



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EDUCATION AND CULTURE COMMITTEE

Tuesday 26 June 2012

Session 4

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EDUCATION AND CULTURE COMMITTEE
20th Meeting 2012, Session 4

CONVENER

*Stewart Maxwell (West Scotland) (SNP)

DEPUTY CONVENER

*Neil Findlay (Lothian) (Lab)

COMMITTEE MEMBERS

*Clare Adamson (Central Scotland) (SNP)

*Marco Biagi (Edinburgh Central) (SNP)

*Neil Bibby (West Scotland) (Lab)

*Joan McAlpine (South Scotland) (SNP)

*Liam McArthur (Orkney Islands) (LD)

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

*Jean Urquhart (Highlands and Islands) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Larry Flanagan (Educational Institute of Scotland)

Mike Foulis (Scottish Government)

Ken Muir (Education Scotland)

George Reid (Scottish Government)

Michael Russell (Cabinet Secretary for Education and Lifelong Learning)

Sarah Smith (Scottish Government)

Alan Taylor (Scottish Secondary Teachers Association)

Margo Williamson (Association of Directors of Education in Scotland)

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 2

Scottish Parliament

Education and Culture Committee

Tuesday 26 June 2012

[The Convener *opened the meeting at 10:01*]

Curriculum for Excellence

The Convener (Stewart Maxwell): Welcome to the 20th meeting in 2012 of the Education and Culture Committee. I remind members and those in the public gallery to switch off all electronic devices, particularly mobile phones, which should be switched off at all times.

Agenda item 1 is an evidence session on curriculum for excellence. The committee is particularly interested in hearing witnesses' views on Education Scotland's recent curriculum for excellence audit report. Following this session, we will take evidence from the Cabinet Secretary for Education and Lifelong Learning on the main issues that have arisen from the one-off evidence-taking sessions that the committee has been holding over the past few months. Curriculum for excellence will also be discussed during that session.

I welcome Larry Flanagan, the general secretary of the Educational Institute of Scotland; Ken Muir, the chief inspector of Education Scotland; Alan Taylor, from the Scottish Secondary Teachers Association; and Margo Williamson, from the Association of Directors of Education in Scotland.

I will start by asking a general question of all our witnesses. There have been a lot of stories in the press about the Education Scotland audit report. Can you give us a one-minute summary of your views on the report?

Alan Taylor (Scottish Secondary Teachers Association): We were quite disappointed with the audit, as it asked the wrong people for information. We would have preferred it if practising teachers had been asked the questions but, in many areas, directors of education responded, presumably in consultation with headteachers. I am a practising teacher and I was never asked how things were going with curriculum for excellence. I asked my headteacher when he was going to ask me and he said that he had not been asked to consult principal teachers. We were disappointed that the wrong people were asked questions, and we think that the whole process was rather flawed.

Margo Williamson (Association of Directors of Education in Scotland): The audit that was

carried out by Education Scotland took place alongside various things that local authorities were doing to see how schools, staff and pupils were doing in that regard. The audit was another thing that gave us an indication of the level of performance in our schools and how ready we were for curriculum for excellence.

It is important to see the audit in the context of all the things that we are doing. As a local authority, we continually ask staff how they are doing. We look at the evidence for that and identify what we have to do next. Local authorities continually self-evaluate and have inspections. We use "How good is our school?" and have school improvement plans and standard quality reports. They also engage in a number of ways with principal teacher networks, headteachers and teacher focus groups.

If anything, Education Scotland's audit was just another way of taking our temperature with regard to our readiness for curriculum for excellence. Directors of education and teachers are responsible for the lives of young people and want to ensure that those young people get the best deal possible. As we go through this period of change, it is important that we keep reviewing what we are doing to see whether we are on track and doing well. The audit was just another thing that gave us that confirmation.

Larry Flanagan (Educational Institute of Scotland): The audit was announced the last time that I was in this committee giving evidence on curriculum for excellence, and Education Scotland was charged with carrying out the audit. Subsequent to that, the EIS reached an agreement with the cabinet secretary around the senior phase support package. One of the things that we pressed for was for the audit to listen to the teacher's voice. We were clear that we wanted the audit process to engage with teachers in schools. As Alan Taylor said, that did not materialise. The audit was carried out largely in the way that had been planned before the agreement, which was as a survey of education directorates and headteachers.

From our point of view, the audit was superficial. It did not allow the teacher's voice to be heard. There was no guidance to suggest that staff meetings and departmental meetings should be factored into discussions. There is a lesson there for us about the collegiate practice that operates in schools. We would press for the teacher's voice to be heard in all those discussions. However, we are where we are.

One of the plus points to come out of the audit in discussions that we have had with Education Scotland is that it has made a commitment to the effect that, even though the audit has been completed, teachers can bring concerns to

Education Scotland for investigation and remedial action. That is the kind of open agenda that we have been pressing for in terms of the on-going dialogue. We have all learned lessons about how we consult, and I think that we are moving forward from where we were.

The Convener: Ken Muir, how do you respond to those comments?

Ken Muir (Education Scotland): You need to see the audit in the context of significant, on-going engagement with class teachers, headteachers and local authorities over a number of years. Her Majesty's Inspectorate of Education and Education Scotland have provided update reports to the curriculum for excellence management board for well over two years. We have been engaging on an on-going basis. The report makes it quite clear that the findings are the result of more than the one-off exercise, which has been described as being quite shallow. The reality is that there has been a continuation of our engagement with schools and practising teachers over at least that period of time. Over the past two or three years, we have undertaken 900 or so inspections of schools. As members know, we talk to teachers on those inspections. The audit must be seen in the context of an accumulation of evidence over the past few years.

The audit was designed and timed in order to work out the priorities for curriculum for excellence over the next year and use them to inform the implementation plan, and to ensure that we could determine what Education Scotland might be asked to do in conjunction with local authorities by way of support.

Although the majority of the discussions took place with directors of education and senior officers in local authorities, the audit was also based on the feedback that we have received from classroom teachers and senior managers in secondary schools over a period of time.

The Convener: Why, if that is the case, do the trade unions seem to have an almost diametrically opposed view of what the audit was about?

Ken Muir: We were clear that we were trying to do a stocktake at a particular point in time to inform our on-going planning in Education Scotland. From the feedback that we have had on inspections, we recognise that there have been variations in readiness between individual schools and sometimes even between individual departments within schools, and many teachers still see a number of challenges ahead in the implementation of curriculum for excellence. We wanted to get a handle on what the support needs were—that was partly the purpose of the audit—but we also wanted to inform the kind of things that we will focus on in the implementation plan for

curriculum for excellence, which we released at the end of May.

The Convener: I understand that. You have a clear view about the purpose of the audit, but the view of the unions and, I presume, many of their members seems to be quite different from the impression that you have given this morning.

Ken Muir: Maybe there was a different set of expectations. We have more than 2,000 primary schools and nearly 400 secondary schools in Scotland, and it would be unrealistic to expect the resource of Education Scotland to speak to every practitioner in every one of those establishments within a period of about two or three weeks. As I said, the report is predicated not just on that exercise but on the on-going discussions that we have had with teachers over a considerable number of years.

Liam McArthur (Orkney Islands) (LD): On a similar theme, I am struck by the sense that, as part of an on-going process, the deep audit confirmed an impression that you already had. As Larry Flanagan will testify from the evidence session that he was involved in when the deep audit was announced, the atmosphere at that stage was of a significant divergence of view on where we were at. That is why the cabinet secretary committed to a deep audit. If nothing else, the description of it as a "deep audit" was a mistake, because the idea of depth suggests at least reaching into schools and speaking directly—as part of the audit, not as part of an on-going process—to departmental heads, headteachers and practitioners at the coalface. However, that was clearly never the intention. Do you accept that there was a presentational error in describing it as a "deep audit" if what was envisaged by Education Scotland was, as you say, part of an on-going process and a stocktake of where you were at a particular point in time?

Ken Muir: I accept that. There probably has been a difference in interpretation of what the audit was designed to do. However, since the exercise—and as a continuation of the audit—we have continued to engage directly with local authorities and schools to supplement the findings of the audit at a subject-specific level. We have undertaken the best part of 50 or 60 individual subject visits in the course of May and June to corroborate the findings of the audit, which touched on individual departments and subject areas. To suggest that the audit was not deep is partly inaccurate, but there probably were a variety of interpretations regarding the depth to which we could realistically go in the exercise at that point.

Liam McArthur: I do not think that it would have been necessary for you to speak to every teacher in the 400 secondary schools or every teacher in however many hundreds of primary schools for the

exercise to have constituted a deep audit. However, judging from the Scottish Secondary Teachers Association's evidence to the committee this morning, not a great deal appears to have been done specifically for the audit rather than as part of the on-going process that Education Scotland is undertaking. There does not seem to have been a great appetite to speak to a representative sample of individual teachers as part of the audit even where it was known that concerns had been expressed. That strikes me as not honouring the commitment that the cabinet secretary gave to a deep audit.

Ken Muir: We have tried to honour that commitment in the activities that have followed the initial exercise. As Margo Williamson said, in the main, authorities know their schools well. Given the window of time that we had for the exercise, it was not unreasonable for us to talk to senior officers in schools and follow that up with specific visits to individual schools and departments, which is what we have done.

10:15

Liam McArthur: Do Mr Flanagan and Mr Taylor have any comments on that?

Alan Taylor: Contrary to what Ken Muir has said, we have found that anyone who has been brave enough to say, "I'm not really managing with this," or, "I'm not sure what I'm doing," has been quizzed quite intensively by senior education officials at local authority level and has been made to feel uncomfortable. Such people have quickly got the message to us, "Make sure other people don't start owning up to this." It was a really challenging exercise to ask teachers the question that way round and say, "Put your hand up if you're not really managing." We were disappointed with the way in which that was handled.

Teachers have said to us, "Here's the information and here's the problem, but don't use our names." Our general secretary has a huge tome of information from people who have said that they do not want us to use their names because that would not go down well locally. The audit was quite flawed.

Larry Flanagan: There is an important lesson here. When we negotiated the agreement with the cabinet secretary, the phrase that we used in the agreement was that the teacher's voice had to be heard in the audit, yet some local authorities stepped back from the audit and said that it was nothing to do with them. We were looking for some direction in terms of saying to schools, "This is an opportunity for teachers to express where we are and how we move forward on curriculum for excellence."

At the very least, our expectation was that principal teachers would be involved in school meetings. The audit mechanism did not allow for that, but that should not have prevented schools from adopting that approach. One of the big issues with curriculum for excellence is that, if it is to succeed, we need collegiate practice in schools and we need the professional voice to be prominent in the debate. The audit showed me that we do not have that in our schools at present, or in our practice at the local authority level. We need to address that.

As a union, we have engaged with Education Scotland subsequent to the audit and raised the concerns that were fed back to us, and we have an on-going agenda. However, it must be realised that the audit was largely superficial and that that reflects a worrying aspect of collegiate practice in our schools. We need to look at that if we are going to move forward on curriculum for excellence.

Liz Smith (Mid Scotland and Fife) (Con): Mr Muir, do you believe that the audit would have happened at this stage in any case?

Ken Muir: As I said, we had always planned to do something before the summer to inform two key pieces of work. One aim was to inform the implementation plan that went out on 23 May as to what the priorities were so that the system knew what we would be focusing our efforts on. There was always a plan to try to do a kind of stocktake at that time but also, more important, to consider what kind of resource we might deploy to provide support in conjunction with local authorities in the run-up to the summer and after the summer. There would have been something. Whether we would have chosen to call it a "deep audit" is another matter, but there was a plan to do a stocktaking exercise to inform how Education Scotland would move forward and provide some of the support, advice and guidance that we knew schools were interested in having. That was certainly on our agenda.

Liz Smith: If it was not going to be called a "deep audit", that raises the question why the cabinet secretary felt obliged to call it that. Why do you think there was a change from the natural process that you were envisaging to an announcement by the cabinet secretary of something that was obviously intended to be a bit more significant in looking at the process in schools?

Ken Muir: It comes back to the interpretation of the term "deep audit". I have been careful not to use that term in the report. I refer to it as a progress audit. I think that that is a better reflection of what it was designed to do at that time.

Liz Smith: Just to be clear, was it your understanding that the deep audit, as defined by the cabinet secretary, was required because there were more problems than you envisaged in the more normal process that you thought would happen?

Ken Muir: My understanding was that a stocktake of the readiness of the system was required at that point, particularly in relation to secondary schools, given that quite a number of them had begun to think about what to do for their current S2 youngsters who were moving into S3. That stocktake was in line with what we intended to do anyway to inform our future activities.

Liz Smith: Was there any engagement with the private sector, which is not responsible to any directors of education, just to find out what its feelings were on the matter?

Ken Muir: No.

Liz Smith: There was no engagement at all?

Ken Muir: Not that I am aware of—certainly not as part of the exercise that we completed at that time.

Neil Findlay (Lothian) (Lab): Teachers always advise pupils to answer the question that they are asked. It appears that Education Scotland was asked to undertake a deep audit, but that has morphed into a progress report. Did Education Scotland answer the question?

Ken Muir: I think that we did. Although the report is only three pages long, a substantial amount of information lies behind the judgments that it makes. There was sufficient depth of information to evidence what we say in that report.

