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Scottish Parliament

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5 May 2025

Dear Convenor,

Schools (Residential Outdoor Education) (Scotland) Bill: Financial Resolution

I am writing in response to your letter dated 4 April 2025 to provide further information on the Scottish Government's current position regarding the Schools (Residential Outdoor Education) (Scotland) Bill, following its successful passage at Stage 1. I have set out responses to the individual questions you have raised as below:

(1) Government plans to engage with the Member on the Financial Resolution?

I most recently met with Liz Smith MSP, the Member in Charge, on 29 April, and will continue to engage with her over the coming weeks as she works to address the outstanding concerns identified by government and the lead Committee in its Stage 1 report.

(2) Assurances required by Ministers to bring forward a Financial Resolution?

Outlined below are the key conditions that I would expect to be met to enable me to have further informed discussions with my Ministerial colleagues in due course on this matter. Liz Smith and I discussed these in our meeting on 29 April.

On affordability:

- (a) Clarification on total costs associated with the Bill as introduced, as far as is reasonably practicable – in particular, as related to provision for pupils with additional and complex needs, potential increased staffing costs, and other associated costs such as transport, should the Bill become law.
- (b) Proposals to reduce the overall cost of the provisions as introduced, in particular through targeted rather than universal provision.

On equity of provision:

Confirmation of engagement with the outdoor education sector and other relevant partners around challenges in ensuring equity of provision should the Bill become law, and agreement with these stakeholders on how best to address these concerns, most notably relating to:

- The capacity of the outdoor education sector to provide for pupils with severe disabilities; and
- The importance of flexibility in delivery to meet the needs of pupils with additional and complex needs.

On workforce implications:

Confirmation of engagement with COSLA and trade unions around potential workforce equality, staffing and contractual implications should the Bill become law, and agreement with these partners on how best to address these concerns.

(3) The timescales for this engagement?

I have requested that Liz Smith MSP confirms the outputs of her work around delivery on these conditions ahead of Summer Recess, to allow sufficient time ahead of September for a Ministerial decision to be reached on the Financial Resolution.

(4) Whether there will be an opportunity for further Parliamentary debate (e.g. on potential funding models to deliver universal residential outdoor education), prior to a decision being made on the Financial Resolution?

Scottish Ministers have a unique responsibility and accountability for the appropriate management of the Scottish Budget, and Rule 9.12 of Standing Orders makes clear that only a member of the Scottish Government or a junior Scottish Minister can lodge a motion for a Financial Resolution. As such, while I remain open to hearing all points of view and any additional evidence – in particular from the Member in Charge as well as other Members and stakeholders alike – that can help to inform a decision on the Financial Resolution, I do not intend to bring forward a motion to debate this issue prior to a Ministerial decision being made.

(5) Should the government ultimately decide not to lodge a Financial Resolution, and allow this Bill to fall, whether the Scottish Government will commit to making a statement to Parliament setting out its reasons for doing so?

I will provide a further update to Committee in due course to confirm the Government's decision on whether to bring forward a Financial Resolution. Subject to the outcome of that decision, I will consider also making a statement to Parliament to ensure full transparency.

I trust that you find this information helpful at this time.

Yours sincerely,

Natalie Don-Innes MSP
Minister for Children, Young People & The Promise

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Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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