EDUCATION AND SKILLS COMMITTEE

AGENDA

2nd Meeting, 2017 (Session 5)

Wednesday 18 January 2017

The Committee will meet at 10.00 am in the Robert Burns Room (CR1).

1. **Decision on taking business in private:** The Committee will decide whether to take item 4 in private. The Committee will also decide whether its review of evidence on Widening Access should be taken in private at its next meeting.

2. **Subordinate legislation:** The Committee will consider the following negative instrument—

   Gaelic Medium Education (Assessment Requests) (Scotland) Regulations 2016 (SSI 2016/425)

3. **Curriculum for Excellence:** The Committee will take evidence from—

   Fiona Robertson, Director of Learning, Scottish Government;

   Dr Janet Brown, Chief Executive, Scottish Qualifications Authority;

   Dr Bill Maxwell, Chief Executive, Education Scotland;

   Terry Lanagan, Executive Officer, Association of Directors of Education in Scotland;

   Larry Flanagan, General Secretary, Education Institute of Scotland;

   Seamus Searson, General Secretary, Scottish Secondary Teachers' Association;

   Joanna Murphy, National Parent Forum of Scotland.

4. **Review of Evidence:** The Committee will consider the evidence heard earlier in the meeting.
The papers for this meeting are as follows—

**Agenda item 2**

Paper from the Clerk  
ES/S5/17/2/1

**Agenda item 3**

SPICe Briefing  
ES/S5/17/2/2

Paper from the Clerk  
ES/S5/17/2/3
Introduction

1. The Committee is invited to consider the negative instrument The Gaelic Medium Education (Assessment Requests) (Scotland) Regulations 2016 (SSI 2016/425).

Background

2. These Regulations intend to provide a prescribed and consistent process for parents and guardians to seek Gaelic medium primary education (GMPE) provision from their local education authority. More information on the statutory basis and policy intention of this instrument is set out in the Scottish Government’s Policy Note which is included in Annexe A of this paper.

3. The instrument provides a form to be used by parents to make a request for GMPE provision. The instrument states that all such requests must be in this form or “form adapted for electronic use which is to the same effect”. The full instrument, including the prescribed form is included in Annexe B of this paper.

Procedure in Committee

4. Under the negative procedure, an instrument comes into force on the date specified on it unless a motion to annul is agreed by the parliament. There is no requirement for the Committee to report on this instrument; however, should the Committee wish to do so, it must publish its report by 6 February 2017.

Motions to annul

5. Any MSP (whether a member of the lead committee or not) may lodge a motion recommending annulment of an instrument at any time during the 40-day period which ends on 9 February 2017 for this instrument. If such a motion is lodged for consideration by the Committee then the relevant minister would come to a Committee meeting to answer issues raised by members and speak against the motion.

Timetabling

6. Wherever possible clerks will timetable negative instruments to allow time for consideration at two committee meetings if required.

7. If members want to lodge a motion to annul or undertake any other work on an instrument please let the clerks know as early as possible.

Clerk to the Committee

13 January 2017
POLICY NOTE

THE GAELIC MEDIUM EDUCATION (ASSESSMENT REQUESTS) (SCOTLAND) REGULATIONS 2016

SSI 2016 No. 425

The above instrument was made in exercise of the powers conferred by section 7(5) and (6) of the Education (Scotland) Act 2016, and all other powers enabling them to do so. The instrument is subject to negative procedure.

Policy Objectives

Part 2 of the Education (Scotland) Act 2016 ("the 2016 Act") aims to facilitate the growth of Gaelic medium primary education ("GMPE") by establishing a clear process whereby education authorities must respond to parental requests for an assessment of the need for GMPE. This statutory process is intended to ensure consistent practice across Scotland and provide clarity for education authorities and parents about the nature of the parental entitlement and the manner in which a parental request will be handled.

Section 7(1) of the 2016 Act provides that the parent of a child who is under school age and who has not commenced attendance at a primary school may make a request to the education authority in whose area the child is resident for an assessment of the need for GMPE. Section 18(1) of the 2016 Act explains that the term "parent" has the same meaning as in the Education (Scotland) Act 1980 and so such a request can be made by the guardian of, or any person who has parental responsibilities in relation to, or has care of, such a child.

Section 7(2)(a) states that a parental request under subsection (1) can only be made in relation to one child, who must be specified in the request; this child is then referred to as the "specified child". However, section 7(2)(b) states that a request under subsection (1) must contain, or be accompanied by, evidence that there is a demand for GMPE from other parents of children resident in that same education authority area and who are in the same year group as the specified child. Section 7(3) provides that a parental request may also contain evidence that there is a demand for GMPE from parents of other children under school age who are resident in the same education authority area but who are in a different year group to the specified child.