We have addressed what was asked of us—to provide that point-in-time report as to the state of readiness of the system to implement curriculum for excellence. The report makes it quite clear that, although there is some good progress in a number of areas, there is still a degree of variation within schools and across authorities. In order for youngsters to benefit from curriculum for excellence, we needed to know what was required by way of additional support, whether it was training or resources or whatever. We have gone as far as we can in addressing the agenda that was given to us.

Neil Findlay: Who came up with the term “deep audit”?

Ken Muir: If I remember correctly, it was first used at the Education and Culture Committee meeting on 28 February this year by Bill Maxwell from Education Scotland.

Neil Findlay: We can debate the terminology that is now being used but, originally, it was to be a deep audit. From a teaching perspective, if a

teacher tasked a pupil studying for their highers to undertake a piece of research on a Scotland-wide issue and the pupil produced a two-and-a-half-page report—with no quantitative information attached to it—I think that the pupil would be sent back to start again. Do you not feel the same?

Ken Muir: No. As I said, what we try to do in the report is to present the key messages so that it is relatively easy and unambiguous for folk to see what the outcomes of the audit were. We have to balance a fair degree of detail against setting out clearly what the key messages are. We chose the latter, because we felt that it was appropriate to do so.

Clare Adamson (Central Scotland) (SNP): I want to try to understand why this problem has arisen. Mr Muir, you mentioned Mr Maxwell's evidence to the committee on 28 February. He also gave evidence to the committee on 6 March, when he clearly stated that he would be engaging at local authority level; that he would be pooling the information already held by local authorities and headteachers; and that he would be trying to investigate and identify problems where they existed. There is no commitment in his evidence to go down to either class teacher level or principal level in that process—it is about the district inspectors going out, engaging with each local authority and investigating appropriately from there. The term “deep audit” may be a bit of a problem, but I do not think that Mr Maxwell set up expectations of anything other than what he stated then.

At the same meeting, Mike Russell said:

“I would encourage headteachers or teachers in schools that they think could benefit from more support to come forward”.—[*Official Report, Education and Culture Committee*, 6 March 2012; c 826.]

I think that there was a commitment given to self-referral by teachers at that point. However, we have written evidence from the SSTA that suggests that people felt unable to come forward. It is a worrying situation if people felt that they were not able to self-refer to the headteacher, the department heads or whoever. Is that the general situation in our schools or does that relate to curriculum for excellence in particular? That written evidence also states:

“The Government should have listened to the experts and acted accordingly.”

How could the Government have listened to the experts, if, by the definition of the other evidence, they did not feel able to come forward with concerns at that time?

Larry Flanagan: I think that there was a difference between the audit that was announced to the committee and the expectation that arose from the agreement with the cabinet secretary

about the senior phase package. You have Education Scotland in the dock here, a little bit. We expected that local authorities would engage in the audit process, because it is really for local authorities to encourage their schools to have those consultations at school level. Some local authorities turned away from the audit process. That is the big concern. How do we move forward from what was clearly a flawed exercise? It was flawed from our point of view because teachers did not get the opportunity to express their viewpoint.

In Aberdeenshire, for example, subsequent to the publication of the audit, the teacher unions and the local authority—through the local negotiating committee for teachers—have agreed a framework for moving curriculum for excellence forward, which involves an on-going audit process. People in schools are being encouraged to come forward with requests for additional support, to identify what need there is. That is one of the things on which we have tried to engage with Education Scotland. From our and the SSTA's point of view, the audit was flawed, but we will learn a lesson from that and make sure that the door is open for people to come forward on an on-going basis, so that they can say what they need to make things work in the senior phase.

We have had discussions with Education Scotland about the audit process and we will probably not agree. From our point of view, the audit was superficial. The lesson from that is that we need to have better engagement with teachers and schools, and we need to facilitate things so that their voice is heard. Local authorities have a role to play in ensuring that we have a more open dialogue in schools about the issues and that people do not feel intimidated and are willing to admit that they are off the pace, to set out where they are and where they want to get to, and to say what support they need. As Alan Taylor alluded to, some people are unwilling to indicate that they are behind the timeline, for fear of being branded as somehow failing. We must remove that stigma; otherwise people will not identify the support that is required to take the programme forward.

Ken Muir: I will add that one of the beneficial outcomes of the audit has been enhanced working by Education Scotland, local authorities and the professional associations. We all recognise that we all want the same thing from curriculum for excellence. It is not about branding departments as being well behind the curve. Through Education Scotland's new role, we are trying to use our resources to provide a degree of support and guidance to schools and to departments, so that they can provide youngsters with the entitlements that curriculum for excellence expects.

Although we may have different views about the efficacy of the audit and the depth to which it was conducted, the reality is that it has significantly helped to encourage folk to seek support and guidance as they require it. It is not a case of inspectors inspecting departments and asking them why they are well behind the curve. It is a genuine attempt to work with the authorities, professional associations and others to provide the support that will allow such departments—whose ability we refer to in the report—to get that advice and support either directly from us or through local authorities.

The Convener: Given the comments that have been made about the audit, and the fact that it was responded to by directors of education, perhaps down to headteachers, was there an issue with local authorities? Why did local authorities—and directors of education, specifically—not ensure that the voice of the teacher was heard in their response to Education Scotland?

10:30

Margo Williamson: It is clear that the authorities conducted the audit in different ways. There were good reasons for that. There are calendars and programmes in place throughout the year that will involve touching base with different groups of teachers and senior managers in schools. Where an authority was in that calendar when the deep audit came in would determine how it went about conducting that deep audit. The other factor that is relevant to an authority's ability to conduct the audit is its size. I come back to the mechanisms that we have in place for knowing our schools. We know our schools well.

We have joint negotiating committees and joint consultative committees with the trade unions, which provide another avenue for people to speak up. I do not think that any director of education would want to hear that people were frightened to comment on what the feeling was in their department. I accept what my colleagues are saying. We must continue to increase engagement to ensure that we do not miss any voices. My authority carries out frequent staff surveys. We will continue to use any mechanisms that we can, because we want to hear the voice of the teacher.

Alan Taylor: To answer Clare Adamson's question, all that we expected was that headteachers would have a meeting with principal teachers to find out in which subjects they were uncomfortable with the way in which things were heading and in which ones there was a need for extra support in terms of resources or work planning. That information could have been reported back to directors of education quite easily and an overall picture established. In fact, that

could still be done—it could be done this week, just about. That might be an exaggeration, but it is not that difficult a task. If headteachers had asked how departments were feeling, we could have had a traffic-light system to indicate where they were with the process, but none of that was done, so we remain disappointed.

The Convener: Is it fair to say that none of that was done? I get the impression that it was done in different ways in different authorities. I see that Ms Williamson is nodding.

Alan Taylor: We have evidence that it was done in the way in which we might have expected in five of the local authorities, which is not very many.

Margo Williamson: ADES is a member organisation. We have several networks, and the feedback that we have received is that the process was carried out in various ways. A lot of teachers were consulted. Principal teachers, as well as directors, were consulted through networks.

Clare Adamson: I am not an educationist and I have never worked in a school, so I do not understand how things work, but it seems to be perfectly reasonable to assume that, eight years down the line, with curriculum for excellence being one of the major topics in education, headteachers in high schools would already have an extremely good idea of where every department in their school is.

Larry Flanagan: There is a basic flaw in that reasoning, in that it posits a situation in which the headteacher is the fount of all knowledge. In a collegiate school, that is not how practice should be. In the secondary sector, the key specialists on qualifications will be the principal teachers. At the very least, the principal teachers in schools should have been called together for a meeting and should have been given enough time to consult their departments. Schools all have consultative mechanisms. The key issue is that the political will, or the political direction, was not there to engage that voice, which is a concern.

We wrote to all our branches to encourage people to express their views and to ask them for an indication of what had been said in their schools. The most common response that we got from schools was, “What audit?” The branch members had not been involved in anything that spoke of some kind of audit taking place. That is a concern.

The audit report is reasonably balanced in providing an overall picture, but it should not be accepted as a final report. There are still issues to be addressed, and we need to ensure that the programmes are in place to take forward the senior phase. We have crossed the Rubicon as far as implementation is concerned. Some students

have started their courses, so we need to ensure that people feel free to come forward and say that additional support is required to make things work for that group of students. That is the basis on which we can make progress.

Alan Taylor: I will back up Larry Flanagan’s comments. Now that we are in the two-year period leading up to examinations, the crunch time has come for secondary teachers because we are—I am afraid to say—still judged on examinations more than on anything else. As Clare Adamson pointed out, curriculum for excellence has been around for eight years, and we have been reasonably comfortable with it for six. The really telling time, however, will be over the next two years up to when the examinations kick in. Teachers are concerned that, even though they are teaching towards those examinations, they still do not have enough information about them, or exemplars of them. I know that concerns have been expressed about teachers teaching for two sets of exams, but until “How good are your results?” stops being the measure by which teachers are judged, we will always teach towards exams in some shape or form. In any case, we ought to be getting the best results out of our pupils.

Neil Bibby (West Scotland) (Lab): You said that, with two years to go until the new national qualifications, it is

“crunch time ... for secondary teachers”.

In its written evidence, Education Scotland says that in some schools children are having to decide now the courses that they will take for those qualifications. How many schools have been identified in the deep audit as taking that approach?

Ken Muir: It is difficult to give an exact answer to that; after all, the audit report itself refers to curriculum for excellence’s fast-changing and dynamic context. I would have thought that at the time of the audit somewhere between 30 and 40 per cent of schools would have decided to continue with subject choice at the end of secondary 2. That means that over the next two years those schools will have to say how such an approach gives youngsters going into S3 the full array of entitlements that curriculum for excellence expects as part of a broad general education. Some schools have made their choices and have decided to embark on a two-year course towards nationals 4 and 5.

That said, individual schools use a wide range of curriculum models—indeed, some local authorities are requiring schools to do so—and Education Scotland sees its job as being to move schools to a position in which they are genuinely able to offer that full range of entitlements to a

broad general education. Those entitlements have been clearly set out for a good number of years now and schools understand what they are; however, the question is how they can move towards them in a sensible way that will ensure that youngsters are not disadvantaged.

When we in Education Scotland inspect schools, we expect variation in the curriculum that is being offered; indeed, that is why the report refers to a two-year period of evolutionary progress. We are simply trying to be pragmatic and realistic and to accept that—for whatever reason—some schools have decided to maintain a fairly traditional curriculum model as part of delivering curriculum for excellence, whereas others have made a much more radical move to a different set of models. The schools in which S2 youngsters have made their choices face a number of challenges, principal among which is how to ensure that youngsters are not disadvantaged and have the opportunity to receive their full entitlements to a broad general education.

Neil Bibby: Should we know the number of schools in that position? Was the question asked in the audit and, if not, why not?

Ken Muir: To some extent, it was asked in the context of finding out where schools had reached with their senior phase curriculum. However, we have to remember that the exercise was carried out when the Scottish Qualifications Authority was putting out its final course arrangements and specifications, and we in Education Scotland were issuing between 40 and 50 sets of support materials. We know, from the follow-up that we have done, that some departments' and schools' questions and uncertainties were answered by both those sets of activities.

However, a number of new issues were raised by some of the final course arrangements and by resources being put into the system. For example, in science there was probably a degree of disappointment about the course arrangements that were proposed, and some departments raised additional issues that they had not raised at the time of the audit. Equally, some departments were awaiting resources to cover new content, but the 44 packages of material that we sent out on 30 April covered that. So, the departments that might have cited issues were reasonably comfortable that the appropriate support had been provided through the Scottish Qualifications Authority or through ourselves and that those issues were no longer as high-profile as they had perhaps been made out to be prior to the audit. It has been a hugely changing environment, which is one reason why it is difficult to give an exact figure for the number of schools at which youngsters have chosen their subjects in S2.

Alan Taylor: We have raised concerns about curriculum models for some time. We undertook a fairly unscientific survey of our members and found that about 40 per cent of schools had stuck with the older two plus two plus two model. We were not particularly concerned about that at the time because the mantra has always been that it is up to schools to decide the best way in which to deliver the new curriculum. However, in March we got a clear indication that we really should be following the three plus three model. As Ken Muir has just hinted, schools that have chosen the two plus two plus two model for whatever reason—perhaps they thought that it would be the best model—have perhaps got it wrong and it is a bit late in the day for us to try to sort that.

Ken Muir: I make it clear that we are not dictating any particular curriculum model to deliver the curriculum for excellence. We know from the inspection evidence that we have gathered that there are a variety of models out there, all of which are perfectly capable of delivering the curriculum for excellence. It is not our position to suggest that the issue is the choice between a two plus two plus two model and a three plus three model. We are not dictating and we have not, for a number of years, expected schools to deliver a particular curriculum model. We are well beyond those times, so it is important to put on the record that we have no expectation of what a secondary school curriculum should look like. We are interested in the extent to which the outcomes for learners deliver the entitlements of broad general education, which can be done in a variety of ways.

Neil Findlay: Things have moved on; I hope that all schools are aware of that.

You said a wee while ago that you could not get information because of the timing—because you were sending out a lot of stuff at the same time. Is that correct?

Ken Muir: *indicated agreement.*

Neil Findlay: Now that all the information is out there, do you intend to go back and find out what the situation is for each school?

