OFFICIAL REPORT
AITHISG OIFIGEIL

Education and Skills Committee

Wednesday 30 November 2016

Session 5

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 30 November 2016

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EDUCATION AND SKILLS COMMITTEE

13th Meeting 2016, Session 5

CONVENER

*James Dornan (Glasgow Cathcart) (SNP)

DEPUTY CONVENER

*Johann Lamont (Glasgow) (Lab)

COMMITTEE MEMBERS

*Colin Beattie (Midlothian North and Musselburgh) (SNP)
*Ross Greer (West Scotland) (Green)
*Daniel Johnson (Edinburgh Southern) (Lab)
*Richard Lochhead (Moray) (SNP)
*Fulton MacGregor (Coatbridge and Chryston) (SNP)
*Gillian Martin (Aberdeenshire East) (SNP)
*Tavish Scott (Shetland Islands) (LD)
*Liz Smith (Mid Scotland and Fife) (Con)
*Ross Thomson (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Alastair Delaney (Education Scotland)
Graeme Logan (Education Scotland)
Dr Bill Maxwell (Education Scotland)

CLERK TO THE COMMITTEE

Roz Thomson

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Education and Skills Committee

Wednesday 30 November 2016

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (James Dornan): I welcome everyone to the Education and Skills Committee's 13th meeting in this parliamentary session. I remind everyone to turn their mobile phones and other devices to silent for the duration of the meeting.

Item 1 is a decision on whether the evidence that we receive next week from the Cabinet Secretary for the Economy, Jobs and Fair Work on the enterprise and skills review should be reviewed in private. Do members agree to take that item in private?

Members *indicated agreement.*

Subordinate Legislation

Scottish Ministers Annual Plan Planning Period (Scotland) Regulations 2016 (SSI 2016/373)

10:00

The Convener: Item 2 is consideration of a Scottish statutory instrument. The instrument is subject to the negative resolution procedure and will come into force unless the Parliament agrees to a motion to annul it. No motion to annul has been lodged. If members have no comments, are we content with the regulations?

Members *indicated agreement.*

Pre-budget Scrutiny 2017-18 (Education Scotland)

10:01

The Convener: Item 3 is the final session for the committee's pre-budget scrutiny. Earlier this month we heard from Skills Development Scotland, the Scottish Further and Higher Education Funding Council and the Scottish Qualifications Authority. This week, I welcome witnesses from Education Scotland: Dr Bill Maxwell is chief executive; Alastair Delaney is chief operating officer; and Graeme Logan is strategic director.

I put on record the committee's thanks to Education Scotland for meeting Tavish Scott and Gillian Martin last week. I understand that Dr Maxwell wants to make a short opening statement.

Dr Bill Maxwell (Education Scotland): Thank you, convener. We very much welcome the opportunity to discuss our work with the committee.

Education Scotland's core purpose is simple: it is to improve the quality of educational outcomes for Scottish learners. Everything that we do is designed to drive improvement in education. As members will be aware, when we were created, the explicit aim was to create a body that could add value by generating closer synergies in how knowledge and expertise that are gained from evaluation activity feed through into guidance, development and innovation, and vice versa. The intention was also to create an organisation that could flex and rebalance the deployment of its resources and methods of working across the full range of improvement expertise and activities that lie within our grasp, to provide the right balance of support and challenge that is required for any particular stage of the national programme of education reform.

When we came into being, a number of major strands of reform were being developed and implemented across the education system. Most prominent among those was curriculum for excellence, about which I am sure that we will talk a lot, but I should point out that major changes have been driven forward in a range of areas, each of which has involved a role for Education Scotland in supporting implementation to some extent. That includes getting it right for every child, the Education (Additional Support for Learning) (Scotland) Act 2009 and the expansion of early years provision. It also includes the reform of teacher education and continuing professional development, from the teaching Scotland's future agenda. It includes the developing Scotland's young workforce agenda, structural reform of the college sector, careers services and modern apprenticeships, and the development of new strategies for youth work, adult learning and community empowerment.

All that, taken in the context of inevitably tight constraints on public resources, meant that it was appropriate for Education Scotland to set the balance of our activity quite strongly towards development guidance and support functions over the first few years of our existence, to ensure that we played our part in supporting major change programmes through periods of major transition.

That approach reflected ministers' priorities and had strong external endorsement. For example, the positive comments in last year's Organisation for Economic Co-operation and Development report "Improving Schools in Scotland: An OECD Perspective on Scottish education", in which Education Scotland was described as "a linchpin" in the CFE reform programme, reflect the effectiveness with which we have adapted our functions to play our role.

We are moving into a new phase in the development of Scottish education. The OECD's comment that this is "a 'watershed' moment" in the implementation of CFE has been widely quoted. The OECD was clear in saying that Scottish education reform is on the right track. Its challenge to the Scottish education system is to move forward boldly to realise the full potential of all the reforms and changes in which we have invested collectively over the past decade or so and, as we do so, to become more focused and specific about the improvements that we need to make.

With that shift in the educational reform journey very much in mind, the balance of Education Scotland's work is changing. The need for the agency to prioritise the development of generic curriculum-wide guidance and support, to help with the implementation of new structures, is lessening.

More targeted work will still be important in priority areas of the curriculum, such as science, technology, engineering and mathematics. However, as the demand for generic curriculum development lessens, the need for evaluation work and work that drives forward targeted improvement initiatives increases, as does the need for active dissemination of what we are learning about the impact of new approaches that are being developed and implemented in schools throughout the country. As part of the response to that changing demand, we intend to build up our commitment to evaluation activities, such as our inspection and review programmes, to help to provide a strong flow of evidence about what works and spread that across the system.

In addition, we have shifted the balance of our activities to ensure that we play an effective role in providing strong professional leadership for the new, more focused drive for improvement in the key priority areas that the new national improvement framework clearly sets out. In working with policy colleagues, we played a key role in supporting the development of the NIF and we have a substantial programme of work under way to support the framework's implementation in a variety of ways.