Section 7(5) and (6) enables Scottish Ministers to make further provision about such requests by regulations. That is what these Regulations do.

Section 7(6) specifies that such regulations may, in particular, include provision for, or in connection with, the form of the request and how it should be made; information to be included in, or accompany, the request; and evidence about demand for GMPE from parents of other children as mentioned in subsections (2) and (3).

Given that a parental request can only be made in relation to one child and that education authorities are only under a duty to consider evidence of demand from parents of children who are under school age and resident in the same GMPE assessment area as the specified child, it is important that these details are clearly set out and readily apparent from the
parental request. In line with the policy intention of the 2016 Act that a statutory assessment process will ensure consistent practice across Scotland, the purpose of these Regulations is to prescribe the form in which a parent must make their request and the manner in which it must be made so that parents make such requests in a standard form and all education authorities receive such requests in a standard form. It is the intention that this standardisation will assist parents (in providing all of the required information) and education authorities (in processing requests within the statutory timescales).

These Regulations also provide for the information that is to be set out in, or accompany, the request which must include evidence about demand for GMPE from parents of other children resident in that same education authority area and who are in the same year group as the specified child and may include evidence about demand for GMPE from parents of other children resident in that same education authority area but who are in a different year group to the specified child.

Consultation

The requirements of all provisions of the 2016 Act were consulted on during the parliamentary progress of the Bill. Informal consultation on the proposed contents of these Regulations was also carried out with a working group consisting of representatives from Bòrd na Gàidhlig, Education Scotland, COSLA, Highland Council and Glasgow City Council.

Impact Assessments

All impact assessments were carried out prior to the introduction of the Education (Scotland) Bill. These Regulations do not change that analysis.

Financial Effects

All financial implications were also considered prior to the introduction of the Education (Scotland) Bill. These Regulations do not change that analysis.

The original Financial Memorandum to the Bill can be found at http://www.parliament.scot/S4_Bills/Education%20(Scotland)%20Bill/b64s4-introd-en.pdf.

The supplementary Financial Memorandum is not relevant to Part 2 of the 2016 Act but can be found at: http://www.parliament.scot/S4_Bills/Education%20(Scotland)%20Bill/SPBill64AFMS042016.pdf.

Scottish Government
Directorate for Learning

December 2016
The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 7(5) and (6) of the Education (Scotland) Act 2016(a), and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Gaelic Medium Education (Assessment Requests) (Scotland) Regulations 2016 and come into force on 1st February 2017.

(2) In these Regulations—

“the 2016 Act” means the Education (Scotland) Act 2016;

“GMPE” means Gaelic medium primary education within the meaning of section 18(2) of the 2016 Act;

“parent” has the meaning given by section 135(1) of the Education (Scotland) Act 1980(b);

“specified child” is to be construed in accordance with section 7(2) of the 2016 Act; and

“year group” is to be construed in accordance with section 7(4) of the 2016 Act.

Form and content of request to assess the need for GMPE

2.—(1) A request under section 7(1) of the 2016 Act must—

(a) be in the form set out in the schedule of these Regulations or in a form adapted for electronic use which is to the same effect;

(b) contain or be accompanied by the information required by that form; and

(c) be authenticated as required by that form by the parent who is making the request.

(2) A request under section 7(1) of the 2016 Act may also contain or be accompanied by the information specified in Annex 2 of that form.

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(a) 2016 asp 8.
(b) 1980 c.44. The definition of ‘parent’ was amended by paragraph 28(5)(a) of schedule 4 of the Children (Scotland) Act 1995 (c.36).
Manner of request to assess the need for GMPE

3. A request under section 7(1) of the 2016 Act must be—
   (a) made in writing; and
   (b) submitted to the education authority in whose area the specified child is resident.

JOHN SWINNEY
A member of the Scottish Government

St Andrew’s House,
Edinburgh
14th December 2016
SCHEDULE

Regulation 2(1)(a)

GMPE ASSESSMENT REQUEST FORM

This is the form that a parent must use when requesting an assessment of the need for Gaelic medium primary education ("GMPE") in the education authority area where their child is resident.

Key terms like 'parent' and 'child' are explained in the 'Notes about the form' section at the end of the form.

HOW TO COMPLETE AND SUBMIT THIS FORM

If you are a parent who wants to make such a request then you must complete this form, including Annex 1. You may also complete Annex 2.

If completing by hand, please use black ink and write in BLOCK CAPITALS except when signing.

When completed, please send to the education authority that you name below.