Ken Muir: In mid-May, after we had finished the audit, and again in the middle of this month, our district inspectors re-engaged with the local authorities to talk about how their plans have changed in the light of the on-going exercises that they have been undertaking—which Margo Williamson referred to—in order to get a feel for and to test the temperature of what is happening in individual schools and across an authority as a whole. As I said earlier, we have maintained such engagement with authorities over a number of years. We have continued to do that since the audit and we will continue to do it into the new session 2012-13.

Neil Findlay: Will you publish figures?

Ken Muir: If the committee wants figures on a particular issue, we will be more than happy to provide them.

Liz Smith: Mr Muir said that schools can opt for either a two plus two plus two model or a three plus three model. Your position—that the decision is entirely up to them—is clear. Earlier, you mentioned your concern about pupils not getting a broad education. Is that in respect of the schools that have followed a two plus two plus two model?

Ken Muir: That is not necessarily the case. The expectation is that youngsters will, in the main, experience a broad general education up to the end of S3—or, at least, will have an opportunity to receive the experiences and outcomes up to the third curriculum level. It is not necessarily the case that a two plus two plus two model cannot deliver that. There are ways that schools can deliver that kind of curriculum, which we see out there just now.

Liz Smith: Why, in that case, did you raise it as a concern?

10:45

Ken Muir: We did so because we are finding that part of the entitlement to a broad general education involves experiences and outcomes across the range of curriculum areas. If youngsters are choosing, without any comeback, a restricted number of subjects at the end of S2, there is a question mark over the extent to which they are able to experience that full range of experiences and outcomes in the course of S3.

Liz Smith: Is your advice that it would be preferable to go for a three plus three model?

Ken Muir: No. I said that we are not advocating a particular model. We are interested—as I made clear in the inspection advice note that went out to all schools and authorities last week—in how schools are ensuring that they deliver the full range of entitlements to youngsters across their broad general education. We are not saying that one model is better than the other, and we are certainly not advocating any one particular model.

Larry Flanagan: The key point is what happens in S3, irrespective of the model. If, in S3, pupils have chosen subjects but are still continuing their broad general education, that is fine and would work. The end of S3 is when pupils have their S3 profile, which is when the senior phase is mapped out for them. The key issue is what is happening in the classroom, rather than what the model is.

Joan McAlpine (South Scotland) (SNP): I want to go back to a point that Mr Flanagan made earlier about local authorities turning away from

the audit process. Could you tell me which local authorities those were?

Larry Flanagan: I could.

Joan McAlpine: Can you share that with the committee?

Larry Flanagan: One major authority in the west of Scotland has certainly taken a hands-off approach; there is evidence in that regard.

The Convener: How major?

Larry Flanagan: I am going there this afternoon. I am not sure that it would be helpful to name specific authorities, but there has certainly been a range of approaches from low engagement to full engagement.

Joan McAlpine: Could anyone else help to illuminate the committee?

Neil Findlay: I could.

The Convener: Let us leave that to the witnesses, Mr Findlay.

Ken Muir: I have one issue—on which Mr Findlay picked up—to do with the scale of the report itself. I was careful from the outset not to name any individual schools or departments in that audit, for some of the very reasons that Alan Taylor has suggested. We have not been trying to witch-hunt individual schools or departments: far from it. We are genuinely trying to get to a position in which schools, teachers and departments that feel that they need support get that support by whatever means.

The audit itself does not refer specifically to any departments or schools. I had always intended not to name any one individual authority, but one authority is mentioned that has chosen—as has been fairly well-rehearsed in this committee in past meetings—to delay across the board. I am not sure that it is helpful to name individual schools or authorities at this stage. My sense, through our district inspector network, is that everyone is fully signed up to delivering curriculum for excellence, so we need to move forward and try to provide the necessary support.

Joan McAlpine: I think that Mr Flanagan was referring not to whether any one authority was doing it right or wrong, but to whether they had engaged in the audit process. I am more concerned about that, because the audit process is, I presume, intended to get to the bottom of how things are progressing, so it is quite concerning if local authorities have turned away from that process.

Ken Muir: That same authority has very recently engaged in a large-scale exercise with its principal teachers—certainly in at least one curriculum area—to determine the extent to which

departments still feel that they are able to deliver curriculum for excellence and the new national qualifications within the timescale.

To go back to what we said earlier, although the audit may have been maligned by some people, it has been a very helpful catalyst for engagement with individual practitioners where that might not otherwise have taken place.

Joan McAlpine: Mr Taylor said that five local authorities did the audit correctly, in his view. Can you tell us which they are?

Alan Taylor: I do not have that information with me. I do not work in our office all the time, so the general secretary has fed me the information, but I presume that we could get that information to the committee if it is thought that it would be helpful.

Larry Flanagan: A useful point in relation to that is my earlier point that we need collegiate practice at school level. To deliver curriculum for excellence, we need different organisations to work together. A particular authority took the view that the audit was the property of Education Scotland, but more collegiate involvement would have produced a better result.

A key aspect of the agreement is the production of the national 4 and 5 course materials. We have a clear commitment from Education Scotland that it will take the lead role in co-ordinating and disseminating those course materials. There was some expectation that Education Scotland would produce all the materials, but that is beyond its capacity. We are looking for a collegiate approach to producing the materials. The key issue for us is that they are produced for schools to allow the national 4 and 5 courses to happen in 2013-14.

Jean Urquhart (Highlands and Islands) (SNP): I will quote a paragraph from the second page of the SSTA written submission. It states:

“Lateness of delivery of key information ... documents were produced by the Scottish Government offering advice about early presentations, curriculum models and profiling at a point when schools were already two thirds of the way through the ‘broad general education’ stage.”

Was that advice linked to curriculum for excellence? Since I was elected as a councillor in 2003, curriculum for excellence seems to me to have been on the agenda in schools for most of the time.

Most of us work to deadlines. Are a lot of people now panicking about curriculum for excellence from that point of view? What could teachers have done before now about curriculum for excellence and what representations could they have made about it? We heard previously in an evidence session about some teachers’ request to delay curriculum for excellence for a year, but I thought that we had got over that situation.

What further work needs to be done? Having listened to what has been said so far on the subject, my understanding is that curriculum for excellence is about doing different things rather than the same things, and that it is not prescriptive; if it was otherwise, there would be no change. If I were a teacher, I might have been considering curriculum for excellence for quite a while before now.

That may all be naive and there may be too many questions.

Alan Taylor: There are quite a number of questions, but I will try to answer them. I think that teachers’ expectation was that there would be some cohesive packages that would indicate what new direction we were to take. However, we were simply told “You’ve got the same resources as you’ve always had and there are no support packages.” I am talking about teaching support packages, not just packages that tell teachers about assessments.

For any previous major change that we have had, a big pack of materials would arrive, which we would sift through, sort out the best bits and adapt them for our own use—or ignore them if we wished. However, we have largely had nothing in the way of teaching materials up to this point. Larry Flanagan stressed again the point that the cabinet secretary has promised some sort of teaching packages, but we are already well through the process. The same is true of my points about the lack of delivery of key—

Jean Urquhart: Excuse me, Mr Taylor, but what is that process that you are already going through? Does that mean that because teachers are frustrated at not having materials they have decided to act on their own initiative and make the system work themselves? Is that not what curriculum for excellence is?

Alan Taylor: Yes—but without new resources and materials, we are largely dependent on what we already have, unless we are given huge amounts of time to develop new material ourselves. However, that would be counterproductive because everyone would be doing the same thing across the country. If such development work was co-ordinated, though, there would not be such a need or workload.

My point is that the affected pupils are currently at the end of second year and two thirds of the way through the broad general education stage. As we have heard, many schools have started on courses for examinations, but we do not have all the key information. For example, we do not have exemplars of the examinations at this stage. We do not feel that we have all the stuff that we should have at this stage to justify fully what we are doing

with our classes. Everything is just a bit behind what it ought to be.

The Convener: Can we go along the line of witnesses for their responses? Jean Urquhart asked a lot of questions.

Margo Williamson: It is important to keep coming back to the point that curriculum for excellence is about more than just examinations; it is about learning. We have the outcomes and experiences up to fourth level so there is information there for teachers to use.

Over and above that, teachers have had opportunities to work together on interpreting the information that they have got on working time agreements in local authorities and schools. That is an important part of the process of understanding the change.

We have resources from Education Scotland and we now have various materials from the SQA for the teachers to use. I do not want to underestimate the challenges around the amount of time that teachers have, which is why we welcome the additional two days for secondary schools to work together, but I would not say that there is not enough for people to be going on with to provide the best possible opportunities for young people to learn. Remember that the examinations will not come on-stream until 2014.

Ken Muir: Although I disagree with a lot of what Alan Taylor said there, he has one point. Some subject areas have seen quite significant content change; that is the reality. It has probably been the best part of 10 years since computing was updated, and there have been significant changes in science and technology courses.

The reality is that some teachers are having to deal with a lot of change in the content and development of skills. Education Scotland put out 44 packages at the end of April, and another 10 in the past week. Others are in the pipeline and will be put out after the summer. The packages are on those courses and units in which there has been the most significant change.

I agree with Margo Williamson. The "Building the Curriculum" documentation has been in the system for a number of years, and the draft "Experiences and Outcomes" are out. The SQA has issued some draft documentation, which gives at least some indications of what the expectations of exams are, and those were confirmed with publication at the end of April. There has been a lot for teachers to be working on.

The reality is that the teachers are doing the day job at the same time and, in some subject areas, there has been significant change for them to take account of. Our role, in conjunction with the local

authorities, is to provide support that will allow the youngsters to get the full range of entitlements.

Larry Flanagan: Ken Muir said that there is a lot for teachers to be working on; that is precisely the problem. The biggest challenge is workload and the time to manage it. Unfortunately, because the qualifications were scheduled for 2013 and 2014, a timeline was produced for curriculum for excellence for the secondary sector that worked back to what would be the first cohort of pupils who will hit those exams. Secondary schools have therefore focused on qualifications as their main purpose.

Curriculum for excellence is trying to create a different framework, but the anxieties all develop around the qualifications, and a lot of parents are concerned about that. That is one of the reasons why we pressed for a delay of a year to give more time to schools so that they can cope with the pressure of the implementation workload. If we could not get the year's delay, we would have preferred a phased introduction so that those schools that were ahead of the game could push ahead and the others could get additional support.

We did not get either of those things, but we now have an agreement around additional resources, which is very welcome. Some of the funding that will go directly to schools will allow for materials or cover to be bought in to allow additional preparation to be done. The two days and the course materials are welcome, but there are still huge challenges in ensuring that the pupils who are in the system at the moment in S2 are not disadvantaged by being the first cohort. I have said at this committee before that, if we talk about experiences and outcomes, and we say that 90 per cent of schools are on board with experiences and outcomes, we feel that we are making good progress.

If only 90 per cent of schools are ready for the qualifications, we are in serious trouble because that would mean that 10 per cent of pupils would be underprepared for the exams, which cannot be allowed to happen. We really need to ensure that the support package works, and that when additional support is required, teachers are confident enough to say, "We need this support", and the cabinet secretary ensures that it is delivered.

11:00

The Convener: We have run out of time, but I want to finish with a quick answer from each of you. We have talked about the difficulties, and the efforts to ensure that no pupil suffers disadvantage as a result of the introduction of the new courses. I will draw a line under that and ask what is the next

step in ensuring that that happens? If you could give me quick answers, I would be very grateful.

Alan Taylor: First, delivery of the course materials will be hugely helpful, as long as it is done on time and it is good. Secondly, there needs to be co-ordination between local authorities and Government in preparation for the work. Last week, I was at a national qualifications group that was doing the same thing as a group of principal teachers in North Lanarkshire. It is absurd that two groups were doing exactly the same thing. There needs to be somebody co-ordinating and telling schools, "Look, this is happening out there." If they know what is happening, they can pause and wait for it to happen rather than double up their efforts.

Margo Williamson: For ADES, the next step is to continue to foster the trust among the teachers and build their confidence.

Ken Muir: Co-ordination and partnership are key to ensuring that youngsters get the best out of curriculum for excellence. I am talking about co-ordination and partnership at all levels.

Larry Flanagan: I apologise for my phone—I forgot to turn it off.

The Convener: I was going to take you up on that afterwards. Seeing as it is on the record, you should not have had your phone switched on, Mr Flanagan. [*Laughter.*]

Larry Flanagan: Sorry, sir.

The key point is that Education Scotland needs to deliver on the course materials. That is crucial. SQA needs to deliver on the training for the new qualifications. We need openness and more collegiate practice in schools so that we are working together to ensure that pupils get the benefits of CFE.

The Convener: I thank the witnesses for coming along this morning. It has been an interesting and informative evidence session.

11:02

Meeting suspended.

11:06

On resuming—

Progress Report

The Convener: I welcome members back to the meeting. Agenda item 2 is a round-up session with the Cabinet Secretary for Education and Lifelong Learning to mark the end of the first year of this parliamentary session. The item is an opportunity for the committee to consider the progress that the Scottish Government has made over the past 12 months on key education issues.

Over the past few months, the committee has conducted one-off evidence sessions on the early years, additional support for learning, attainment, services that are delivered by children's charities, school buildings and the curriculum for excellence—we have just concluded an evidence session on that. The committee will consider each of those topics and seek responses from the cabinet secretary to the main issues that arose in each session.

I welcome to the meeting the cabinet secretary, Michael Russell; Mike Foulis, who is director of children and families in the Scottish Government; Andrew Scott, who is director of employability, skills and lifelong learning in the Scottish Government; and Sarah Smith, who is director of learning in the Scottish Government.