In what is certainly the largest rebalancing of our resources over the past year, we have established a major new programme of work to provide national professional leadership for one of the NIF's most prominent priorities: closing the poverty-related attainment gap. We have worked in close partnership with policy colleagues to help to design and develop the Scottish attainment challenge throughout 2016. We have built and developed a team of 32 attainment advisers, supported by other education specialists, and we are playing a lead role in brokering collaboration throughout the country to ensure that the programme thrives.

I will give an example of how the agency has flexed its resource to address some pressing short-term issues that required us to deploy our evaluation and guidance functions in synchrony. I refer to the work that is focused on the need to simplify, streamline and refocus aspects of CFE implementation, in which complexity and a lack of clarity had grown through the years of development and roll-out. Through the delivery plan—indeed, in some cases, prior to that—Education Scotland committed to undertaking a range of actions to achieve streamlining.

We are taking action to reduce dramatically the amount of guidance material and content on our website, so that we provide a more easily accessible and integrated offer for schools. In May, we developed and delivered a clear statement of advice to every secondary headteacher on planning for transitions from the broad general education to the senior phase, which responded in part to some apparent confusions and poor practice that were emerging in schools. We developed and published a well-received set of assessment benchmarks for literacy and numeracy in August. Shortly thereafter, I launched a concise statement that set out in one place the definitive package of CFE support—what teachers need to know to deliver CFE effectively. On the evaluation side, we reviewed the extent to which the 32 local authorities had been successful in tackling bureaucracy.

Next year, we will develop our corporate plan. We will look to engage widely with stakeholders and, of course, to take account of whatever may come out of the governance review as we do so. In the meantime, we look forward to discussion with the committee.

The Convener: Thank you. Education Scotland and the SQA clearly play important roles in Scotland's education. What working relationship do you have? Do you have close communication? It would seem sensible for the two organisations to work closely together.

Dr Maxwell: We have close relationships at every level, particularly on the development of the new qualifications. Our staff regularly meet SQA staff and I regularly meet Janet Brown. We all sit on a range of the key committees, such as the curriculum for excellence management board and the working group on assessment and national qualifications, which collectively plan the action that needs to be taken at any point. Particularly in planning the support for teachers, there has been a range of joint working, such as conferences where we have convened events for secondary headteachers, to which we and the SQA have contributed in parallel.

The Convener: Would you say that there is no evidence of silos—of the SQA working here and Education Scotland there—and that it is almost like an amorphous beast at times?

Dr Maxwell: The approach is integrated and collective. We are clear about our responsibilities, but we absolutely do not work in silos. We communicate.

The Convener: I am sure that my colleagues will want to ask about that.

What came across when we met a group of teachers, as well as in some of the responses to the committee's online survey, is that communication—that was a big issue at last week's meeting—seems to be an issue. For example, although there have been a lot of positive comments about the guidance, many teachers say that it is difficult to locate. Surely that is a communication issue. When asked whether the guidance and support

"build the capacity of education providers to improve their performance continuously",

more than 60 per cent of the survey respondents said no. You would say that you are doing a good job but, if you are doing a good job yet more than 60 per cent of people say that they do not think that you are doing a good job, there is a communication issue.

Dr Maxwell: I take the point about the difficulty of navigating the amount of stuff that has built up over the years. I am old enough to be a veteran of previous curriculum developments such as five to 14 and higher still, and I know that, throughout the

development and early implementation of a programme, there is demand for a great deal of guidance, support and exemplification. However, we have reached a point in the current programme at which, for good reasons, that needs to be stripped right back.

We are rebuilding our websites to give them a much sharper focus. Graeme Logan is involved in that, so I ask him to chip in to exemplify how much of a reduction and focusing of the resource is involved—it is quite dramatic. We will launch new guidance websites for teachers with a much more streamlined and accessible set of resources.

Graeme Logan (Education Scotland): We have been working with teachers and others to reduce the amount of online content. In December, we will launch our new national improvement hub and corporate website, which will represent a 90 per cent reduction in the amount of case studies and materials. About 20,000 pages of examples and case studies have been built up; they have been requested over the years by the management board and others to provide different examples of CFE. We are stripping that resource right back to the core materials as a result of the OECD directive on streamlining and clarifying, and that is a dramatic change.

We are also exploring new ways to reach all teachers. For example, we worked with the General Teaching Council for Scotland to email to every teacher in Scotland the definitive statement on curriculum for excellence that Bill Maxwell described. As a result, that piece of guidance was downloaded more than 50,000 times. We are looking at new ways of reaching individual teachers with key messages and bringing clarity to the material that is produced.

The Convener: That is interesting, because clarity does not seem to be forthcoming—not only from your organisation but from others. The national parent forum of Scotland refused to participate in our survey because it could not understand your submission. Clarity does not mean just paring back; it means using language that everybody else understands. Nobody is more important in this than the parents of pupils.

Dr Maxwell: I was disappointed to see the NPFS's response. We have since talked to it in order to understand what exactly it was saying. We generally work pretty closely with the NPFS and have done so over a period, with a focus on developing parent-friendly materials through implementation of the "Nutshell" series. Those guides have taken a range of CFE issues and expressed in clear terms what is happening in assessment or other aspects of CFE. They are pretty popular with teachers, too.

We run the Parentzone Scotland website—I suspect that many folk out there do not realise that we do—and we develop it in close partnership with the NPFS. Generally speaking, we have a strong relationship with the NPFS and a good focus on making things accessible to parents.

The Convener: Nevertheless, you will take on board the comments that the NPFS made.

Dr Maxwell: Of course we will.

The Convener: Let us move on to governance and the relationship with ministers.