ABOUT YOU

Full name:

Address:

Post code:

Telephone number:

Email address:
GMPE ASSESSMENT REQUEST FORM

ABOUT YOUR CHILD

Full name of the specified child:

Date of birth of the specified child:

Address of the specified child (if different to your address):

Post code of the specified child (if different to your post code):

DECLARATIONS

- I am a parent of the specified child.
- Under section 7(1) of the Education (Scotland) Act 2016, I request an assessment of the need for GMPE in respect of the GMPE assessment area that the below education authority must designate when it receives this request.
- The specified child is resident in the area of the following education authority:

[Box to be filled in]

- To the best of my knowledge the information which I have provided is correct.
- The parents listed in the annexes to this form have agreed to being listed.
- I attach documents to evidence the specified child’s date of birth and place of residence. The documents I have attached are copies of (tick those that apply):
  - ☐ birth certificate of the specified child
  - ☐ passport of the specified child
  - ☐ utility bill for the address at which the specified child is resident
  - ☐ council tax bill for the address at which the specified child is resident
  - ☐ other, please specify: ____________________________

Signed: ____________________________

Date: ____________________________
GMPE ASSESSMENT REQUEST FORM

ANNEX 1:
EVIDENCE OF DEMAND IN YOUR CHILD’S YEAR GROUP

You must provide the following details to show demand for GMPE from a parent of at least one other child under school age who is in the same year group and resident in the same education authority area as the specified child and who has agreed to being listed as someone with a demand for GMPE.

Please complete these details for each additional child. You can print this page multiple times if providing information about more than one additional child and should refer to Note 4 to see what the minimum number of additional children is that will trigger the education authority’s duty.

Full name of parent:

Address of parent:

Post code of parent:

Telephone number of parent:

Email address of parent:

Full name of child:

Date of birth of child:

Address of child (if different to parent):

Post code of child (if different to parent):
GMPE ASSESSMENT REQUEST FORM

ANNEX 2: EVIDENCE OF DEMAND IN DIFFERENT YEAR GROUPS

You may provide the following information and it may strengthen your request if you do so because the education authority would have to consider such evidence in both the initial assessment and any full assessment of the need for GMPE.

The information that you may provide here is to show demand for GMPE from parents of other children under school age who are resident in the same education authority area as the specified child, but in a different year group to that child. These parents must have agreed to being listed as someone with a demand for GMPE.

Please complete these details for each additional child. You can print this page multiple times if providing information about more than one additional child.

Full name of parent:

Address of parent:

Post code of parent:

Telephone number of parent:

Email address of parent:

Full name of child:

Date of birth of child:

Address of child (if different to parent):

Post code of child (if different to parent):
GMPE ASSESSMENT REQUEST FORM

NOTES ABOUT THE FORM

1. Meaning of “parent”
The Education (Scotland) Act 2016 ("the 2016 Act") relies on the definition of “parent” in the Education (Scotland) Act 1980 which includes guardian and any person who is liable to maintain or has parental responsibilities (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to, or has care of, a child or young person.

In the form and its annexes, each time you are asked to provide the details of a parent (including your own details), the details of only one parent of each child should be provided because the key information for the education authority is the number of children in relation to whom there is demand, not the number of parents.

2. Meaning of “child”
Your request must relate to only one child who is the “specified child” that you list in the ‘About Your Child’ section of the form. If you have more than one child under school age then you can list your other children as additional children in Annex 1 if they are in the same year group as the specified child or Annex 2 if they are in a different year group.

Note that “year group” is defined in section 7(4) of the 2016 Act to mean the group of children under school age all of whom, on commencing primary education at a primary school in the area of the authority, will be in the same yearly stage of primary education.

3. GMPE assessment area
Section 8(2) of the 2016 Act imposes a duty on an education authority to designate the specific area within its entire education authority area in relation to which it will assess the need for GMPE. In designating that assessment area, the education authority is under a duty to, among other things, seek to accommodate the demand shown in the request so far as it is reasonable to do so.

You do not need to do anything other than make sure that you submit your request to the education authority in whose area the specified child is resident and show evidence of demand in Annex 1 from a parent of at least one other child in the same year group who is resident in the same education authority area.

4. Minimum number of children in the same year group to trigger duty
The minimum number of children that will trigger the duty on the education authority to either take steps to secure the provision of GMPE or carry out a full assessment of the need for GMPE, will be stated in section 9(5) of the 2016 Act or set out in regulations made under section 9(7) of the 2016 Act.

On 1 February 2017, that number is 5 children in the same year group which means that you need to evidence demand from the parents of at least 4 other children in the same year group as your child if you want to make sure that the education authority either takes steps to secure the provision of GMPE or at least carries out a full assessment of the need for GMPE.

However, if there is evidence of demand from the parents of fewer than 5 children in the same year group, the education authority may still exercise its discretion to take action so you may still wish to submit a request.
Section 7(1) of the Education (Scotland) Act 2016 (“the 2016 Act”) provides that a parent of a child under school age may request the education authority in whose area the child is resident to assess the need for Gaelic medium primary education (“GMPE”). Such a request will trigger the assessment process in sections 8 to 13 of the 2016 Act.