I invite the cabinet secretary to give a short opening statement.

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): Thank you for the opportunity to come to talk to the committee in this catch-up session at the end of our school and academic year.

As I said to the committee when I previously spoke to it in March, I am always grateful for the opportunity to see that it is well informed about the progress that is being made in my portfolio. I am very happy to answer members' questions, of course, but first, I will provide the committee with a brief piece of context.

I will deal with the early years first. Over the past year, the Minister for Children and Young People, Aileen Campbell, has continued to ensure that steady progress is made in embedding the culture and working practices that support getting it right for every child, which lies at the heart of what we are trying to do. We remain focused on shifting away from intervening only when a crisis happens and towards prevention and early intervention. There are long-term challenges of which I am acutely aware, but our record so far is strong. We have expanded free nursery education by 15 per cent, to benefit around 100,000 children every year; extended the entitlement to free school

meals to more children and young people from low-income families than ever before; and are starting to make good our commitments on childcare. We are increasing the provision of pre-school entitlement from 475 hours a year to meet our ambition of having a minimum of 600 hours per annum of early learning and childcare for all three and four-year-olds and looked-after two-year-olds. Early next month, we will reach another milestone when we launch our consultation on new legislation on GIRFEC issues and securing children's rights in Scotland. That will put into law something that I have been politically committed to since I entered the Parliament in 1999 and which is long overdue in Scotland.

The committee discussed attainment in May and will have noted that we have halted years of decline in Scottish education performance. The latest programme for international student assessment figures confirmed our progress, and the exam results for 2010-11 show that there have been year-on-year increases to a new high pass rate for highers and advanced highers. We can also take a number of positives from the results of the first Scottish survey of literacy and numeracy, which was published earlier this year. We have deliberately raised the bar with the curriculum for excellence. With high standards expected at each level, it has been encouraging to see such a strong performance by pupils in primary 4 and primary 7 in maths and numeracy.

Earlier in the session, the committee heard some of the key players involved in delivering the curriculum for excellence. The transition of the curriculum for excellence into full practice has been the major work of the past year. It will transform learning and teaching for a generation. New national qualifications will be taken in 2014. Yesterday, the SQA announced details of its plans to release assessment support materials. The first tranche of those has been brought forward, from February 2013 to October this year. That is a direct response to requests from teachers for more information as soon as possible, and is a further indication of the level of support that is provided.

We are also delivering on teacher-to-pupil ratios. The 2011 teacher census indicated that we, with local government, had actually exceeded the target number of teachers in our schools and Scotland now has the lowest level of teacher unemployment in the whole of these islands. We are also making progress with the Donaldson review of teacher education and the McCormac review of teachers' terms and conditions to develop a strong, flexible and highly trained teacher workforce. My colleague Alasdair Allan is taking forward a range of curriculum activities, particularly with regard to Scottish studies and languages, and is of course leading on science.

In taking evidence last week on the Government's school building programmes, the committee will have noted that in the past four financial years we have presided over the building or refurbishment of 358 schools, more than those built in the previous eight years.

On Thursday, I will make a statement to the Parliament on our progress in reforming post-16 learning and our work to improve radically the quality of learning on offer. You will have noted recent recognition of our excellent higher education system; the *Times Higher Education Supplement* results reveal that, relative to our population and gross domestic product, Scotland, which is almost unique in Europe in its commitment to higher public investment in the sector, is leading the world rankings for high-quality universities. This Government has restored free higher education, has protected the places available to Scottish students and is also supporting the sector in delivering our manifesto commitment to provide a minimum of £7,000 of student support income, starting with students from the poorest households. All new and continuing higher education undergraduates will benefit from those changes from academic year 2013-14. We have also put in place record student support in further education and, of course, the education maintenance allowance, which has been scrapped in England, still exists in Scotland.

My portfolio now has the UK's only dedicated minister for tackling youth unemployment—Angela Constance. We are also effectively tackling youth unemployment in our provision in 2011-12 of 46,500 training opportunities, which include 25,000 modern apprenticeship places. Early in December, we announced that we would make a further £30 million available to help Scotland's young people into training, work or education as part of our unique opportunities for all programme.

That is just a sample of the work in which I and my colleagues, along with colleagues around the table, have been involved over the past year. This is a challenging time, particularly in financial terms, but I think that we are making progress in the interests of all our young people in Scotland.

I am very happy to answer members' questions.

The Convener: Thank you for that opening statement, cabinet secretary. We have a lot to get through and will try to keep things as tight as possible.

I will begin with the subject that we examined in the previous evidence session: curriculum for excellence. Putting it diplomatically, one might say that we heard a variety of views from the previous witnesses on Education Scotland's audit and I wonder what your views are of the audit, what it

was intended to achieve and what it actually achieved.

Michael Russell: It is quite clear what it was intended to achieve. On 28 February, Bill Maxwell told the committee:

“In the next few weeks, we will sit down with each local authority. We have a set of district inspectors who link directly with each local authority, and we have area advisers who work on support activity with local authorities. Our teams will sit down with each local authority and undertake a review of what we know about each of the schools in their areas. In effect, that is the national audit.”— [*Official Report, Education and Culture Committee, 28 February 2012; c 812.*]

The audit actually went further than that and I commend those local authorities that went that step further and ensured that everyone had the widest possible involvement.

I also made it my business to sit down with the EIS in particular and, although I do not agree with its views on certain issues, I commend it for its very positive approach to curriculum for excellence. I wanted to come to an agreement with the organisation on how we might go forward on a whole range of issues, one of which was the audit, and indeed item 7 of my agreement with the EIS says:

“The EIS will alert its school branches to this package and will reserve the right to raise directly with Education Scotland any concerns or requests for support”.

I wanted to ensure that we knew as much as we could about the state of preparedness of Scotland’s schools. I do not accept the SSTA’s rather odd criticism that directors of education and headteachers know nothing about that. If, indeed, we have in Scotland directors of education and headteachers who know nothing about their schools’ state of preparedness, we have a problem. However, that is not the case. In addition, I commend the local authorities that went further and ensured as big an involvement as possible across the education spectrum.

The audit tells me that Scotland is prepared for curriculum for excellence. We have not missed a single deadline that was set by a management board on which, at one stage, the SSTA sat. I would welcome the organisation back if they took a constructive view and ensured that it was part of the process.

We are moving forward with curriculum for excellence in a well-planned way. Where issues emerge and extra support is required, that support is put in place, and that has been the situation since I became education secretary in December 2009. What happened with the EIS package was the latest part of the process and I think that if we all have the right attitude and take the right approach we will finish this task well to the benefit of Scotland’s pupils.

11:15

Liam McArthur: I note that when you last appeared before the committee you were at pains to emphasise that the national audit was to be a deep audit. As we have heard this morning, however, Education Scotland rather shies away from that term, seeing it as more of a progress audit. Do you regret referring to it as a deep audit? Did that lead to some misunderstanding about what was involved in the process?

Michael Russell: Not on my part. It is absolutely clear that Education Scotland has the ability to understand what is taking place in our schools. Let us look at the figures: this year alone, Education Scotland has made 149 visits to schools and has had 223 further engagements and, as Bill Maxwell has indicated, special discussions and inquiries were also going on. I think that that approach was deep and significant and got to the truth of the situation. In those circumstances, what was done was what we said would be done.

Frankly, there is a problem with the focus on this audit, which clearly tells us that schools in Scotland are ready and prepared and that, where additional support is required, it is being provided. I hope that every teacher is being enabled and supported to say what is taking place; indeed, that is the reason for item 7 of the agreement with the EIS. I have made it clear that every time I go to a school I want to talk to teachers about the situation with curriculum for excellence—and that is what I do. Sometimes those discussions are detailed and sometimes issues arise that are then taken forward. We are trying to have an honest conversation and discussion about this country implementing a major educational reform. I think that that conversation is taking place and I am doing everything that I can to make it take place. The EIS has been very helpful and supportive but obviously has a different perspective on certain issues; Education Scotland is doing all it can; and I think that we should all try and do the same.

Liam McArthur: I do not dispute for a second that there is a shared common objective, but you will recall the context earlier this year in which the undertakings were made with regard to the audit and additional support. Although I do not doubt that you—and indeed Education Scotland—had an understanding of what you expected from the audit, I think that, as it emphasised again this morning, the EIS received a reassurance under the bilateral agreement that it reached with you that the audit would get down to departmental heads and teachers at the coalface. Clearly, that did not happen across the board as had been envisaged and, as a result, its portrayal as a deep audit does not necessarily accurately reflect what took place.

Michael Russell: I do not think that I used the term “deep audit”; Dr Maxwell used it at the committee meeting on 6 March and then said—quite rightly:

“We already have a lot of intelligence as a result of inspections, follow-ups to inspections and engagements in relation to national surveys, for example of science. We will pool our intelligence with the intelligence that the local authority has, and wherever we see a need for additional support or investigation, we will undertake that directly.”—[*Official Report, Education and Culture Committee*, 6 March 2012; c 826.]

However, the door was wide open for any teacher anywhere in Scotland to raise their concerns with anyone—and, through a particular mechanism, with their union. The door has also been open for teachers to raise concerns with me. When I have walked down the high street, people have stopped me to raise curriculum for excellence issues—and that is absolutely fine by me. When such issues, or any issues requiring attention are raised, they will get attention.

Perhaps certain local authorities should have done more. I note that Larry Flanagan was not willing to name any, but I am confident that Education Scotland, directors of education, headteachers, principal teachers and teachers themselves were all involved at various stages and that the level of knowledge of what is happening in Scotland’s schools is good.

Liam McArthur: The SSTA told us this morning that self-referral was seen as an admission of failure and that people were reluctant to go down that route; indeed, those who put themselves forward felt somewhat intimidated by the process. When the EIS circulated information about the audit to its members and invited them to voice any concerns, it was often met with the question, “What audit?” It is clear that the process did not work in the way that you, Education Scotland or indeed the unions had envisaged.

Michael Russell: I do not accept either of those points, and I will tell you why. There was a specific agreement with EIS—which I have just read out to you—that allowed it to raise those issues. That was used on seven occasions, and I would have been happy if it had been used on more occasions. There was a channel open for that to happen.

I have invited the SSTA to take part in all the processes that have taken place, but it seems very reluctant to do so. It submitted two complaints under the process, but there was no agreement on that. In fact, the audit identified in total 21 departments and nine schools—I have the figures here. The SSTA identified two departments, and the EIS identified nine schools in which one or more departments had raised issues.

In total, the audit identified 21 departments in which additional support was required. That meant that there was an outcome, and there were things being supported. I give a guarantee—as I keep doing—that any teacher can raise issues with me, Education Scotland or anybody else. I welcome that: it is a sign of strength if someone says, “I need a bit more help,” not a sign of weakness. Teachers say to young people, “Never be afraid to put your hand up and ask for something,” and I say to teachers that putting their hand up and asking for something is an absolute positive. That is what I say to Education Scotland all the time and, to be fair, it supports that. There has been some ludicrous language, but Education Scotland has shown itself to be supportive all the time.

Joan McAlpine: You mentioned that you had heard Mr Flanagan raise the issue of local authorities failing to engage with the audit process. He did not feel able to name them, so perhaps you could enlighten us as to which local authorities—in Mr Flanagan’s exact words—“turned away from the audit process”.

Michael Russell: I do not know of any authorities that did that. If Larry Flanagan wants to name the authorities, that is fine. I have heard those criticisms in the past few weeks, but nobody has named the authorities and no evidence has come to me that authorities have done that. If any authority was reluctant to engage with teachers and others I would be concerned, but I have no evidence that that was the case.

I return to the point that I made at the start. Directors of education, headteachers, quality improvement officers and education officers are paid to know what is happening in schools: that is their job. I cannot imagine that a headteacher who is running a school would not know what is happening in each of the departments. I have been in many schools in Scotland in the past six months and headteachers will say to me that one department is doing pretty well with the curriculum, but that another department is struggling. They will give me the reasons why and say that that department needs some extra help. That is what they are there for.

The process was open, and if any teacher wanted to refer themselves, there were a number of mechanisms in place to allow them to do so, either directly in the school, with the local authority or through their union. All those avenues were—and remain—open.

Neil Findlay: Because of the lack of substantive information attached to the report—which was very flimsy indeed at two-and-a-half pages long—we carried out some of our own research on what local authorities were up to. Perhaps I can refer you to some of that research—

Clare Adamson: Sorry—can you clarify who you mean by “we”?

Neil Findlay: The Labour Party carried out its own consultation. Representatives from a city-based local authority told us that the district inspector met the senior education manager, one headteacher and four members of staff—it was not defined whether those members of staff were teachers. When we asked a rural local authority whether Education Scotland had met with departmental heads and/or classroom teachers, the answer was, “Solely with the director of education”.

We asked how many class teachers had been contacted, and the answer was none. We asked whether subject specialists were contacted, and the answer was none. That does not seem like a deep audit to me.

Michael Russell: Would you like to name those authorities?

Neil Findlay: No, I would not at this stage, but I can provide you with the information at a future date. It does not seem like a deep audit—it seems like a minor surface scratch.

Michael Russell: I do not think that the two-and-a-half page report that was issued to the management board is in any way a flimsy document. It tells you not only about the contact that has taken place and to which I referred when I quoted Bill Maxwell, but the 149 visits to schools and the 223 further engagements and events with the education sector.