Liz Smith (Mid Scotland and Fife) (Con): I will start with some issues that are to do with the inspection process. Which other countries in the world have the education inspectorate in the same body that looks at curriculum development and school policy?

Dr Maxwell: The international picture of how inspection is organised is extremely wide and varied. The United Kingdom tradition of having separate inspectorates is relatively rare, as not many other countries have such inspectorates.

I recognise that it is a relatively new step to bring inspection together with development to create an integrated improvement body. That has attracted a lot of interest from other countries around the world, and some agencies have some similarities to us. We deal a lot with Norway, which has a body that does both evaluation—at least at a system level—and development work through another of its arms.

10:15

The Scottish approach is seen as an interesting development, and I should emphasise that that approach, which differs in many respects from the approach in other parts of the UK, involves in effect a three-level model of quality assurance. Our strongest emphasis for many years has been on building capacity for self-evaluation at school level and on schools reporting openly on their own performance to their parents. That is the first level of quality assurance, which we have put a huge amount of effort into.

The second level is local authority quality assurance, where we expect local authorities to keep track of the performance of their schools and to report on it, as they do publicly to their education committees and otherwise. The third level is our role, which has evolved increasingly into a role where we regularly sample provision down to the classroom level in every local authority across the country. The three levels are interlinked, so quality assurance is not simply about our inspection activity, although that is an important part of it.

Liz Smith: The specific issue of the inspectorate being part of the body that looks at curriculum development and school policy is what I think interests the wider public. Lindsay Paterson said:

"Education Scotland is responsible for developing CfE and, through the inspectorate, for evaluating it. This risks a conflict of interest."

Keir Bloomer said:

"Having development and inspection functions within a single organisation has introduced a fundamental and irreconcilable conflict of interest into the heart of the government's main educational agency."

Do you accept that criticism?

Dr Maxwell: I do not accept that criticism. All the functions that are contained in our organisation are fundamentally about improvement. What sits underneath such comments is a bit of a misunderstanding about who develops the curriculum, because 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—

Liz Smith: I am sorry, but it is your responsibility to deliver that.

Dr Maxwell: It is our 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—

Liz Smith: There may be a collective effort on the guidance that comes to teachers, but surely the responsibility for delivery lies with Education Scotland.

Dr Maxwell: The responsibility for providing guidance that matches the policy that we have all agreed certainly lies with us.

Liz Smith: Indeed.

Dr Maxwell: If that guidance needs to change, it is changed. As was discussed earlier, we regularly change it, and we have taken major steps to make it clearer for folk if there is confusion about it.

Liz Smith: Do you accept that in doing the job of delivery, with the responsibility that you just outlined, and in also doing the inspectorate job, you are acting as judge and jury? I am interested in what other countries do because there do not seem to be many countries that have a system where the inspectorate is part of the same body that develops the curriculum.

Dr Maxwell: I argue that there are huge advantages in having the two aspects better connected. Although Learning and Teaching Scotland and Her Majesty's Inspectorate of Education always worked quite closely together to feed messages back and forth to each other, doing that has become easier with the integrated agency. For example, we have guidance on technologies, and the original curriculum guidance on digital technologies such as computing might have been fine when it was produced back in 2009, but it is clear in 2016 that it needs to be updated. We can see that from our inspection activity and we are also picking up feedback on that from a variety of areas.

We can now immediately translate that into action to update those guidelines. As we speak, our development arm is consulting on an update of experiences and outcomes to take account of the fact that we no longer have floppy disks and so on. That shows exactly the kind of synergies that we can get from picking up evaluation evidence from one part of our organisation, which operates under strict firewalls to ensure that it reports without fear or favour.

Liz Smith: Do you deny that there is any conflict of interest, despite the criticism that comes from education experts and from many teachers who have made submissions?

Dr Maxwell: I think that there are healthy synergies and that no real conflict of interest has arisen in practice.

Johann Lamont (Glasgow) (Lab): I will continue that point. I am interested in your role in giving independent advice to ministers. Say that you give independent advice to ministers to the effect that you do not think that something is wise but ministers say that they are going to do it anyway, it is developed in schools and the inspectorate then establishes that it is a shambles and is not working. How can Education Scotland report on something that it has advocated on behalf of ministers—even if it was not in favour of it originally? How can it make an honest assessment of what is happening in schools if it argued the case for that in the first place?

Dr Maxwell: You describe our role very accurately. It is our duty to inform ministers with accurate evidence first about whether policy is, in our view, in the right direction and, secondly, once it is being implemented, whether it is having the desired effect. Ultimately, it is for ministers and policy officials to determine whether and to what extent they follow that advice.

While that is going on, it is vital that we report accurately what we see on the ground. I have often had this conversation with ministers, and I have never had a minister disagree with me that we, as an organisation, would not be of much use to them if we were telling them what they wanted to hear and not reflecting accurately the real picture of what was happening on the ground.

Inspection, which operates under a strict code of practice to ensure that it reports without fear or favour, and is professionally led, gives us that evidence. I guess that it is the unique selling point of the agency that we are in schools across the country week in, week out, and we have a reach that allows us to see what is happening at the front line. It is our responsibility to surface that evidence faithfully and accurately and to feed it back to ministers but also to the curriculum for excellence management board and other bodies that are taking collective decisions about what seems to be working and what is not.

Johann Lamont: So you are really just providing information rather than being the education agency.

Dr Maxwell: We provide professional advice that is based on front-line information—

Johann Lamont: Will you give examples of where Government policy has changed as a consequence of your realising that something is not working on the ground and is in fact detrimental?

Dr Maxwell: Our May statement about the way in which the broad general education and senior phase were being implemented is a clear example of where issues that we were seeing emerging in schools on the ground resulted in a need for policy to be clarified to schools and for clear guidance to be given. That is what the May statement contained.

Johann Lamont: So the clarification goes to the people who are trying to implement the policy rather than to those who have developed a policy that is causing problems.