Section 7(2) of the 2016 Act requires that such a request must relate to only one child (“the specified child”) and contain evidence of demand for GMPE from parents of other children under school age in the same year group and resident in the same education authority area as the specified child.

Section 7(3) of the 2016 Act provides that such a request may also contain evidence that there is demand for GMPE from parents of other children under school age resident in the same education authority area as the specified child but in a different year group.

Section 7(4) of the 2016 Act defines “year group” to mean the group of children under school age all of whom, on commencing primary education at a primary school in that education authority area, will be in the same yearly stage of primary education. This definition is relied on in these Regulations.

Section 7(5) of the 2016 Act enables the Scottish Ministers to make, by regulations, further provision about requests under section 7(1). Section 7(6) specifies that such regulations may, in particular, include provision for or in connection with the form of the request and the manner in which it is made as well as any information that must or may accompany the request.

As such, regulation 2 and the schedule of these Regulations prescribe the form that a request to assess the need for GMPE must follow (including the information which it must and may contain) and regulation 3 prescribes the manner in which the request must be made. Regulation 2 allows the form to be adapted for electronic use so long as it is to the same effect as the form set out in the schedule of these Regulations.
Introduction

As background to the session on 18th January, this paper provides relevant extracts from the Committee’s pre-budget scrutiny along with a summary timeline of the development of Curriculum for Excellence. It focuses mainly on the Senior Phase and development of the qualifications.

In addition to the broad themes for questioning below, the submissions pack includes a submission from the RSE which poses a number of questions to be put to the management board. There is also a submission from a teacher, who has asked to remain anonymous, who also poses a number of questions for the Board.

Lastly to inform questioning, members indicated that part of the purpose of this session is to test the decision making and implementation processes by using certain decisions as case studies - the table at the end of this paper details when key decisions were made / announced / implemented.

Witnesses

Witnesses attending represent the Government, SQA, Education Scotland, and education authorities (ADES). These organisations are aware that the Committee’s report on the performance of Education Scotland and SQA etc will be published on Tuesday 17th January and so could be used as context for this session.

In addition there are representatives from SSTA, EiS and NPFS who have been invited to provide their insight on how the group operates, given the emphasis on the Board operating by consensus in the pre-budget scrutiny sessions (Official Report extracts provided below).

Background

Previously published SPICe briefings provide more detailed background.
Agenda item 3

- School curriculum: proposals for change. SPICe briefing, April 2007
- School curriculum: proposals for change. SPICe briefing, February 2008
- Curriculum for Excellence, SPICe briefing February 2010
- Curriculum for Excellence, SPICe briefing March 2013

At a national level the three main governance bodies for developing CfE are:

- **CfE management board**, established 2007 and chaired by Scottish Government officials. Minutes since December 2009 are available on the Education Scotland website. The Board: “has overall responsibility for the delivery of the national elements of CfE”. National expectations for implementation of CfE are set out each year with the expectation that schools and other providers will use the national guidance to support self-evaluation and use evidence from their self-evaluation to identify priorities for improvement. (OECD, 2015)
- **CfE implementation group**, established in 2011 and chaired by Education Scotland.
- **Assessment and National Qualifications group**, established in 2016 and chaired by the Cabinet Secretary. Its role is to provide recommendations to Ministers and the Management Board on:
  - the policy framework (including design principles) within which qualifications are developed and operate
  - assessment policy and practice from age 3 to 18, and the best means of supporting improvements

The list of organisations represented on each group is provided in the Annex.

During its pre-budget scrutiny, the Committee heard from Education Scotland 30th November 2016, SQA (23rd November 2016) and COSLA (14th December 2016) in relation to some aspects of responsibility and accountability for CfE.

**Theme 1 - Responsibility of the CfE management board / Governance of Curriculum for Excellence**

While the individual bodies on the CfE management board have specific roles for different parts of school education, Education Scotland described the joint responsibility for CfE:

Education Scotland does not go off on its own to develop and produce policy on the curriculum—such policy is a collective effort. The curriculum for excellence management board is the body that [interruption]

Asked about who took the decision that there would not be an external exam for National 4, Bill Maxwell said:

Fundamentally, those are exactly the sort of decisions that are discussed and agreed in great depth through the curriculum for excellence management board, which was established by the Government to drive policy making for curriculum for excellence generally. We all sit on that board and feed evidence and views into it. Those matters are active points of discussion

Similarly, Janet Brown told the Committee
the design and nature of the qualifications was agreed with the CFE management team.

In relation to the development of qualifications, Janet Brown told the Committee that:

The CFE management board approved the design and structure of those qualifications. The course content and the associated guidance were developed in consultation with stakeholders from across the sector, including teachers, colleges, universities and employers, in addition to professional associations and, in particular, subject specialists.