In addition, in those circumstances, if everything is going through a director of education, I would expect that director to be well informed about what is happening in the schools. What you say does not tell me whether the director of education has contacted individual headteachers, perhaps through the education officers, or whether there is knowledge of what is happening in each school. Recently, I saw a communication from a director of education to each headteacher in the area that specifically referred to the need for headteachers to consult principal teachers and others in assessing the present state of readiness.

We have had a well-documented process that has concluded that the work that has been done—not by me, but by thousands of Scottish teachers, for which they should be commended—has been successful and that where problems still exist they are being addressed through the support packages that we have in place, which include a detailed support package with the EIS. I point out that we have not missed a single deadline in providing materials and, as I said in my opening statement, we are bringing forward some dates. All that suggests that the process is in shape,

although there is more to be done. It does not suggest anything else.

Neil Findlay: Is it not part of the problem that, although you like to portray everything as being hunky-dory and fine, whether in the school or college sectors or other sectors, that portrayal is so divorced from the reality of what people are experiencing on the ground that it lacks credibility?

Michael Russell: That is your opinion. I hazard a guess that I spend more time in colleges and schools than you do, Mr Findlay. I am open to discussion with that sector every single day; I get substantive contacts from all the sectors every single day; and I listen to everything that is said to me. When I make the case that the work that has been done by education professionals in schools, local authorities and Education Scotland—who have done and continue to do the jobs that they are employed to do—that is not saying that everything is hunky-dory; it says that people are working hard and they should not be undermined by speculation that has no basis in fact.

Neil Findlay: I will leave it there for now, although I want to ask a further question later.

Liz Smith: I have a question about the implementation process of curriculum for excellence, aside from all the disputes about terminology. Do you regret the fact that the timescale for the development of course materials was rather far removed from the timescale for the introduction of the exemplars for exams? Many teachers have said that that is the main thing that has concerned them.

Michael Russell: That is a fair point. If I say that I agree with you on that, people will run around saying that there is something wrong with the materials. However, I will say that an objective assessment, when the story is written, will point out that there might have been a better way to do it, although I cannot think of any curriculum innovation in which that did not happen. Interestingly, as Liz Smith knows, one of the key issues in the agreement with the EIS was to bring forward additional materials for teachers. That is in point 3, which I will read out, as it is important. It states:

“Course materials for the new National 4 and 5 qualifications will be developed nationally and distributed to schools well in advance of the ... new qualifications”.

It continues:

“This is aimed primarily at reducing the workload implications of schools having to prepare new course materials and should facilitate a continued development focus on the BGE, specifically the S3 experience of students based on the Experiences and Outcomes”.

Although that is contrary to the ethos of development of materials, there was an argument that we had got to a stage at which that was the

most helpful thing that could be done. The EIS asked for that and we said that we would provide it.

Liz Smith: Do you accept that there is a bit of a philosophical dilemma because of the principles of curriculum for excellence, under which schools can have flexibility in whether they offer a two plus two plus two model or a three plus three model, or whatever it might be? We heard this morning slight concerns about the fact that the two plus two plus two model means a slightly earlier decision for some children, which could affect the breadth of their education.

Given that the underlying principle of the curriculum for excellence is to have flexibility, do you accept that, because the exam structure has not quite been in place when people expected it, there has been slight uncertainty, which has clouded the picture? If we really listen to people on the ground, we find that the biggest concern of teachers in any school—I was a bit concerned this morning when we heard that some schools have not been consulted at all—is getting it right for children when they make subject choices with the intention of picking exams. That has been a great difficulty. Perhaps with hindsight, that is where the Scottish Government has had the biggest difficulty.

11:30

Michael Russell: Let us accentuate the positive. I do not fundamentally disagree with you, but I would not necessarily sign on to the terms that you have used. Let us agree on the fact that the transition from the two plus two plus two model to the three plus three model—which, at the start of the process, many people thought would be seamless and universal—has not taken place in the same way. What we now see is, in essence, a hybrid. Larry Flanagan was absolutely right—I heard him stress this—that what matters is what happens in the third year and that, provided that a broad general education is where it is, the choices are another matter and do not affect it. That is also what Ken Muir was referring to when he said that he was not dictating a curriculum model, but that there were some concerns about a broad general education.

There has not been an automatic transfer to three plus three, although that has happened in some schools. In some schools, the transfer has been spectacularly good—I could take you to a couple of schools that I have been in recently where the success of three plus three is tremendous. However, if everyone wants to move to three plus three, it will take time for them to get there. That does not devalue what they are doing now.

I am quite keen that we continue to be faithful to the principle of providing a broad general education, followed by specialisation, and that we are flexible about how that is delivered as schools change. The change did not take place in the way that we expected. There has been an issue with materials and the development of materials. The expectation was that materials would be developed in schools, but we must now provide some additional help.

Liz Smith: The logic that you have just enunciated suggests that it might have been better to have a staged process, rather than to insist that schools changed all at the same time.

Michael Russell: I am not sure that that is true; I think that there is a wider issue. I am genuinely not trying to make differences, because I think that this is a positive discussion. There is a wider context of how a major curriculum change in education should be undertaken. I do not think that it can be staged—it is necessary to start it and go to completion.

Liz Smith: We have used the staged approach before.

Michael Russell: The lessons from that suggested that the right way to do things is to start the process and to finish it.

We also had to factor in the SQA's position. The SQA made it clear that its resource base was such that it could not have the double and triple running that was anticipated. Janet Brown was quite specific about that in her evidence to the committee. I could not ignore that advice—it was extremely important to me. I am not saying that I ever ignore advice, but I certainly could not ignore that particular advice.

Liz Smith: We will hold you to that, cabinet secretary.

Michael Russell: Indeed.

Clare Adamson: You mentioned the number of referrals that you have had as a result of the audit and from the SSTA and the EIS. Are you confident that Education Scotland and local authorities, through collegiate support, can bring the departments that have been identified to a position in which they can deliver the next phase?

Michael Russell: Yes. I have dug a bit deeper into some of the information that has been provided to me, and I have asked questions. One or two of the situations in question—perhaps more—have been caused by staff illness and disruption within a department. That is perfectly understandable but, in such cases, we and the local authority must bring additional resources to bear.

From the very beginning, I have made a commitment, which I make again today, that when there is a need for support, it will be provided. This is too important an issue for us to say, "We're not doing it." When support needs are identified, support is given. That is why I am keen that people identify that they need support. We are just waiting to help. I am not talking about some sinister imposition—I find that suggestion difficult to take. The offer that is being made is absolutely genuine. The issue at stake is about young people and their education. When help is needed, it will be given. There are no downsides to that. No one is having black marks put against their name. We need to be able to give that help.

Neil Bibby: I want to follow up on Liz Smith's point about the two plus two plus two model, on which we heard from Education Scotland and the unions earlier. Education Scotland could not tell us how many schools will be adopting that model. It was mentioned that 30 to 40 per cent of pupils could have started studying subjects in which they will gain national qualifications without their teachers having course materials or exam materials. Do you think that that is acceptable?

Michael Russell: I do not think that it happens. I cannot imagine any course starting without the teacher having the materials that they wish to use on that course. That is misunderstanding the nature of what is taking place. Materials are provided.

I remind you that the issue in curriculum for excellence was whether those materials would be developed by class teachers themselves, essentially as part of the learning process rather than teaching to a test. Even the SSTA representative accepted that we should not be teaching to the test. The whole ethos of curriculum for excellence was the personalisation of education. We now accept that the provision of more detailed materials is necessary for workload reasons—the EIS documentation refers to that—and the materials will be provided. No teacher in Scotland should or could be teaching without the materials for their class.

Neil Bibby: Do you think that Education Scotland and the Scottish Government should know how many schools are teaching using the two plus two plus two model? Will you ask Education Scotland to find that out as a matter of urgency?

Michael Russell: Ken Muir said that he would come back to the committee with the information. There are a number of models. Ken Muir indicated to you that hybrids are developing and change is taking place. I am not sure that a great deal can be learned about telling the time if we take the clock to pieces. A process of change is going on in Scottish education. It is being supported. It is now

obvious that the important thing that would be picked up in any inspection or support activity is that, in the third year, the principles of a broad general education are maintained. That is known, spoken about, and in the Education Scotland material that supports schools. That is what matters.

If you have not read them, I recommend reading the inspection reports as they come out across Scotland. If you read the individual reports, you will learn about what takes place in Scottish schools. That takes more effort than simply asking Education Scotland to come up with the raw statistics, but it tells you a great deal more about what is happening.

The Convener: We have a lot to get through this morning so I want to move on from curriculum for excellence to attainment, on which we took evidence earlier in the year. Education Scotland recently published the quality indicator summary tables for Scotland, which look at all schools that were inspected between 2008 and 2012. There was a lot of publicity around that, particularly around the fact that the tables show that 10 per cent of all the schools that were inspected are not meeting positive criteria. What are your views on that publication?

Michael Russell: It is worrying when any school in Scotland does not meet the positive criteria. Fortunately, our system follows that up. If any school fails to meet the criteria, a follow-up process of inspection and support kicks in to try to take that school through to success. I read the other day about a school south of the border that had failed inspection five times in a row. I am sure that that could not happen in Scotland, because there is a process of support that will continue until the school is where it should be.

However, underneath that statistic is the more worrying one that we can find more such schools in areas of social deprivation than we find in other areas. I am keen that we do not allow that to happen. When I set up the attainment group, the first thing I did was to say that the objective was to close the attainment gap between those who attain least and those who attain most, as well as to drive up attainment. That remains the focus. The attainment group did some very useful things, and the committee heard evidence from one of its members.

We could go further. In discussing attainment, I noted that Neil Findlay talked about the question of whether teachers from schools in one area of Scotland might go to schools that have greater difficulties. I am not unsympathetic to such suggestions, although I also accept the argument that we are talking about raising the aspirations and the work of teachers in every school. That is the type of suggestion that we need to look at.

One of my objectives for the next year will be to look at the issue in more depth and see whether we can find ways of progressing.

The convener chaired Pasi Sahlberg's lecture in the Scottish Parliament building, and he said that one of the key differences between Finnish education and any other education system in Europe is the homogeneity—if I may use that word—of quality in the system. There is very little tolerance of anything that departs from a certain standard. We have, as those figures define, a small but regrettable tolerance for departing from that standard. I see it as my job to drive that issue forward and see what we can do. That is on my agenda for the next 12 months, and I would welcome the committee's views in that regard.

The Convener: As you mentioned Pasi Sahlberg's lecture, I will refer to it in my question. He stated clearly the importance of quality in teachers and of all teachers in particular areas having masters degrees. He said that not only are those teachers respected for their professional development, but they are, in effect, leaders in schools and in classrooms in particular. What is your opinion on his views and on the importance of leadership in schools?

Michael Russell: I accept that entirely, which is why we have had the Donaldson review; the McCormack review also partly relates to those issues. I have emphasised that we are moving towards masters-level education for teachers, and we will get there; that is part of the Donaldson review.

I want to ensure that our teachers are valued educational leaders. I never speak to teachers without referring to all of them—including probationary teachers, for whom I did the certification process a week ago—as leaders of education. They are all educational leaders, and we need to support them in that. That is what we are trying to do.

Jean Urquhart: I want to ask about attainment and the figures that have been produced. We have been given examples of schools in which it appears that 80 per cent—or whatever—of children have passed at a high level, and yet some children are not even entered for the exams. If those schools are not including all their pupils, those figures are somewhat false. Some apparently top-performing schools have children who are failing very badly, while some schools that are not viewed as top performers are changing children's lives.

As minister, how do you reconcile that? How can you believe any of the figures that you read?

Michael Russell: I believe in what is called rich attainment. Attainment is not simply about examination results, although we should not

underplay the importance of those results: there is irrefutable evidence that the better educated one is, the more exams one passes and the better outcomes one has.

On the link between deprivation and proper educational attainment, the attainment group came up with six strands of work that it felt were important, and it is important to put those on the record. They are:

“Increasing the ambition, aspiration and expectations of every child and young person”

—not just the best children: that is true attainment—

“Delivering excellent learning and teaching in every classroom ... Developing effective leadership at all levels ... Engaging family and the wider community ... Focusing on literacy and numeracy as platforms on which to build future learning”

and

“Using information intelligently to understand progress”.

A piece of information based on those strands went to every teacher in Scotland through the *Scottish Educational Journal*. Trying to drive that work forward will be the basis of what we do next.

As I said, we are looking for ideas, particularly on enabling successful attainment for those who are furthest from it at present. We can make a difference on that if we focus on it.

To return to Pasi Sahlberg—who will be pleased to have been named three times in this meeting—we know that equity is at the heart of the matter. A successful education system is built on equity, and we must guarantee that in Scotland. That differentiates us so strongly from what is happening south of the border that we need to remember it. There is no evidence that anything other than equity makes a difference, so we must ensure that we achieve that.

Jean Urquhart: Do you have proposals for how we can achieve that attainment, particularly with regard to looked-after children? Their attainment is of serious concern, and the committee has taken evidence on that subject.

Michael Russell: Without a doubt. Our collective corporate parenting over the past decade has left much to be desired. However, those figures are improving, and the evidence that the committee took and the recommendations that it made have been very welcome.