Dr Maxwell: The advice was pretty clear that there were certain misunderstandings about the intention of policy that needed to be corrected.

Johann Lamont: I would have thought that there needs to be an agency that says to Government, "This is happening on the ground—you need to change your policy." You are saying that what happens is that you say, "There is a problem on the ground—we will change the guidance because people are getting it wrong or have misunderstood." There are no examples of Government policy changing.

Graeme Logan: There are examples of where changes have been made as a result of independent inspection evidence. One example is the amount of assessment and the assessment burden; we highlighted that several times, which led to a change to assessment materials and guidance. Also, in the formation of policy, we heavily influenced the assessment model in the national improvement framework through our independent evidence and advice that standardised assessment needed to be placed in the context of teachers' professional judgment. We had a heavy influence in ensuring that the policy was educationally effective and that it made sense to teachers.

There is an on-going relationship. We provide professional advice to ministers and policy colleagues, and we surface evidence from inspections. The definitive statement on curriculum for excellence, which came out in August, pulled together all the evidence that we have seen. We are about to publish a three-year analysis of inspection trends across different education sectors, in which we will make it clear—independently, in our view—what the strengths are in the various sectors, as well as the challenges and areas for improvement.

That evidence is there, and it continually feeds improvement and feedback, not just to ministers and policy colleagues but to the teaching profession. Having an improvement agency that can draw on all the functions that we have described is a unique selling point.

Johann Lamont: I want to get my head round who is responsible for what. Last week, we raised with the SQA the genuine concerns about equality in education that exist because of the ending of certification for all, the national 4 being seen as of no great value and the narrowing of the curriculum to meet the needs of the senior phase. Who made the decisions that there would be no external assessment of N4s and that there should be a narrowing of the curriculum in the senior phase, which is having consequences for subject choices? Some teachers have highlighted the fact that there has been a reduction in the number of young people who are choosing STEM subjects, for example. Who made those decisions? Who is accountable for them? The SQA made it clear that that is not its role, because it is a delivery agency. Is it the role of Education Scotland or of Government ministers?

Dr Maxwell: 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. It is clear that there are issues around the national 4. In my view, the answer is not necessarily to introduce an external exam to give it "credibility". Many further education colleges manage internal assessment with great credibility, so there—

Johann Lamont: With respect, the issue is not about credibility; it is about equal valuing of the

courses that young people do. We have had evidence about that.

Dr Maxwell: As I said, college courses up to Scottish credit and qualifications framework level 6 can be internally assessed and they have credibility.

Johann Lamont: Is it conceivable that the curriculum for excellence management board would take a view that was contrary to the view of the education agency in Scotland? If you were to go to that board and say that you thought X, is there any conceivable circumstance in which it would say, "No, we don't agree with you." You seem to be saying that it is a case of collective responsibility and that that other group—not you—makes the decision. I am not quite sure to whom it is accountable.

Dr Maxwell: We have a voice in that body.

Johann Lamont: You have a voice.

Dr Maxwell: We have a voice in it, but we do not have a veto. That body was set up by ministers.

Johann Lamont: So it is possible that the organisation that is charged with responsibility for education in Scotland could be outvoted or ignored through the management board. If you were to state explicitly that you did not think that X should happen, it could still happen.

Dr Maxwell: Indeed, it could, if ministers chose to do that. 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.

Tavish Scott (Shetland Islands) (LD): On the same theme, who chairs the curriculum for excellence management board?

Dr Maxwell: Fiona Robertson, who is director of learning.

Tavish Scott: She is a Scottish Government civil servant.

Dr Maxwell: Yes.

Tavish Scott: So, when it was decided that the choice for science subjects at the senior phase in secondary schools would mean that young people could not take three sciences at school, which was clearly known and understood, was that an agreed decision? Did you all agree that that was a compromise that had to be made?

10:30

Dr Maxwell: The model of secondary senior phase and broad general education that was worked through was agreed and understood, yes—

Tavish Scott: So, to continue Johann Lamont's questions about STEM subjects, on which the Government has made a commitment whose aim we all share, it was known when you discussed the decision in the management board—which I assume you did—that the implication was that kids would not be able to do three sciences in one sitting and get into university on that basis.

Dr Maxwell: Graeme Logan will answer that.

Graeme Logan: By design, the senior phase is a three-year experience. It is not helpful—

Tavish Scott: I know that. You are telling me things I know. I am asking you a specific question about people being able to take three sciences in one year. Did you discuss the consequences of the decision, which, as we have just been told, you made collectively?

Graeme Logan: The choices about the design of the curriculum are taken at a local level—

Tavish Scott: So it is someone else's fault.

Graeme Logan: Curriculum for excellence is a broad national framework that is developed locally.

Tavish Scott: That is not good enough. Are you saying that you did not discuss the implications? Are you saying that, in a meeting with representatives of the SQA and Education Scotland that was chaired by a civil servant, you did not discuss the logic of what you were agreeing in relation to the choices for pupils in secondary 5 in Scottish schools?

Dr Maxwell: We did, in great depth. The universities were part of the discussion too, and they signed up to the kind of qualifications and the patterns that would emerge from the three-year senior phase.

Tavish Scott: I think that we have heard different analyses.

Dr Maxwell: 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.

It is clear that the current output from curriculum for excellence demonstrates that the number of passes in highers has been increasing. Over the

past couple of years, we have seen the highest figures that we have had in many years, and more kids have been getting into university.

Tavish Scott: That really was not what I was talking about.

Dr Maxwell: With regard to specific patterns, I would say—

Tavish Scott: I was asking about STEM subjects, and you have moved away from that.

Dr Maxwell: —that it has probably never been possible to do three sciences in one year in most schools.