[...] With regard to what the SQA was asked to deliver on curriculum for excellence and the qualifications, the milestones might not have been what the teachers wanted but they were agreed by the curriculum for excellence management board and they were all met.

Bill Maxwell referred to discussion on university entrance requirements:

The demands for different patterns of qualifications for entry to university were discussed in great depth—for example, we discussed how the University of Glasgow and the University of Edinburgh would respond to students applying for medicine and how they could adapt their selection procedures so that pupils would not be disadvantaged and would be able to get the qualifications and the appropriate level of training that they needed before going to university.

At the end of the Committee’s Chamber debate on the performance and role of public bodies on 12 January the Cabinet Secretary placed emphasis on agreement by consensus on the Board.

“That board has operated by consensus. I can find only one occasion on which ministers overturned a recommendation of the board. In fact, it was not a recommendation of the board; a majority view was taken when the board could not operate with unanimity…

The point that I am making is that education involves taking a range of organisations with us in a cohesive fashion, and that is how curriculum for excellence has been implemented.”

Theme 2 - Education Scotland Responsibility

Bill Maxwell described Education Scotland’s responsibility to implement CfE management board decisions:

It is our (Education Scotland) responsibility to support the translation of policy into effective action at the front line, so we work collectively with our partners, such as the curriculum for excellence management board, on consulting stakeholders to agree the kind of guidance that they would [...]The responsibility for providing guidance that matches the policy that we have all agreed certainly lies with us
In reference to the CfE Management Board, he said:

We have a voice in it, but we do not have a veto. That body was set up by ministers [...] We do not run the education system—we are not charged in an absolute sense with responsibility for running the schools or running the education system in Scotland. We are charged with responsibility for implementing what Government policy is on issues—like the CfE management board—after due discussion and negotiation with all stakeholders concerned. Fundamentally, that is the position.

Theme 3 - Scottish Qualifications Authority Responsibility

Janet Brown described the role of the SQA in delivering the new qualifications:

In the case of curriculum for excellence qualifications, the SQA was asked to develop a suite of qualifications that built on the learning level that candidates would have achieved during their broad general education.

She described how the SQA is seeking feedback on the structure of National 4. She also noted that the issue would be discussed at the Qualifications Working Group in January.

The philosophy of national 4 was very much that it would be a progression pathway for candidates who ultimately would leave and potentially go to college. The use of internal assessment and of pass/fail was associated with that philosophy.

At this point we are going to schools and actively soliciting feedback from senior management teams, teachers and pupils, as well as from employers, on the value of national 4 and whether it should be pass/fail, whether it should be internally assessed and so on. That is a conversation that absolutely needs to be had. The assessment and national qualifications group that the Deputy First Minister leads are also looking at it and will be discussing it at its meeting in January.

I totally agree with you that it is a very important area.

Theme 4 - Local Responsibility

Both Education Scotland and the SQA were clear that the design of the curriculum is a decision taken at a local level, albeit within a national framework:

Graeme Logan (Education Scotland) said:

The choices about the design of the curriculum are taken at a local level—[...] Curriculum for excellence is a broad national framework that is developed locally. [...] the decisions on how many subjects can be taken and how the curriculum is designed and organised is a local decision within a broad national framework.

Janet Brown said:

The structure of curriculum models and the nature and number of subjects that are taken by an individual learner or group of learners are determined in a school or a college, and the qualifications that individual candidates undertake is a matter for those centres, in consultation with learners, parents and carers, to support the best interests of that young person. That does not fall within the SQA’s remit.

There is a fixed amount of content about knowledge and skill and about application and understanding, and that needs to go into the course. That creates a certain
size. The nature of how that is applied within a school is a matter for that school, the local authority and consultation with parents and learners.

Councillor Primrose, (COSLA) told the Committee that the amount of guidance produced was a matter for Education Scotland and the SQA

The teachers were not responsible for the 20,000 pages of documents—that was an Education Scotland and SQA responsibility, and I agree that it was cumbersome. We have agreed with the DFM that the information must be streamlined. There was support and councils did act to tackle the bureaucracy. [...] We do not issue the benchmarks—that is the responsibility of the SQA and Education Scotland.

**Theme 5 – Scope for change**

During evidence on the budget process, John Swinney indicated that he is willing to consider current lines of accountability although he also emphasised the multiple layers of responsibility for CfE:

I am going to look at the arrangements around all the bodies that look at such questions. We have the curriculum for excellence management board. There is a sub-group of that board—the assessment and qualifications working group. I chair one of the groups, but I do not chair the management board. I have inherited those arrangements and I will look at them in a timely fashion to ensure that they operate effectively, clearly and transparently, so that lines of accountability are clear.