The attainment of looked-after children is the most difficult and intractable end of a difficult and intractable problem, but the committee's recommendations and the work that we have put in place are making a difference. This year's figures, which came out just this week, indicate that there has been further slow progress, and we

will go on making that progress. I would love to know that there was a magic wand to make that progress faster, but progress is being made.

One of the most worrying things is that, even though we are improving destinations for looked-after children, improvement falls off after a period of time and they are the ones who are most likely to fall away. We must find a way of dealing with that. Nevertheless, we are all focused on the issue. The committee has done good work on it this year and we, too, are trying to do what we can. We need to do this in partnership.

11:45

Liam McArthur: I have asked you about pupil premiums before, but I am sure that you will respect my right to keep trying. As you have pointed out, despite the collective effort made by successive Governments and the resulting marginal improvements, there is still a significant gap. Can you be persuaded that even piloting the pupil premium in a part of Scotland is at least worth trying?

Michael Russell: I should try to be as constructive as possible this morning, so let me put it this way: there is a very strong argument that we will need to find resources to put into the most difficult areas in order to make a difference. That will be difficult at the present time, but the issue is worth discussing. If you choose to call that a pupil premium pilot, how can I stop you?

Liam McArthur: Returning to Jean Urquhart's question about the measurement of attainment and the way in which schools are assessed on the basis of how they are delivering for their pupils, I note that you suggested earlier on the record that you would expect directors of education to know a thing or two about what is happening in their schools. However, ADES has suggested that under the principal component analysis many very successful schools are failing children and that

"schools in the bottom 50 ... are successfully changing lives in a dramatic and transformational way."—[*Official Report, Education and Culture Committee, 22 May 2012; c 1110.*]

You referred to rich attainment. How can that be evidenced more clearly to ensure that assessments between schools have granularity with regard to the effect that those schools and teachers are having on children from different backgrounds and with different challenges?

Michael Russell: Interestingly, your question relates to the issue of school handbooks that the committee discussed this year and parents' clear desire for a broader rather than a narrow set of measures in order to understand the school that their child attends.

I hope that our discussion and debate about attainment might inform a public discourse about what a good school and education are and how progress can be made in that respect. Given how education is reported, that is sometimes quite hard to do. However, I would welcome the committee's involvement because I think that an understanding outwith educational circles of rich attainment and its importance would lead to a better society.

Neil Findlay: A report that came out last week or the week before said that Scotland is falling further behind England in terms of attainment. I certainly welcome your view that we need to put additional resources into areas of multiple deprivation and I am interested to hear how you intend to do that. My view is that many schools would choose to reinstate some of the support staff such as classroom assistants, educational psychologists and so on who have gone from schools but who play a vital role and have such an impact on some of our most vulnerable young people.

Michael Russell: My response to that question is in two parts. First, to be blunt, the report that the member mentioned compared things that cannot be compared. You cannot compare two different exam systems; indeed, I was rather interested to learn that, after much was made by your colleagues about this matter, Michael Gove decided to abolish that exam system because, according to him, it was not producing results and because it was also suffering from grade inflation. Such a comparison cannot be and should not have been made. One compares education systems by using the programme for international student assessment—or PISA—according to which our score is marginally better than that south of the border and is improving. We will continue to look at that matter.

We must have confidence in our system, look at what we are doing and ask whether it is working for our young people. If you believe in rich attainment and its influence on society, you need both subjective and objective views of how education is doing. I suggest, therefore, that we put that particular comparison aside, because it simply does not exist.

As for what we do, I do not want to divide on this and I will not be drawn on the question whether assistants or others have been laid off in other circumstances. The question is whether together we can find methods of tackling this issue, which existed before devolution, existed through Labour and Liberal Democrat Administrations and still exists. The situation has been getting marginally better but we need to find out whether we can make a big difference and, if so, how. I think that we are all agreed on this educational policy, so we might be able to find some way of working

together on it. I think that that would please a lot of people in Scotland, who would say, "That's a priority for the Scottish Parliament and it's going to work on it."

I do not know where they would come from, but if we had to put in additional resources the question then would be whether they should be used to fund additional support staff or teachers. Let us have that debate.

Neil Findlay: Can you confirm that you will be making the case for those resources to your colleague, the Cabinet Secretary for Finance, Employment and Sustainable Growth?

Michael Russell: I will make the case for the spending that I think is necessary for Scottish education within the overall context of the public finances. Would that I could make that case in the context of a fully independent Scottish Parliament that had control of its own resources. That would make the most enormous difference. However, within the present artificial and constrained circumstances, I will go on arguing for money for Scottish education.

Again, Mr Findlay, let us try to show common cause. You and I both believe that we can make a difference in attainment in Scottish education, particularly in the areas that are experiencing most difficulty. If we can do that, we might with a will find a way; however, we will not find it by being negative.

Neil Findlay: You have already startled me this morning by accepting one of my proposals, cabinet secretary. I do not want to go too far in that direction.

Michael Russell: We have achieved rich attainment.

Clare Adamson: You said that one of the key problems in areas of deprivation was poverty of ambition and expectation. That sort of poverty has been challenged very successfully by the Sistema Scotland project in the Raploch, as evidenced by last week's big noise concert. When you look at the issue of equity, will you also consider equity of access to extra-curricular cultural and sporting activity?

Michael Russell: You know me well and will never hear me doing anything other than support a cultural project like the one established by Sistema Scotland. In fact, it is much more than a cultural project; it is an educational and social project. I have visited the project twice and have been bowled over by what I have seen. I pay huge tribute to the staff who work there—particularly Richard Holloway, who has done a fantastic job in taking the project on as his own—and I want the project to expand into other places. The question of how that might happen is not for me to discuss

this morning, but I will say that I am a fan of Sistema.

I am also a great fan of cultural activity within and outwith classrooms and the liberating and informing nature of the arts and, indeed, sport and want to see more of both. I note that we are having this discussion the day after we released statistics showing progress in physical education in schools, and we should also welcome that.

Liz Smith: I realise that I cannot persuade you to change certain school management structures, but what is your view on suggestions that we need a little more diversity and flexibility in schools and that some of the better systems of measuring attainment should be used by schools to measure their own performance instead of being used in a school-against-school way in a local authority? Would you consider moving in that direction?

Michael Russell: I am open to persuasion and suggestion.

Liz Smith: Really?

Michael Russell: Yes, indeed—and I certainly am with regard to local authorities. We need to understand the situation with delivery. The fact is that local authorities are very much masters in their own house; you have criticised that in the past and I might even have said a word or two about it myself. However, if a local authority wanted to do something different, I would be very interested in hearing about it. No local authority has done that, but if one of them were to say, "We want to compare this with that" or whatever, I would listen to it—just as long as I am not criticised for failing to impose a uniform approach in Scotland. I am certainly interested in hearing any such proposal.

Liz Smith: Just to take up Clare Adamson's point, I point out that absolutely outstanding things such as the big noise have come about through diversity, flexibility and thinking outside the box. Many local authorities are simply not thinking outside the box, because they have neither the finances nor the incentive to do so. Would moving in that direction not engender a bit more excellence in our system?

Michael Russell: Absolutely.

Liz Smith: Then why are we not doing so?

Michael Russell: We could have a very long debate about that, but I can show you some examples of local authorities that are thinking out of the box. The more that think creatively and imaginatively, particularly in a time of strong financial restraint from the Westminster Government, the happier I will be. You will not find me an enemy of imaginative thinking, as long as it is thought through, rigorous and constructive.

Neil Bibby: I will ask about attainment and teacher employment. One witness floated the idea of teachers having five-year fixed-term contracts. Will you rule that out?

Last year, you apologised for the fact that only one in five newly qualified teachers gained a full-time permanent post. This year, that figure is one in four. Is that acceptable?

Michael Russell: Let us come to the issue with a sense of rationality, shall we? As I said, we have the best record on teacher employment in the whole of these islands. We have taken a difficult situation—created in part at least by an oversupply of teachers from the Administration up to 2007—and started to resolve it.

The situation is better now than it was. We should be pleased that progress has been made, and we will continue to make progress. I am getting complaints that some places might have a shortage of teachers—people cannot have it both ways. We have made a difference and we will go on making that difference.

The argument was not that teachers should have five-year short-term contracts but that, when headteachers are appointed to posts, they should have five-year contracts, so they should be available to be headteachers in other places. I have heard the suggestion. If anyone wants to discuss it with me, I am willing to do so. It has big downsides. In China, headteachers are appointed as headteachers and not to particular schools. I know that the teaching unions strongly support the continuation of the present situation here, so that would have to be factored in.

Mr Findlay has suggested that teachers could go from one school to another. It is constructive and helpful if teachers at whatever level move willingly to different schools during their careers. As for whether having limited-term contracts for headteachers would be constructive and helpful, I think that the guarantee of employment would need to be better than that.

Jean Urquhart: We know that looked-after children are often excluded from extra-curricular sport, art and cultural activity. The greatest pity of that is that such activities, which local authorities have funded, are often not at capacity, but a lack of communication means that information does not get to looked-after children, who might not have direct parental control to recognise development. How do we resolve that?

Michael Russell: Our group that works on looked-after children continues to address that issue and to encourage local authorities to be flexible. There are access and flexibility issues, but we would like to and will encourage involvement as much as possible for normalcy and we would like increased access to extra-curricular activity.

The Convener: The Government has made no secret of the fact that the early years are a priority. Some witnesses said that some duplication and patchiness in service provision still existed across the country. How do you react to that evidence? If you agree with it, how will you resolve the situation?

Michael Russell: Are your questions specifically about the early years?

The Convener: Yes.

Michael Russell: The highest standard of in-service provision needs to be available across the country. Across education and not just in the early years, we are trying to ensure that in-service provision is sustained and guaranteed. It is up to each local authority to provide that in the right way. Local authorities are probably doing that. Glasgow City Council has looked at early years provision radically—some of its solutions have not found favour, but some have. I know that driving up the quality of staff is important.

One key aspect is the thorny issue of access to teachers. We remain committed to access to well-qualified professionals in such circumstances. That is the best guarantee of a high standard in the early years.

The Convener: How is that achieved? We received evidence from the EIS and others about the importance of qualified teachers in the early years.

Michael Russell: Remembering that this is a matter of persuasion rather than diktat, we have to persuade local authorities to, in essence, maintain the number of teachers even in the light of a falling number of children. It is hard to do that, but we are trying to persuade them to do so and to point out the benefits. That is part of the question whether we can continue to shift resources to support the early years, which is hard to do when budgets are being squeezed, but we will do our best.

12:00

Liam McArthur: I want to ask about childcare, which you referred to in your opening remarks. As you appear to be on your best conciliatory behaviour, I will leave aside the issue of when the commitment on childcare is to be met and whether it needs a legal underpinning. We are where we are, which is moving towards the proposed children and young people bill.

On the back of a recent report on the relative costs of public versus private provision for childcare and the wide discrepancies and variations that exist, at a meeting that I chaired in the Parliament a few months back, concern was raised that, because of the way in which the children and young people bill has brought

together two earlier proposed bills—one of which was on children’s rights—and because of the breadth of the bill, the commitment to a statutory right to 600 hours of childcare and early years education might be hard to enforce. We could have a session just on the bill and its constructs, but has the concern been raised with you that the bill might not be enforceable in practice and, if so, can you allay it?

Michael Russell: I want the bill to be enforceable. That is essentially the issue, and there is a commitment that that should be the case. The bill will be subject to amendment by others, and it will go through this committee. The issues of whether the bill is strong enough to make it enforceable, whether the financial memorandum is robust enough to ensure affordability, and whether the combination of issues can be well dealt with will be for this committee to discuss. We are mindful of all those issues and I hope that, together, we can get that to happen.

Bringing together the issues in a single bill is a practical matter as much as anything else. A number of issues need to be addressed together. However, there is no doubt about our intentions. As one of the Opposition spokespeople, you will no doubt hold us to our intention—and so you should—but the intention is there.

Liam McArthur: I suppose that the wider any bill is cast, the more scope there is to hang different issues on it. Will you be able to constrain the bill?

Michael Russell: We know the key policy objectives. As you will know from your work as a special adviser, it is important to be absolutely clear what the policy intentions are. We know what the policy intentions are in relation to the delivery of childcare and the rights of the child. In those circumstances, the delivery of the policy intentions, which is something that Mike Foulis is charged with, will be the key issue.

If specific issues arise during the process, I am happy for Opposition spokespeople to have access not just to Aileen Campbell, but to Mike Foulis so that you can make those points and say what you think should be in the bill.

Liam McArthur: Another point that has been made is about the indivisibility of childcare and early years education. I sense that that is a priority of the bill. Are you confident that you will achieve that?

Michael Russell: That is a priority of the Government, whereas bills deal with specific policy actions, but we understand that issue and I do not think that we differ on it.

The Convener: We all know that investing effectively in the early years releases funding later

in the process, but targeting of existing resources is difficult, particularly at present. How can you ensure that the Government’s intention of targeting the early years—with resources, as well as other things—does not affect the universal delivery of services, for example?

Michael Russell: That is the task.

The Convener: That is why I asked you.

Michael Russell: Indeed, and I would welcome your advice on it, because we need to keep a constant eye on it. People sometimes talk glibly about the transfer of resources. At a time when public expenditure is under considerable pressure, it is not an easy question to address, because there are many existing activities that we wish to continue and, if we decide not to continue them, people sitting round this table would be the first to criticise. Therefore, we have to make a judgment.