Tavish Scott: On Liz Smith's point, my understanding is that, when the changes to unit assessments were published in September, the announcement of that was made by you, Dr Maxwell, in your capacity as chief inspector. That is what is on the piece of paper that went to all schools, which I have seen. Can you explain why that was the case, instead of it being done in your capacity as the chief executive of Education Scotland?

Dr Maxwell: Sorry, is the question about why the unit assessment was announced or about the job title?

Tavish Scott: The job title.

Dr Maxwell: Fundamentally, I think about my job as having three dimensions. One is chief executive of the corporate body of Education Scotland. That certainly subsumes the role that I previously held as chief inspector, and it heads up the inspection function, with all the firewalls around it. There is also a role that involves being the chief adviser, in a sense, to ministers on professional education matters—

Tavish Scott: However, to continue Liz Smith's point, the letter that you issued to schools about assessments was issued under your title of chief inspector, which means that they will treat it as a statement of absolute writ that they had better follow or else. There is a clear conflict.

Dr Maxwell: It is a statement of advice, and it is clear that—

Tavish Scott: Do you not understand the point that we are all making?

Dr Maxwell: I do.

Tavish Scott: Clearly not. I give up—thank you; I give up.

The Convener: That was sudden.

I would like some clarification. Tavish Scott was saying that pupils cannot do three sciences in one year. Is that a national position? Graeme Logan said that the decision is down to local authorities.

Graeme Logan: The purpose of what we were doing was to create a three-year experience so that young people could get more qualifications and achievements than ever before. However, 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. That is the premise of curriculum for excellence.

The Convener: Within the broad national framework, does that exclude doing three sciences in one year?

Graeme Logan: Not necessarily. We can look into the detail of that—

The Convener: Not necessarily?

Graeme Logan: I would need to double-check that specific point and come back to you.

We are talking about over the course of the three years. The senior phase is designed as a three-year experience, so looking at one year in isolation is not helpful and it undermines the purpose. More young people are staying on at school beyond S4 than ever before, and that was part of the design of curriculum for excellence. We can clarify the position on science for the committee.

The Convener: I would appreciate it if you would come back to us with clarification on that.

Ross Thomson (North East Scotland) (Con): In its submission to the committee, the Educational Institute of Scotland raised concerns over what it called

"the increasingly politicised role of Education Scotland".

It stated that

"The EIS continues to have concerns, also, over the increasingly politicised role of Education Scotland within Scottish education",

that

"questions remain about the independence of the inspection process",

and that Education Scotland

"has been reticent to challenge the misconceptions and/or politically motivated approaches of civil servants and ministers".

Are there sufficient safeguards in place to protect against undue political influence on Education Scotland?

Dr Maxwell: Yes, thanks. I note that comment from the trade union but would be confident about assuring you that appropriate safeguards are very much in place around Education Scotland.

Of course, Education Scotland is an executive agency of Government, exactly the same as HMIE was prior to the merger. The same arrangements apply. The framework document, which sets out

how the relationship works, is in the public domain, if folk are interested in exploring it again. It is pretty much identical to what was there for HMIE.

Alastair Delaney can explain more about the code of practice and the firewalls that exist.

Alastair Delaney (Education Scotland): Inspectors in Scotland are appointed HM inspectors, so they are approved through the Privy Council. That carries a level of independence. All our inspectors are very clear about the responsibilities that that places on them.

My role, in addition to chief operating officer, is stated in the framework document as director of inspection. I have a duty—a protective role—to make sure that we operate impartially in carrying out our scrutiny obligations. I could take that to wherever it needed to go if I felt that it was ever impinged on. That is what was written in as a safeguard when the agency was created.

As Bill Maxwell said, our inspection function operates without fear or favour. That is what we are there to do. We are there to report what we find in terms of how it is for child learners and adult learners in Scotland. That is our main focus when we go out to inspect in all settings, including schools. Our processes are very clear about ensuring that there is no opportunity for interference in any of the judgments that we make. Those judgments are reported through at appropriate times, when we say, "This is what we have found"—and it is what we have found.

Ross Thomson: I appreciate the reassurance and the clarity that you have given, which leads me nicely on to the next concern that EIS raised with the committee, which was:

"Even the simple fact that employees of Education Scotland were reclassified in 2011 as civil servants is indicative of the centralisation which has occurred, with no discernible gain to Scottish education as a result: rather than function as an organisation that is objective and independent of the political slants and motivations of government, Education Scotland appears, publicly at least, to be politically compliant."

Given what you have just told me, can you tell me what your experience has been? Is that not a fair criticism from EIS, particularly about centralisation?

Dr Maxwell: First, I would like to nail the point that inspectors were civil servants before the merger, so there was no change. The change applied to staff from Learning and Teaching Scotland, which was a non-departmental public body prior to the merger. That change had no impact on the inspection function, where independence is so important.

Beyond that comment, I think that, inevitably, we occupy an interesting space as an agency. We need to provide robust independent advice. I suspect that that means that, at times, folk such as those in professional associations will think that we are too close to Government. It may also mean that, at times, civil servants and ministers will think that we are too close to the views of the professional associations. We need to keep an honest middle ground in providing advice that is based on what we are seeing in practice. We also recruit from the best educators in the country so that we have a high level of independent professional expertise within the organisation to offer.

Ross Thomson: I want to pick up on the specific governance issues that the Auditor General for Scotland raised in her submission to the committee. In particular, she stated that

"the Management Board only met once"

and that

"There is a risk that"

it is not fulfilling its

"duties as outlined within"

the

"terms of reference."

Dr Maxwell, why did the board meet only once? Why are you risking failing in your duties?

Dr Maxwell: I can give you some background information on the management board. I should start by explaining that, as an executive agency, we have an advisory board. It does not have the functions that we would expect a board to have if we were further out from Government, like an NDPB, but it is important for us, and we use it effectively. Alastair Delaney, as the chief operating officer, will be able to explain.