We must accept—nothing that I do about education will detract from this—that there are multiple layers of accountability in education. The Government has some responsibility, agencies have responsibility, schools and teachers have responsibility, and there are various other points of accountability. We will never remove the multilayered accountability requirement, because we need different layers in the education system to be accountable and to take ownership of responsibility for ensuring that we deliver quality education in Scotland.

Development of Curriculum for Excellence

The table below sets out the main development of Curriculum for Excellence, with a focus on where there were debates and concerns around the Senior Phase. It is based mainly on previously published SPICe briefings.

<table>
<thead>
<tr>
<th>Date</th>
<th>Development</th>
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<tbody>
<tr>
<td>2003</td>
<td>Curriculum Review Group is established</td>
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<td>2004</td>
<td>The Review Group publish <em>A Curriculum for Excellence</em>. It sets out proposed aims for education and principles of the curriculum <em>A Curriculum for Excellence: Ministerial Response</em> is published and Ministers establish a Programme Board.</td>
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<td>2005</td>
<td>Groups established to review existing guidance.</td>
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<td>2006</td>
<td><em>Progress and Proposals</em> made more detailed proposals. <em>Building the Curriculum 1</em> published</td>
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<td>2007</td>
<td><em>Building the Curriculum 2</em> Active Learning in the Early Years</td>
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<td></td>
<td>September: Draft experiences and outcomes start to be published</td>
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<tr>
<td>2008</td>
<td>Continuing release of and engagement on draft experiences and outcomes including trialling them in a range of schools. <em>Building the Curriculum 3: A Framework for Learning and Teaching</em> published.</td>
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<td>July to October: <a href="#">Consultation on new qualifications</a>. The main proposals were:</td>
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<td>- Introduction of new awards in literacy and numeracy (later dropped)</td>
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<td>- Introduction of a new general qualification to replace Standard Grade (General and Credit) and Intermediate 1 and 2. Standard Grade Foundation would be removed</td>
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<td>- Retention of Access, Highers and Advanced Highers with a review of the content of all National Qualifications to ensure consistency with Curriculum for Excellence</td>
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<td>- Provide a range of opportunities to meet the needs of all young people</td>
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<td>The proposal for the replacement to Standard Grade at this stage included an external exam “at all levels where they are currently used for certification.”</td>
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<td>The Scottish Government consultation stated that research with stakeholder groups identified the following as the best features of Standard Grade and Intermediate qualifications:</td>
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<td>- the 'inclusive’ approach to certification contained in Standard Grade; and</td>
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<td>- the 'unit based' structure of Intermediate qualifications.</td>
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<td></td>
<td>The ‘design principles’ (annex B to consultation) included recognition of teacher workload:</td>
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<td>Feasibility/Deliverability. Teacher assessment workload should be considered. The extent of changes should be carefully justified, evaluated and costed. Plans for implementation should take careful account of the capacity of SQA, local authorities and schools, LTS and other partners to deliver, should build on the work of <a href="#">Assessment is for Learning</a> and should be supported by suitable continuing professional development.</td>
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It also made proposals for introducing greater flexibility in the time over which qualifications would be studied. This included:

- studying National Qualifications over 18 months (or 2 years) as well as one year;
- introducing a winter diet of examinations; and
- encouraging the most able students to bypass qualifications at lower levels and to study Highers from S4 onwards.

The proposals did not include any statement on the number of subjects to be studied at S4. However, some of the reaction to the proposals, considered that such a limit would be an inevitable consequence. For example, the TESS reported:

“At a practical level, heads call for models of potential S4-6 timetables, saying there is "real apprehension among experienced timetablers, who are the people who will have to translate paper arrangements into practice, that the proposals will lead to unsustainable demands on the system and, in fact, a narrowing of options in S4-6." (The devil is in the detail, TES, October 24th 2008).

The article also reported concern from the SLS that parents and schools would be unwilling to bypass level 4 exams in S4, so the “two-term dash” to Higher in S5 would remain.

In October, the start date for the new qualifications was delayed from 2013 to 2014. The TES reported on 7th November 2008:

“The Government has bowed to pressure from heads and unions to delay the introduction of the new curriculum and exams by a year. Fiona Hyslop, the Education Secretary, announced last week that all schools would be expected to implement A Curriculum for Excellence from August 2010 to enable the revised qualifications system to be in place in 2014. Her decision was widely welcomed.”