We have not dreamed up the need for that approach—the information is in the Christie commission and other things. We are trying to address the issue of investment in measures that, over a period of years, will make a difference and will alter the society in which we live and Government expenditure. That is tricky and hard, and we are in the early days, but I hope that we have shown the determination and courage to get on with it. You will judge it as it goes through.

The Convener: Thank you.

I move on to evidence that we have taken on additional support for learning. A number of witnesses talked about local variation in data collection in that area and the inability to get a clear picture of what is being done. There was also a call for clearer guidelines to be issued to ensure that data collection is done accurately and uniformly, and that local authorities are not left to their own devices. I am paraphrasing what the witnesses said, but you will understand the points that were made. What is your view of them?

Michael Russell: I agree with what you just said about data collection. The evidence that you took was compelling. We need to improve the system. The statistical information that was provided was a snapshot drawn from the schools management system and reflects only what was held in the system at the time. We must and will consider with stakeholders the statistical information that is collected to ensure that it is appropriate and consistent. We must develop better guidance to support education authorities and schools in recording such information. We will update the guidance with the advisory group for additional support because we feel that that requires to be done.

The Convener: That is very welcome. Do you have a timescale for all that work?

Michael Russell: Mike Foulis is indicating that Sarah Smith has that information. Can you give us a timescale, Sarah?

Sarah Smith (Scottish Government): At the moment, we are considering the committee's report. We can come back to you on the timing.

The Convener: Can I ask for the timing for when you will come back to us on the timing? [*Laughter.*]

Michael Russell: Okay. We will come back to you early in the new parliamentary term with the information on timing. However, I emphasise that we intend to do the work that I indicated.

I was very struck by the evidence that the committee took on the issue. Anybody who is a constituency MSP knows that, although there may not be many complaints, there are particularly profound difficulties for individual families. I am dissatisfied with the current data system and with the section 70 system, which I think is out of date. We need to look carefully at how complaints are handled and restitution is sought. We need to improve the data system and look more widely at our education complaint systems.

The Convener: I am sure that committee members are as delighted as I am that you have listened to the evidence that we have taken on the issue. We will take that forward.

Neil Findlay: My brief couple of years working in this area have shown me that we need education plans for children to be practical working documents rather than filing cabinet fodder. It is most important that the reports and plans that are provided are accessible to the child and their parents first, and then to professionals. I do not think that that is the order at the moment. Further, the format of the reports and plans is dry and inaccessible. Are there any moves to change things so that the system becomes much more workable?

Michael Russell: Your criticisms are well founded and need to be taken into account as—

Neil Findlay: You have accepted two things that I have said today—Jeez-oh!

Michael Russell: I know. One or other of us is mistaken—I just do not know which.

Your criticisms are well founded and we need to bear them in mind. I would be happy to have further information from you to inform the process, because we must change things.

A number of issues are involved, including the nature of the information and the timescale in which things take place. Justice delayed is justice denied, and a complaints process that just drags on—for a long time in some cases—involving matters that are of huge significance and worry to

parents and families needs to change. We need to do it far better.

Liam McArthur: You will be aware that, as part of the evidence that we took on support for learning, we considered the Enable Scotland petition on the extent of the awareness among the teaching profession of learning disabilities, particularly autism. There was a concern that Enable itself was not represented on the bodies that are taking forward work in that area, and it was suggested that its views could be taken on board through an umbrella body. It would be helpful if you could set out how that could be achieved. We all know that the figures for those with autism are on an upwards trajectory, so it is inevitable that more emphasis will be placed on teachers being able to identify support needs and work with support staff to meet them.

Michael Russell: All teachers need to be informed about a variety of additional support needs as part of their initial training or continuing professional development. I have worked closely with Jackie Stewart on dyslexia, on which he has been profoundly influential. He has spoken to each of the heads of the teacher training institutions, and his central concern is that the issue must be factored into the learning that takes place as it is really important that teachers are sensitive to it. I strongly support the taking of that approach across the board—not just on autism, but on a variety of other concerns.

When I was a member of your predecessor committee between 1999 and 2003, it held an important inquiry into support needs. I remain absolutely determined that we do this work as well as possible, because often we do not do that. One of the elements is to ensure that teachers are key figures in ensuring that young people are identified and assisted.

Liam McArthur: That is helpful. On Enable's position, if you are unable to provide a guarantee that it will be—

Michael Russell: I will look at it.

Liam McArthur: Thank you.

Joan McAlpine: My understanding of Enable's point is that, although there is an option for teachers to look at additional support needs during their training, it is not broken down into specific areas, and we need much more specialised training. How is that being taken forward in our review of teacher training?

Michael Russell: I think there is an acceptance that this work needs to be of the highest standards. The assurance that I have from the heads of the institutions—it was an assurance not just to me but to Jackie Stewart and a variety of other people—is that every teacher will have a

knowledge of the issues when they leave teacher training college, and that is how it should be. If any teacher does not have that, we need to ensure that they get it, so I will ensure that we check that out.

The Convener: As there are no further questions on attainment, we move on to the issue of services that are delivered by children's charities. We heard evidence on that a couple of weeks ago. The Government has stated:

"We will be working across Government ... to ensure that the third sector's role can be maximised, supporting greater collaboration between the public and the third sectors".

How exactly will you achieve that, given that much of the work is carried out through local authorities?

Michael Russell: Local authorities need to have procedures and structures to ensure that they are involving the third sector. There are a variety of different structures, some of which I can remember off the top of my head and some of which are on a piece of paper that I am still looking for. For example, they need to look at public social partnerships, they need to look at the issue of community benefit and they need to look at the public sector markets that need to be open to the third sector.

Each local authority in Scotland—we only have 32, so this is not rocket science—needs to be aware of the need to engage with the third sector, and of the fact that that is a positive need. They need to ensure that community benefit is seen as part of the procurement process, and where they can establish partnerships with the third sector, they should be encouraged to do so. I do not think that we can put it more clearly than that.

There are mechanisms and there is guidance, and the legislation refers to the matter. I think that that creates opportunities. However, local authorities themselves are alert to the fact that working with the third sector is good for them and represents good value for money. They will often do better from working constructively with the third sector than from working with other partners.

Clare Adamson: How do you ensure that the public procurement programme does not promote a race to the bottom and that it can fully evaluate the added value of some of the projects, which is perhaps intangible and not easily evidenced in a bid?

Michael Russell: I think that Mike Foulis knows more about that than I do, so he should answer that question, if that is acceptable.

Mike Foulis (Scottish Government): Thank you, cabinet secretary. You will find out if I know more about it in a moment.

The sustainable procurement bill, which is in the early stage of planning, will address some of the points that the member raises. Mr Neil will probably lead on that. The issue touches on the broader question of commissioning generally, on which Audit Scotland has produced two interesting reports, one on commissioning residential care and the other on commissioning social care. The conclusion that Audit Scotland came to was that, by and large, the demand for guidance from the Government had been pretty much satisfied and what was lacking was not more words from us but capability in the system.

12:15

We are doing some specific things to help with that. The looked-after children strategic implementation group, which I chair and which Sarah Smith chaired before me, is piloting in Dundee the use of the Loughborough cost model, which is designed to identify all the costs so that the comparison that is made between the in-house contract and external service providers is consistent. That is one of the key issues that the voluntary sector has been bringing to the committee and to the Scottish Government. We will evaluate the pilot's impact and spread the message.

I will pick up on something that the cabinet secretary said. The public-social partnership is quite an interesting concept and we are planning to use it in the early learning childcare area that Mr McArthur asked about. It involves the voluntary sector providers being in the room from the beginning when the new service is being devised and planned. We hope that the experience that we gain from doing that will give us actual practice that people can pick up on.

Liz Smith: That is an interesting point. Private sector and voluntary sector representatives put it to us very forcefully in an evidence session that the problem is not that they are not consulted; the problem is with the timescale. Many of them said strongly that they would like to be in at the beginning of the process so that an efficiency programme is there at the start, rather than people having to come to it a bit later in the day. I ask the cabinet secretary to make a point of pursuing that with all those who have a stake in the provision of local authority and voluntary sector services.

Mike Foulis: That is an important point. We do not really get the benefit of the strategic element of strategic commissioning unless the right people are together at the start; otherwise, we do not have the base of information that we need to understand the situation and decide where we are going.

Quite a lot of work needs to be done to get us all to where we want to be on commissioning. Renfrewshire has been doing some quite interesting work with the Dartington social research unit on developing the evidence base with information from the area that allows the council to see who is getting a service who does not need it, for example, or who is not getting a service who needs it.

We have recent examples in a couple of areas of processes in which everyone has been involved from the beginning. One of them was a quite lengthy process involving secure care. Scotland needed less secure care for young people—that is a good thing because it means that we are finding better ways of dealing with young people in that situation—and therefore we needed to find ways in which everyone could all work together to reduce capacity in a manageable way while retaining quality. That process led to a contract about a year ago.

It is worth adding that such processes can be quite uncomfortable because the outcome is not determined in advance, and the answer might well not be what the providers are currently providing. Sometimes when I hear people complaining about not being involved, I think that that might be because the answer is not what their model is. It is a tricky business, but we need everyone who comes to the table to be prepared to address that point at the right time.

Liam McArthur: The significance of strategic commissioning was the strongest message that came through in the evidence session. I happened to be in conversation last week with some of the key people in Voluntary Action Orkney on that very issue, on which I have also been corresponding with John Swinney on and off over a number of years.

The convener quoted the statement from the Government's most recent spending review, but the argument for making strategic commissioning happen has been made for some time. There was a feeling—certainly in Orkney—that the earlier statements had run into the sand.

I do not think that there is any suggestion that Orkney Council, for example, is averse to looking at creative ways to make the most of its resources. The public and voluntary sectors have been leading the joined-up approach in Orkney.

It would be interesting to know about the obstacles that have impeded ministers in delivering an objective that dates back certainly to the previous session of Parliament.

Mike Foulis: You could do worse than look at the Audit Scotland reports to see what the obstacles were. There was a lack of information—which I spoke about before—on which to base a

strategic view of needs and therefore of provision, and a lack of skills and experience among the people who were doing the work; there were also difficulties around procurement in general. Procurement is a big complex thing, as everyone who is involved in it knows; there is a European Union dimension and so on.

My impression is that the people who work in that field find it quite hard just to work their way through the basic requirements without having a lot of other things added in. That is why we are concentrating not on delivering more exhortation and lengthy guidance, which just adds to the pile of stuff that people have to absorb, but on working to examples and saying, "Here's something that will work—let's try it out and see what the lessons are", and generating interest and building up capability from there.

Liam McArthur: Are you saying that there is a need for a degree of expectation management with regard to what we would like to happen and what is achievable? Is it the case that, even given some of the models that you are currently working up and the forthcoming legislation on sustainable procurement, we may be some way short of where certain voluntary groups—or even the private or independent sector—may want to be on strategic commissioning?

Mike Foulis: That could be the case. We ought to be ambitious and aim to get to a better place. However, a better approach to commissioning on its own does not multiply the amount of money that you have by a large factor. It can make you more effective, but you are still basically dealing with the same situation.

As I said to Liz Smith, everyone must be prepared for the conclusion that what we need is different from what we have now. How do we move from what we have now to what we need, and how does everybody play a part in that? That can be difficult for all the participants.

The Convener: As there are no further questions on that area, we will move on.

Cabinet secretary, we heard evidence last week on the school building programme, and very interesting it was, too. One issue that came up was the difficulty of monitoring what was going on when local authorities took forward projects in their capital budget by themselves. We were unable to get any figures on improvements, refurbishments or building projects that were separate from the Scottish Futures Trust programme or any other joint programme.

Could—or would—the Government intervene to allow us to establish a full and clear picture of what is happening in the school building and refurbishment programmes?

Michael Russell: The “School Estate Statistics 2011” document already contains a snapshot of the situation. Table 8 sets out the annual capital and revenue spend on the school estate.

I am reluctant to enter into a Domesday book-type survey of every local authority school building in Scotland. We have rounds of bilateral meetings between local authorities and our own officials, in which individual authorities’ school estate management plans are looked at. Those plans should present information on the current condition and suitability of buildings, and how authorities plan to keep that going.

In the light of the concern that was expressed at last week’s meeting, I would be quite happy to remind authorities, before those meetings take place, that we would like an accurate and up-to-date view of the school buildings that they have compared with those that they had five years ago or whatever. That would not be too burdensome on them, and it would help us to understand the improvements that have been made and what still remains to be done. If we were to do that for them, it would be a pretty large exercise, and it is not one that I think that we should get into.

The Convener: The issue was raised last week in evidence. I raise it because the SFT said that it provides expertise to ensure that efficiencies and savings to the public purse are maximised in such capital programmes. If the SFT has the expertise and the ability to save money on such projects—in one project, £4 million was saved—it would seem sensible for that expertise to be shared throughout the capital building programme.

Michael Russell: We encourage such sharing to take place. For example, the SFT holds regular workshops and training sessions for local authorities and encourages the sharing of such skills and expertise. We are keen for that to happen, and we will continue to stress that in the bilateral meetings that will take place later this year. Of course, there is a general duty on local authorities to get best value, and we would expect them to demonstrate that they do that with school building projects. I have no reason to believe that that does not happen, but we would expect them to demonstrate that it does.