Alastair Delaney: Yes. Audit Scotland was correct in the report that it supplied for the year to 31 March 2016—obviously, that is what Mr Thomson quoted from. We did not have the four formal meetings that we originally planned for a number of reasons. However, with their agreement, our non-executive directors came along to two sessions with our senior team—not just with us, but with our assistant directors, who run programmes of work—to talk about and engage in our business planning process. They did that once in December 2015 and once in January 2016.

That was a really important time, as we were changing from taking a structural approach to taking a programme approach to planning our work—we outlined that in our submission. At that point, we agreed with the management board that it would be really helpful to have the non-executive directors engage with the two full-day sessions rather than have a formal management board

meeting. In addition, during one of those sessions, they held a special meeting with the senior team about the direction of and future vision for the organisation.

That covers two sessions. The planned March meeting had to be moved to April due to holidays, and that knocked it over into the next financial year.

In the current year, we have fulfilled all our obligations in relation to the planned meetings of both the audit and risk committee and the management board, and meetings are planned through to the end of the financial year.

Ross Thomson: You said that there were a number of reasons why the four meetings up to 31 March 2016 did not happen. I presume that, when you move board meetings or they do not happen, the reasons for not meeting must be of critical importance. What reasons meant that you could not meet as a board?

Alastair Delaney: It was not that we could not meet; we agreed with the non-executive directors that it would be more productive for them to engage in a full-day workshop with our corporate leadership team on planning and the new approaches that we were taking to planning. The advisory board is keen to help us by bringing its different experiences and expertise—which we do not have inside the organisation—to bear on new developments, and we agreed with it that that was an appropriate way forward.

The Easter meeting had technically to move over to the next financial year simply due to a clash in holidays. Obviously, if it is to function, the management board needs a quorum. We just had to move the meeting a few weeks, and that knocked it outside the reporting year for Audit Scotland.

Ross Thomson: Okay. Thank you.

Mark Priestley stated in his submission that there has been

"an increased need for bureaucratic box-ticking approaches, which in turn increase workload."

Dr Maxwell, when will teaching go back to being about giving young people the very best education rather than its being simply a box-ticking culture?

Dr Maxwell: That is exactly the intention behind curriculum for excellence. The intention is to provide a rich and broad education in which teachers have great flexibility to design the curriculum to suit themselves.

We are very strongly against any notion of a tick-box culture, and we note Mark Priestley's concerns about that. I agree with aspects of what he said. One of the challenges for schools in the new arrangements under curriculum for excellence is the capacity of their leadership and staff to design and develop rich curricula for themselves within broad guidance. Some schools do that very well, but others need more support. I know that Mark Priestley has done some very useful work on that with one of the Lothian councils and with heads. That is a really important part of the development, because a tick-box culture is the last thing that we want or intend.

Graeme Logan: We brought further clarity to that with the statement in August, in which we said that two resources for teachers to use are experiences and outcomes for planning, and benchmarks for assessment. That strips it right back. We did a workload review of local authorities to see how attempts to reduce bureaucracy were being implemented, and we will follow that up. We have stripped it right back and made it very clear that we expect teachers to use just those two resources for planning and assessment to cut out any other bureaucracy that has grown up. We will continue to monitor that in what we produce ourselves and what local authorities demand of schools.

10:45

Ross Thomson: When the committee first came together, we had an away day in Stirling. We met primary and secondary headteachers and a lot of the feedback that I got was about the box-ticking culture. A wonderful folder was presented to members to show what headteachers have to go through and all the boxes they have to tick. I appreciate that you do not want there to be a box-ticking culture but, from what we could see, it looks as if it is an inherent part of the job.

Dr Maxwell: That was also an important message from the review, which looked at how the 32 local authorities were translating for their schools the national intention into local guidance on planning and assessment. In a number of cases, we saw evidence of too much emphasis being placed on a tick-box culture that assesses every level. We sent strong messages through the tackling bureaucracy review that took place in August to counter that.

Graeme Logan: We have a specific picture of each local authority. From the independent review, we know that just under half—15—of the local authorities have been proactive in reducing workload and bureaucracy, and we are following up with the others to see where further action can be taken to make sure that that happens.

Daniel Johnson (Edinburgh Southern) (Lab): I will start by following up on one of Ross Thomson's points. You answered his initial question on the EIS evidence by referring to what you are already doing. Forgive me, but the

allegations that the EIS is making are pretty serious. It said that the inspection regime is overly close to the Government and that your proximity precludes you from providing objective advice to the Government. Is that allegation baseless? Why is the EIS saying that? Why might it have put that so starkly in its evidence to the committee?

Dr Maxwell: I reject that. I understand that the EIS is a professional association that represents strong views from the profession on certain issues. To take the introduction and assessment of national standardised assessments as an example, the EIS might have liked us to argue its members' case exactly as they saw it to the Government and change policy in the way that they desire. Equally, ministers started with a view and, over a period of time, we fed in our evidence and advice. The end result might not be exactly as the EIS would have designed it in the first instance, but it is based on what we believe is good professional advice on the way forward. Indeed, a unique and progressive development of the use of standardised assessments in schools has come out of that process. We have a good way forward, although it might not be the one that the EIS would have picked if they had a free hand at the beginning.

Daniel Johnson: You think that its issue is just that it lost the argument and that there is no inherent incompatibility between the way in which you are structured and set up and references to ministers and other agencies.

Dr Maxwell: I would not say that the EIS lost the argument; I am sure that it, too was influential. However, the agreed solution might not be what it wants. If it feels that our role as an agency is simply to back up the EIS view, it would be incorrect. I assure you that we had a strong voice in that discussion right the way through.