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>2009</td>
<td>April: Publication of full Experiences and Outcomes</td>
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<td>June: Announcement of new qualifications framework</td>
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<td>National 4 courses will be assessed by teaching staff, primarily through a course assessment, and will be quality assured by the SQA. The qualification will not be graded, and will therefore free up more time for learning and teaching. (Official Report 11th June 2009)</td>
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<td></td>
<td>September: Assessment in Curriculum for Excellence: Strategic vision, key principles</td>
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<td></td>
<td>Building the Curriculum 4: skills for learning, skills for work and skills for life</td>
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</tbody>
</table>
|      | March “10 point plan” to “drive forward the delivery of Curriculum for Excellence announced by Education Secretary Michael Russell.” This included greater support for schools, establishment of ‘Excellence Groups’ on curriculum areas creation of a new stakeholder group and dropping the proposal for literacy and
numeracy qualifications separate from English and Maths.

**August: Schools begin to deliver Curriculum for Excellence**

August: Certification of first Scottish Baccalaureates

Autumn term: material starts being added to the national assessment resource

| 2011 | January to December: draft documents for the new qualifications from National 2 to 5. |
|      | March: Excellence Group reports published, reviewing the way forward for the main subject areas. |
|      | March: Michael Russell insists “no limitation” on the number of subjects studied at S4, after parents in Banchory were told they would be limited to five subjects (TESS, 11th March 2011). |
|      | June: The Curriculum for Excellence management board issued a statement to allow individual secondary departments to delay the introduction of the new National 4 and 5 qualifications if they feel they cannot meet the 2013-14 deadline. Individual departments - but not whole schools - could “on an exceptional basis” present pupils for Intermediate exams instead of the new Nationals for that one year. In a bid to clarify other contentious areas, the board says schools should encourage more pupils to bypass National 4 and 5 and go straight to Highers. Its statement also seeks to clarify “the most common misunderstanding” that CfE limits pupils to five subjects in S4, as learning can begin in the S1-3 phase. (TES, 3rd June 2011 *CfE board backs down over National deadlines*). |

| 2012 | January: Revised Access 1, 2 and 3 renamed National 1, 2 and 3 from 2013/14. |
|      | February: East Renfrewshire council decide to delay implementation in their schools, and offer only Intermediates rather than National 4 and 5 in the first year of implementation. |
|      | February: An SSTA poll reveals that many schools are continuing to offer subject choices in S2 rather than S3, contrary to government guidance. Of schools who have not adopted the 3+3 model, Michael Russell said: “I would hope they are listening very carefully to the advice and assistance they are getting - advice from HMIE - so they can ensure that the advantages of CfE are being delivered.” |
|      | March to December: Draft documents for the new Advanced Higher published |
|      | March: Cabinet Secretary and EIS agree on provision of extra course materials. |
|      | April: final unit and course specifications for new qualifications from National 2 to 5 and Higher. |
|      | May: Universities Scotland: [Beyond the Senior Phase](#), recommended that: |
|      | university leaders commit themselves to a review of admissions policy and practice within each of their institutions, to ensure that they will be able to give fair and equal consideration to candidates who have followed diverse routes to qualification through the Senior Phase. |
|      | This included asking universities to re-examine any: |
‘specific or unusual admission requirements, particularly the arguments for, and practice of, any expectation of four or five Highers all-at-one-sitting to ensure that they are consistent with a commitment to fair admissions policies that allow equal consideration of candidates who possess the necessary knowledge and skills base irrespective of what routes they may have taken through the senior phase.

June: All P7 pupils to have developed a ‘pupil profile’

June ‘Education Scotland’s’ ‘Deep Audit’ of the state of readiness for the new qualifications found good progress overall with a small number of departments needing further support. In contrast, the impression given by a number of union surveys was of a far more widespread lack of confidence (See Education and Culture Committee discussion on 26th June 2012).

October to December: first batch of course materials, unit assessment support materials and professional focus group papers.

November 28th Asked by Alex Johnstone, MSP about the number of subjects studied in S4, Alasdair Allan, MSP replied that: although the Government has never attempted to direct schools and local authorities on a default number of subjects to be studied, we have always made it clear that the purpose of the new curriculum is flexibility, and that the number of subjects should be tailored not only to the needs of individual schools and communities, but to the needs of individual young people. We would always expect schools and local authorities to tailor the options that are available to young people to their needs as individuals (Official Report 28th November 2012).

December: Education Scotland published CfE briefings on progression from the BGE to Senior Phase. These state that some of the learning in S3 can be considered as part of the notional 160 hours for National 4/5 courses.

