in valuing and respecting young people. You say that ministers made the decision, rather than the curriculum for excellence management board.

**John Swinney:** The decision was based on advice from the qualifications group.

**Johann Lamont:** I am not quite sure about that answer. I may explore that question with you separately.

My last question—I promise the convener that this is the last—is about another committee



recommendation, which was that Skills Development Scotland should ensure that its programmes are accessible and attractive for all young people. The question is about equal access, and about apprenticeships going disproportionately to young men rather than to young women, and concerns about accessibility for people with disabilities.

Your response says:

"Equality Impact Assessments are conducted on all of the SDS programmes. Equality Impact Assessments are also undertaken on their web services to ensure they meet the needs of each user."

Do you accept that individual programmes could be individually assessed as having equal access, but if the impact of programmes is not looked at across the board, you may miss the fact that disproportionately few women or people with disabilities access the programmes?

**John Swinney:** That is a fair question. We need to take greater account of the whole issue of ensuring that opportunities are available for young people to address their needs and capabilities, particularly given the growing significance of modern apprenticeships and the role that they perform in those opportunities.

**The Convener:** I have two points to raise before we finish. The first is a comment on your letter and why we set so much store by the teachers' comments. What was said at the meeting that Ross Greer and I had with teachers tallied almost exactly with the survey results and the anonymous responses. That seems to suggest that the numbers of responders means something. If the comments had been raised only in the anonymous responses, we would have looked at the results differently, but the comments tied in almost exactly with the ones that we had heard. The comments were mainly to do with the SQA, so our criticism of it in our report was justified.

Secondly, I do not agree with Liz Smith's position that CFE is failing. We talked about the curriculum not having reached the level of maturity that we hoped it would have reached by this stage. I do not know your view on that, but I would have thought that yesterday's results on—

**Liz Smith:** Convener, can I clarify what I said?

**The Convener:** Yes, please.

**Liz Smith:** I said that the delivery of curriculum for excellence is failing. I did not say that the curriculum is failing.

**The Convener:** Okay. There is unanimity that there is work to do in that area. However, the outcomes that were shown yesterday, for example, must mean that curriculum for excellence is working in some way.

**Johann Lamont:** The convener spoke of curriculum for excellence not quite reaching the hoped-for level of maturity, yet. Given that budgets have been cut on the basis that CFE had reached a certain level of maturity, should the budget for delivery of CFE be revisited? Will you look into that?

**John Swinney:** I am taking the OECD's assessment as my guidance on the matter. It did not say to us that we have nothing to do; rather, it was clear about the challenges that remain on curriculum for excellence's fulfilment and maximisation of its potential. The national improvement framework is all about learning from the OECD report and putting that learning into practice.

A great aspect of where we are now is the national improvement framework's real grip on the education system. I am seeing it being applied in schools the length and breadth of the country, with headteachers undertaking planning with their school and parent community based on what they can achieve by following the national improvement framework's methodology. I take a lot of heart from that because, in a relatively short time, that planning tool has focused the education system on what we need it to be focused on: improving performance.

There are many really strong aspects of our educational performance. The convener mentioned the data that was published yesterday. It shows encouraging trends in Scottish education about the improvements in positive destinations, the level of qualifications that are being achieved and the narrowing of the attainment gap. However, because the data neither supports a narrative that says, "Everything is a disaster", nor one that says, "Everything in the garden is rosy", I am focused on the improvement agenda.

**The Convener:** Thank you very much, cabinet secretary. That takes us to the end of the public part of the meeting.

12:08

*Meeting continued in private until 12:23.*



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