

Briefing for the Citizen Participation and Public Petitions Committee on [PE2103](#): Legislate to standardise the prescribed learning hours for primary and secondary schools in Scotland, lodged by Dr Julie Badcock

Brief overview of issues raised by the petition

Local authorities must ensure that, barring circumstances outwith their control, their schools are open a minimum of 190 days a year.¹ The length of the day and the total number of learning hours is a matter for each local authority.

The Education (Scotland) Act 2016 inserted [section 2ZA into the Education \(Scotland\) Act 1980](#), which allows Ministers to make regulations which would set the minimum number of learning hours each pupil should receive.

In 2023, the Scottish Government consulted on using these powers to [prescribe the minimum annual number of learning hours](#). The foreword to the consultation by the then Cabinet Secretary for Education and Skills, Shirley-Anne Somerville MSP, said—

“The school week is the backbone of our education provision and benefits all our children and young people. The Scottish Government is clear that any changes to the school week must be based on educational benefit to pupils. Any measures that materially reduced the number of hours children spend learning in school would be expected to reduce pupil attainment and wellbeing and undermine efforts to close the poverty related attainment gap.

“To protect this vital provision for children and young people, I am bringing into force the existing provisions in the Education (Scotland) Act 2016 which will enable Scottish Ministers to set the minimum number of learning hours in a school year and propose to use this power to make regulations later this year.”

Prior to the consultation the Government had gathered information from local authorities about the current provision of learning hours. The Consultation stated—

¹ Schools General (Scotland) Regulations 1975, as amended by The Schools General (Scotland) Amendment Regulations 1987

“Learning hours are the period of teaching that learners receive within the school day. In most cases, they do not include lunch and other break times or extracurricular activities or provision such as breakfast clubs that may take place around the core school day. ... Generally, primary schools offer 25 hours in a typical school week, though in a small number of authorities shorter learning hours, usually 22.5 hours, are offered to their youngest pupils, either those in P1 and P2 or in P1 to P3. And generally secondary schools in most local authority areas offer 27.5 hours in a typical school week.”

The consultation closed in June 2023. The Scottish Government has not yet set out what its next steps will be following the consultation. In answer to [a parliamentary question in December 2023](#), the Government said it “will publish our analysis of the consultation and engage further with stakeholders, including COSLA, on next steps in due course.”

Falkirk Council is [consulting on a proposal to reduce the school week to 22 hours 30 minutes for primary schools and 24 hours 45 minutes in secondary schools from 2025](#). Falkirk Council’s proposals are explicitly linked to financial pressures. [In May 2024, the Government responded to a question](#) in relation to Falkirk Council’s proposals; it said—

“The Scottish Government is clear that any cuts to learning hours are not acceptable. Scottish Ministers remain keen to come to an agreement with local government on the provision of learning hours in local authority schools. If no agreement is reached Scottish Ministers will take steps to ensure learning hours are protected, including considering the use of regulatory powers.”

4/6/2024

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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