Daniel Johnson: This week and last week, members have had a thick pack of papers from individuals and agencies that paint a worrying picture. One of the points of focus is that curriculum for excellence takes pupils up to S3 and then comes the crunch point with the qualifications system. The requirement to provide that broad general education with the switch into the senior phase has been done through a rapid succession of changes that are incompatible with the requirements of both those things. It puts teachers under an awful lot of stress and they just do not feel that they are being supported by you or the SQA. Do you agree with that as a broad assessment of where teachers are right now?

Dr Maxwell: I would not agree with that as a broad assessment; I would agree that there is an issue that schools are working through. The May guidance to which I have referred was on the issue of how to transition effectively from what should be a rich and broad general education that goes higher than ever before, to the end of S3, while making sure that that also sets the groundwork to prepare young people to thrive in the qualifications framework.

Part of the activity that is under way is aimed at providing clarity on what levels 3 and 4 in the CFE framework mean. The new benchmarks that we issued—and Graeme Logan might want comment on those—are helping schools to understand even more clearly what is expected from broad general education.

Graeme Logan: First, curriculum for excellence does not go just to the end of S3, but goes up to age 18. For the first time, we have a curriculum framework that covers young people from age three to 18, with progression from the early years all the way through to leaving school.

The EIS has issued advice to their members in which it welcomes the recent curriculum for excellence statement and the benchmarks for literacy and numeracy and endorses some of the key messages. It would be fair to say that we work constructively with the EIS on that agenda, and we try to represent the profession's views, as well as our own independent views, when policy is formed.

As Bill Maxwell said, the benchmarks are intended to be clear on the standard that is expected at each level of curriculum for excellence, so that we can see the progression all the way through. That is a significant streamlining activity—

Daniel Johnson: Forgive me, but it is not a question of standards; rather, it is a question of deliverability. That has been clear from both this and last week's evidence session. Indeed, you have just admitted that there is an issue. If there is a problem with the design of the curriculum and the qualification set-up, is that your fault, the SQA's fault or the fault of ministers in how the policy has been conceived?

Graeme Logan: The curriculum for excellence framework has been endorsed by the OECD as the right way forward. It is a case of working together to provide the best support for teachers, which is what we are trying to do and why we have cut and streamlined a lot of the advice. For a period, there were requests for more case studies and exemplification. However, as I say, we are trying to pare back the amount of material the teachers get, so that they have the advice and the material that they need to make the decisions that, within our curricular framework, they are empowered to make locally on what best suits the children who are in front of them. That is an important principle of curriculum for excellence,

and it has been recognised as a strength of the programme.

Dr Maxwell: To be perfectly straight with you, we have just gone through the first complete run of the new curriculum for excellence framework up to S6. We are all learning lessons from that. How we implemented CFE was a collective decision. Out of that first run is action on our side to reduce and clarify the guidance and to make it easier for teachers to access, which they appreciate. The SQA is taking action to cut the assessment burden. There are also actions that are very much for local authorities and schools to take to make sure that they are fully embedding approaches that make it possible for schools to get the best value out of the new curricular framework.

Daniel Johnson: You are standing behind the OECD report as a declaration that curriculum for excellence is right. However, Lindsay Paterson's evidence to the committee is that although the OECD is broadly supportive of curriculum for excellence's intent and overall objectives, it is clear that the evidence is just not available about how effective it has been and, more important, that we have missed the opportunity to do that evaluation. I struggle to understand how you can be so confident that all is fine and stand behind the OECD as evidence of that, when the OECD is saying that we do not have the basis to evaluate the curriculum and say how well it is being implemented.

Dr Maxwell: My understanding is that the OECD did not say in its report that we had missed the boat and could do nothing more about evaluating CFE's impact; rather, Dr Paterson says that.

The OECD has recommended that it would now be appropriate to undertake further research and evidence gathering on CFE's impact on various aspects—aspects that do not naturally flow from the improving statistics on SQA results, for example. We have evidence of improving levels of positive destinations for young people; we even have evidence of the gap in outcomes for pupils closing, to some extent, although that is not yet happening fast enough.

Daniel Johnson: How do the results for literacy and numeracy reflect the curriculum changes?

Dr Maxwell: The results for literacy and numeracy from the Scottish survey of literacy and numeracy raise issues that we need to be concerned about and address directly. Action is under way, and we are leading on the maths side, particularly following the most recent results. We need to ensure that the figures are heading in the right direction.

Graeme Logan: There is a wide support programme to improve attainment in literacy and numeracy, which aims to enable as many children as possible to reach the high standards that we have set in the curriculum for excellence levels. It is not about basic literacy and numeracy; it is about assessing children against the curriculum for excellence levels, which are challenging and demanding. Our evidence indicates that we need to do more to raise the level of attainment. We must continue to do that and close the poverty-related attainment gap in literacy and numeracy. That is why the Scottish attainment challenge is designed around literacy and numeracy, and health and wellbeing.

Johann Lamont: Your response to several members' questions is that people have not understood your message. Local authorities have got it wrong and have had too many boxes to tick; teachers have not been clear about what you have asked. It seems to me that you should look at whether the message that you are delivering is creating the problems. To emphasise that point about your responsibility, I quote Dr Lindsay Paterson. He says:

> "It is now too late to evaluate how CfE is working in detail, school by school, because the moment at which the comparative data could have been collected has passed. Missing that moment might be described as a dereliction of duty by Education Scotland."

How do you respond to that statement?

Dr Maxwell: I would need a discussion with Dr Paterson to understand what he thinks should have been collected, school by school, from the start of the process. There is a range of evidence, which we can track back if we wish to do so, around school attainment at the secondary level; however, less evidence has been collected at the primary level on a school-by-school or local-authority-by-local-authority basis. Therefore, I am pleased that the Government has taken steps to introduce the collection of data at P1, P4, P7 and so on.

Johann Lamont: You were not aware that Dr Paterson held that view.

Dr Maxwell: I have heard it before in various forms.

Johann Lamont: It has not come up in conversation why someone like Dr Paterson, who has a reputation in education, might think that.