Liam McArthur: Another issue that was raised in the session on school buildings was the number of schools that are to be delivered through the budget, which has gone up from 58 to 67. The representative from SFT was clear that much of that was due to changes in the market dynamics, which meant that what could be bought for the same amount of money had increased. There had also been efficiencies in tendering and even in shared design costs. All of that makes sense, but the ADES representative pointed to changes in the area per pupil specifications. As you will be aware,

a number of local authorities are concerned about the effect of that on what they are expected to put out to tender and the implications that it will have for what they can deliver in the school environment as a result.

Do you have concerns about that? Do you believe that any space constraints in schools are entirely manageable through improved design? Are there likely to be pinchpoints to do with storage for sports equipment or musical instruments? Are you satisfied that the approach that is being taken will result in schools being fit for purpose?

Michael Russell: Broadly, it is going in the right direction. There will always be disputes between the client and the funder about the exact nature of the package but, in my experience, all such disputes have been resolved amicably and the project has been able to move ahead.

It is clear that there is a balance to be struck between the overall finance that is available and the demand that exists. I think that that balance is being well struck. As you said, we will get something like 67 schools—I do not think that we have the final number yet—whereas we had anticipated that we would get only 55 schools from the three tranches. That is highly encouraging.

I will, of course, keep an eye on the situation. I want those schools to be as good as possible. We are building grade A schools—the schools that we are building are much better than the schools that they replace, and we should bear that in mind.

The Convener: In some of the evidence that we have received, questions have been raised about the design and use of a single space in the middle of a school for multiple purposes; I am sure that members of the committee will have experience of the issue in some of the new-build schools in their areas. On the face of it, that seems an efficient use of the space, but some people believe that it has led to a lack of rooms that could be used at the same time. In the design process, we are rightly focusing on efficiency and maximising value for the public purse, but is that having a detrimental effect on the space that is available for pupils? Is it restricting the ability to maximise the activities that they do in that space?

12:30

Michael Russell: It is not being done ad hoc. There have been debates and discussions. The document “School Design: Optimising the Internal Environment—Building our Future: Scotland’s School Estate” provides guidance on some of the issues, and there is other documentation. I return to the point that there will always be a debate between the SFT or any other funder or provider and the client. That is a healthy debate and issues

are being exchanged. Each one of those debates ends up amicably and produces a grade A school. I have not heard anything to the contrary, and the schools that I have seen that have been done through the programmes have been first class.

We should be positive about the issue, but I will not stop that positive debate. It can sometimes get heated but, at the end of the day, the client gets a really good school that often replaces something that was much worse.

The Convener: I have a final question before we move on. Last week, an issue was raised about the timing of the next announcement on the school building programme. Can you give us clarity on that? I think that Mr Findlay raised the issue of whether enough time has been left post the local authority elections, particularly for authorities in which the administration has changed.

Michael Russell: We deliberately factored that in. We do not want to hang about, but we have extended the process a bit. The process opened in February and the closing date for applications is 21 July. Therefore, there has been time for local authorities to develop plans and, where new administrations came in, time for them to consider whether they wanted to alter the plans. We have the right programme. I had conversations before February with local authorities that wanted to talk to me about the issue. I am open to such discussions, but we need to get a move on, as there is a demand to do these schools. I anticipate being able to tell the successful bidders by the end of September. We are not being prescriptive about the types or anything like that. Across most local authorities, there is general agreement.

The Convener: As there are no further questions on school buildings, we have some time to discuss other issues that are of interest to members. We will begin with Neil Findlay.

Neil Findlay: Cabinet secretary, do you accept that there is a youth unemployment crisis in Scotland?

Michael Russell: I accept that there is a very serious situation and that, fortuitously, it is being addressed with absolute seriousness by the Scottish Government.

Neil Findlay: In some areas of my region, youth unemployment is almost hitting 50 per cent. Is that a crisis?

Michael Russell: The Scottish Government's work to address the very serious situation on youth employment should be supported across the Parliament. We should all focus on meeting our objectives.

Neil Findlay: At what point would you describe the situation as a crisis?

Michael Russell: I will not give you a press release or a headline; I will treat the issue with the seriousness that it deserves and support the work of my colleague Angela Constance and of the whole Government—and, I had hoped, of the whole Parliament—to ensure that we meet the issue head on and tackle it. We are doing that with additional resources and a vast amount of energy and commitment to our young people.

Neil Findlay: I believe that we are at a crisis point, given the levels of youth unemployment in some areas. Will you talk us through the logic of a further significant cut to the college budget this year, which will take many thousands of places out of the system and which people simply do not understand?

Michael Russell: I am sorry that you do not understand, Mr Findlay. You speak for “people”, but I do not know who those people are, because I speak to people in the college sector every single day. By and large, the college sector has welcomed the changes that are taking place and is focused on getting the maximum value for money and on delivering the number of places that we guaranteed and which are being delivered. The sector is also focused on the opportunities for all programme, which means that no young person aged 16 to 19 will fail to be in employment, education or training. Those are significant steps forward.

We have taken the college sector, which was ripe for reform, and ensured that it is focused on the real issues of delivering in a way that is aligned as closely as possible to the labour market. That is directly addressing the issues that Neil Findlay and I are concerned about.

Neil Findlay: The people I am talking about are those whom you and I met a few weeks back, who told you about college courses with almost 100 applicants for a dozen places.

Michael Russell: Well, the people—

Neil Findlay: Let me finish, please. This is not made up. Given the crisis in youth unemployment, I find the move to cut college numbers again simply illogical.

Michael Russell: Others had better know why I met you and who we are talking about, because you appear to be inadvertently misrepresenting the situation. I met you and student and staff representatives from the rural colleges that were merging with the Scottish Agricultural College, and the purpose of the discussion—at least as represented to me and those present—was to focus on merger issues and to ensure that the merger was successful. You had asked the student and staff representatives to come and see me to discuss the matter and ensure that the process was undertaken properly, and I listened

attentively to what they had to say. I did not think that it was designed to be used by you as a political tool at committee. What you have done is rather unfortunate and unfortunately misrepresents the serious and productive discussion that we had on taking the merger forward.

Neil Findlay: But you cannot deny that they raised the issue of the number of applicants for courses at a time of high youth unemployment.

Michael Russell: Absolutely—and I pointed out to them a number of things in the context of the merger. First of all, places were not being cut, which is something that you did not point out. Secondly, I also made it clear that the new institution would offer new opportunities. I would have hoped that those people went away reassured by our discussion about the merger; indeed, they certainly indicated as much to me. At no time during that discussion was it represented to them—or to me—that they would become political fodder for this committee. Mr Findlay, you might, on reflection, consider that what you have done will make it more difficult for me to meet you again in such a context.

Neil Findlay: I think that that is a ludicrous statement.

From what you have said, it is clear that you will continue with this year's proposed cut to colleges' budgets. Is that correct?

Michael Russell: We will continue and finish the process of reform, which has been well supported, and on which I will report further on Thursday. It will transform the college sector and increase opportunities for young people. That is a positive move, particularly given the cuts that the Westminster Government is making, and which your party very much supported and would have made. After all, you wanted cuts that went further and deeper than Margaret Thatcher's.

The Convener: At that point, I suggest that we move on.

Clare Adamson: I was interested to see last week's figures that showed unemployment in Scotland to be falling for the third month running and an Ernst & Young report that said that foreign direct investment was strongest in Scotland. How might either of those factors impact on youth unemployment?

Michael Russell: No one can deny that we are in very difficult times. I suggest—and I think that you will agree—that in greatest part our way forward is to ensure that the Parliament has full fiscal powers to allow us to make our own decisions. That would be a much better situation. Even those who do not accept such a prescription will accept that the cuts are—I regret to say—

causing difficulties throughout these islands. I think that the right way forward is to have policies that grow the economy, which is very much what we are trying to do within our limited powers. I pay tribute to John Swinney for that activity and to Angela Constance for her work on youth employment issues.

That being the case, I believe that we should all be working as hard as we can to ensure that we provide opportunities for young people. We should take an accurate view of any figures that are produced, and certain figures indicate that there has been some success. Indeed, some education figures indicate the same. Times are hard, but I might mention yesterday's positive destination figures, which show that that situation is improving. Everyone is working hard and trying to get the right things to happen, and I think that that is the right way to go.

Joan McAlpine: Staying with the issue of youth employment, I attended a youth action summit that was hosted last Thursday in Dumfries by the minister Angela Constance. It was a very positive event and it was greeted as such by most of the people who attended. As you will know, at the summits we work with small groups of young people, employers and educators, and one issue that emerged strongly from the young people in several groups was that they were less aware of opportunities that were being provided while they were in school. In other words, they might not have been getting information in school about apprenticeship opportunities and the Government's different schemes.

I realise that the fact that employability is not a devolved issue causes some difficulty, but I wonder whether we might take on those young people's concerns and find some way of allowing schools to work more closely with Skills Development Scotland and others, particularly to inform 16 and 17-year-olds who do not intend to go on to higher education.

Michael Russell: That is a good point and we will take it away and look at it. Fortunately, two of the people with responsibility in that area are sitting on my left and right, and they and I will look at what I think is a good suggestion and raise it with Angela Constance.

I have been involved with one or two projects that have focused on employability and opportunities in schools, most notably—in the member's own Thornhill area—the Queensberry initiative, which deals with rural skills and which has very much impressed me. There are opportunities for carrying out such activity and we should see whether we can do that better.

Jean Urquhart: On a point of clarification regarding the merger of the agricultural colleges,

whose work is very relevant to the region that I represent, I note that the merger is not a new proposal; it has been discussed and, indeed, desired for some time now. Having attended two of the public consultations, I know that there is enormous support for the move and, far from any courses being cut, there is actually the possibility of extending them into areas where they have not been before.

Michael Russell: You represent the situation very well; the move does provide the opportunity that you have highlighted. I agreed to meet Mr Findlay and his constituents to address their concerns as staff and students about the merger process and I am glad that I did so. I am sorry, however, that they have been treated in this way at this meeting. I want to confirm to them that I listened closely to their comments and read every single submission to the process, because I was concerned that it needed to be done properly. I have received a document from the Scottish Further and Higher Education Funding Council that makes a recommendation and I will shortly make an announcement on that. The move has long been sought and I realise that it must be a proper merger, not a takeover. I was happy to address the matter with staff and students, but the move presents—and has been presented to me as having—major benefits.

Liz Smith: I want to raise two quick points. First, the Parliament has been united on ensuring that British Sign Language attains a better position. How is the Government helping that aim?

Michael Russell: It has been very supportive. I will ask my colleague Alasdair Allan, who is responsible for Scotland's languages, to write to you on the matter and tell you precisely where he is on the issue.

Liz Smith: That will be helpful.

Secondly, I realise that you might say more about this on Thursday, but will you clarify the timescale that you envisage for the relative completion of college regionalisation and say where you are on the question of university governance?

Michael Russell: I was going to say in my opening remarks that I did not want to pre-empt Thursday's statement, but I left out that sentence. Perhaps I should have left it in. I will address both issues in the statement and the member will, of course, have the opportunity to question me on them. I should say, however, that things are going well.

Liz Smith: In that case, I will ask you the question on Thursday.

The Convener: On that optimistic note, I thank the cabinet secretary and his officials on behalf of

the committee for their most interesting and informative evidence.

I suspend the meeting briefly for a changeover of officials.

12:44

Meeting suspended.

12:45

On resuming—

Subordinate Legislation

Fundable Bodies (Scotland) Order 2012 [Draft]

The Convener: The third item on our agenda is to take evidence from the Cabinet Secretary for Education and Lifelong Learning on a draft Scottish statutory instrument. Members will have an opportunity to ask technical questions about or seek clarification on the draft order and they will then be invited to consider the motion to approve it.

Mike Russell, the Cabinet Secretary for Education and Lifelong Learning, has stayed with us and I welcome to the meeting George Reid from the colleges and adult learning division at the Scottish Government and Ailsa Heine from the Scottish Government legal directorate. I invite the cabinet secretary to make a brief opening statement.

Michael Russell: Thank you, convener. I am grateful for the opportunity to make some opening remarks, which I do not think need detain us for too long.

Because the draft order is subject to the affirmative resolution procedure, it is required to be moved by the Government and debated by the committee. The changes that it seeks to make are entirely technical. They include a number of changes to the list of what are known as fundable bodies, which are set out in the Further and Higher Education (Scotland) Act 2005 and are the bodies that the Scottish funding council is allowed to fund. I am happy to outline each of the changes if the committee would find that helpful, but I think that they are self-explanatory and wholly uncontroversial. They simply give effect to changes that have already taken place or will have taken place by the date on which the order comes into force, and they will ensure that the funding council can continue to provide funding to the institutions concerned.

I hope that those brief remarks have been helpful. I am happy to answer members' questions.

The Convener: As members have no questions or points to raise, we move on to the formal consideration of the motion to approve the order.

Motion moved,

That the Education and Culture Committee recommends that the Fundable Bodies (Scotland) Order 2012 [draft] be approved.—[*Michael Russell.*]

The Convener: It appears that members have no comments—and I take it, cabinet secretary, that you do not wish to wind up.

Michael Russell: I am tempted, convener, but no.

Motion agreed to.

The Convener: The committee's report to Parliament on the order will confirm the outcome of the debate. I thank the cabinet secretary and his officials for their attendance.

Before I close the meeting, I wish all members, the cabinet secretary and officials a very enjoyable recess.

Meeting closed at 12:47.

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