£6.7m provided over 2010/12 for quality assurance and moderation of assessment (SPIce briefing, 2013)

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<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>2013</td>
<td>February: specimen question papers for National 5 available.</td>
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<td>January – April: further batches of course materials, unit assessment support materials and professional focus papers.</td>
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<td>April Final unit and course specifications for Advanced Higher.</td>
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<td>£3.5m provided in 12/13 for a support package for delivery of CfE in secondary schools (SPICe briefing, 2013).</td>
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<td>November: Tackling Bureaucracy working group report published.</td>
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<td>December: option for schools to delay implementation of the new Higher.</td>
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<td>2014</td>
<td>February: Additional £5m to support implementation of Senior Phase.</td>
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<td></td>
<td><strong>August: first certification of new/revised qualifications</strong> at SCQF levels 2 to 5 including the National 4 and National 5.</td>
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<td></td>
<td>‘Reflections Report’ reviewed the first year of national qualifications and found that: “there has been a significant and unsustainable level of over-assessment in many parts of the system. This increase in assessment was not intended, and requires to be addressed at both national and local level.”</td>
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**Agenda item 3**

**ES/S5/17/2/2**

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<tr>
<th>Year</th>
<th>Event</th>
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August: Final certification of qualifications at Intermediate 1 and 2 (SCQF levels 4 and 5).  
August: First certification of revised qualifications at Higher (SCQF level 6)  
August: Final certification of current versions of qualifications at Higher (SCQF level 6) and Advanced Higher (SCQF level 7)  
December: OECD publish “Improving Schools in Scotland”, which includes consideration of CfE governance. |
| 2016 | January: working group on assessment and qualifications established.  
SQA reviews assessment requirements in every subject.  
May: Working Group on Assessment and National Qualifications report published, recognising “an unintended and unsustainable level of work for learners and teachers.” The report considers that: this workload has been a result of a variety of factors, including the design and operation of some unit assessments, preparation for qualifications in BGE; curriculum pathways in the Senior Phase; schools' policies on presentation for qualifications; the number of courses being taken by pupils in S4 and the time available for learning and teaching and assessment, and the operation of verification processes in the first years of the new qualifications  
While announcing changes to some assessment requirements, this did not, at this point, include removal of unit assessments.  
May: Education Scotland issued revised guidance on the number of S4 subjects studied: “Although formal qualification courses will not begin before S4, learning which takes place in the BGE can and should contribute to learning for qualifications. This can and should be done without compromising the entitlement to a Broad General Education in S3. [...] schools should plan for young people to progress smoothly on to following anything between six and eight qualification courses from S4 onwards, with certification of each over a mix of one or two years, as appropriate to their individual needs. (quoted in SPICE briefing, September 2016)  
June: Education Delivery Plan announces significant streamlining of Education Scotland documentation on CfE. This includes:  
- benchmarking information on Experiences and Outcomes for all curriculum areas. By end 2016  
- Education Scotland review of the demands placed on schools by local authorities in relation to CfE. Report by mid-September 2016. |
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<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>August</td>
<td>First certification of revised qualifications at Advanced Higher.</td>
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<td>August</td>
<td>Education Scotland &quot;statement for practitioners&quot; highlights 'key</td>
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<td>messages' for CfE along with 'benchmarks' for literacy and numeracy.</td>
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<td>September</td>
<td>Agreement to remove unit assessments.</td>
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<td>December</td>
<td>National Improvement Plan, replaces the Education Delivery Plan and</td>
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<td>CfE Implementation Plan.</td>
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<td>2017 January</td>
<td>Education Scotland launch new website with reduced content.</td>
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Camilla Kidner
SPICE
11th January 2017
Annex: Membership
The table below sets out the members of the CfE management board, National Qualifications Working Group and CfE Implementation group, showing the overlap in organisation representation across the three groups.

(attending witnesses highlighted in bold)

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<thead>
<tr>
<th>CfE Management Board</th>
<th>National Qualifications Working Group</th>
<th>CfE Implementation Group</th>
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<tbody>
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<td>Education Scotland</td>
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<td>Scottish Government</td>
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<td>SQA</td>
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<td>School Leaders Scotland (SLS)</td>
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<td>ADES</td>
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<td>Association of Headteachers and Deputies in Scotland (AHDS)</td>
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<td>NPFS</td>
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<td>Scottish Council of Independent Schools (SCIS)</td>
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<td>Universities Scotland</td>
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<td>Scottish Teacher Education Committee</td>
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<td>Community Learning and Development Management Group</td>
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<td>Skills Development Scotland</td>
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| Source: membership lists provided to Clerks by Scottish Government. |

12
Written submissions

Witnesses attending represent the Scottish Government, the SQA, Education Scotland, and education authorities (ADES).

These organisations are aware that the Committee’s report on the performance of Education Scotland and SQA will be published on Tuesday 17th January and so could be used as context for this session.

In addition there will be representatives from SSTA, EiS and NPFS who are also Board members and have been invited to provide their insight on how it operates.

 Scottish Government and Education Scotland submission

 SQA submission

 EiS submission

Additional submissions

The SPICe paper provides suggested themes for the session. In addition, the Royal Society of Edinburgh and a teacher who wishes to remain anonymous have made submissions in the form of specific questions for the Board.

 Questions from Royal Society of Edinburgh

 Questions from a teacher (anonymous)