Dr Maxwell: I cannot speak for him. Fundamentally, it has tended to be associated with a view that more academic research should have been commissioned from the start in our programme of academic research. The OECD looked at that and has recommended that there should be a national research strategy; it would be for the Government to commission that, and I believe that that is in preparation at the moment. I

think that there will be an announcement about that shortly.

Johann Lamont: So, at some point in the future, we may research some of this. Did the curriculum for excellence implementation group ever discuss the need to benchmark for curriculum for excellence and collect the data school by school? If it discussed that idea, why did it reject it?

Dr Maxwell: Dr Paterson may be unaware of the fact that we have regularly reported to the CFE management board on the outcomes. When we inspect school by school, we see how practice is emerging on the ground. That has been going on.

Graeme Logan: In every school that has been inspected, the curriculum has been evaluated. When schools have been inspected on a sample basis, we have looked at the design of the curriculum and the quality of courses and programmes. That evidence has been collated and reported regularly through the channels that Bill Maxwell has described.

Although there has not been a formal research strategy, that is a recommendation and it is in the Government's delivery plan with a timescale attached. It is not something that will happen at some point in the future; the Scottish Government has set out a timescale for the implementation of a research strategy.

There has been evidence through school inspections and our other engagements. For example, once a year, we meet all secondary headteachers and look at the leadership of curriculum for excellence and what is happening. All that evidence from all the engagement work that we do feeds back—

11:00

Johann Lamont: Do you not accept the simple point that, if you are going to implement a new way of doing things, it might be a good idea to check whether it makes things better or worse by having a benchmark? Professor Paterson seemed to be suggesting that we are doing poorly on numeracy and literacy, but we do not know—presumably because you have not even discussed the idea of doing that—whether curriculum for excellence is tackling the issue or creating more of a problem. His point is that, therefore, you can only assert that curriculum for excellence is a good thing. There is no evidence. It is a serious issue if, in fact, what we have chosen to do is making the problem worse rather than improving things.

Dr Maxwell: We have absolutely been monitoring the progress of curriculum for excellence through our inspection programme all the way through—

Johann Lamont: Professor Paterson, along with the EIS, is mistaken, then.

Dr Maxwell: He may well not understand the level of monitoring that goes on through inspection, I suspect. As I said earlier, there has also been plenty of evidence around the SQA about results and positive destinations in the system. There is evidence around, which is perhaps underplayed in his—

Johann Lamont: With respect, you would not be able to prove a causal link between curriculum for excellence and people getting jobs. You cannot do that, I presume. There could be all sorts of other factors. I taught in the 1980s and the curriculum was excellent but there were no jobs. Did that mean that the curriculum that we were pursuing was a failure?

Dr Maxwell: Therein I think you have put your finger on the challenges of having an assessment of a programme that is as broad and far reaching as curriculum for excellence. It will never be possible to make an absolutely scientific study of a one-to-one correlation between a change to the curriculum and outcomes for young people in a variety of ways.

We are concerned about the SSLN literacy results and particularly the dip in writing at early secondary level, but we know that that also appears in other countries around the world and it might be as much to do with issues such as young people's increasing use of social media and digital technology, which we need to adapt and change teaching to accommodate, rather than specifically what is happening in the curriculum.

There are a range of factors. It is always a complex answer and there is never a simple track between one piece of data and the six that we can ascribe to the curriculum in simple terms.

The Convener: Before I bring in Tavish Scott to ask a short supplementary question, will you clarify something? You seemed to suggest that the data for benchmarking exists, or that you can get to a position where you know whether we have improved.

Dr Maxwell: Just to be clear, I am not sure exactly what is intended by the term "benchmarking". What was there throughout—

The Convener: If you were here and now we want to know where you are, I would say that that is benchmarking.

Dr Maxwell: Inspection has been undertaken throughout the process, and inspections use quality indicators as our benchmarks, if you like. For example, inspectors have judged the curriculum against a six-point scale in every school that we have inspected during that time. A clear professional assessment is made against

benchmarks that we publish openly in "How good is our school?", and during the implementation process we issued annual updates and guidance on exactly how we were interpreting, for example, the curriculum quality indicator.

Tavish Scott: Can I check something further to Johann Lamont and Daniel Johnson's questions? Page 14 of the OECD 2015 report, which of course was commissioned by the Scottish Government, says that

"the evidence is not available for ... an evaluation"

of CFE.

Is that correct? Is that your understanding as well?

Dr Maxwell: I think that it would be premature to say that we had the evidence and could sit down now and make a final judgment about whether, in its full form, it is achieving its—

Tavish Scott: That is not the question that I asked. I am just asking you for the record whether the OECD said in December 2015 that

"the evidence is not available for ... an evaluation"

of CFE.

Dr Maxwell: I absolutely take your word for that. I do not have the report in front of me.

Tavish Scott: In those circumstances, and further to all the questions that my colleagues have asked, what has the CFE management board been doing all these years?

Dr Maxwell: The CFE management board took the view that evaluation of CFE should be commissioned. Indeed, the OECD report is probably the most significant example of that. The management board was party to the decision that we should invite a group of external independent experts to have a look at CFE—hence the report that you have in front of you.

It is also fair to say that the OECD rehearses in its report its understanding that a leap to assessment of a programme's success while in the process of implementation would be premature and unhelpful, but it encourages the system to step up assessment efforts—

Tavish Scott: I am sure that that is true, but CFE started in 2004.

Dr Maxwell: It was 2009 when the experiences and outcomes, which are the basis of planning, hit the road in terms of schools beginning to have practical guidance.

Tavish Scott: That is entirely fair. Let us say 2009, although I remember Peter Peacock describing it to us all in 2004.

According to not me but the OECD, between 2009 and 2015 there was no evaluation, so we do not know what was happening to pupils in our schools during that time, other than through the inspections—I take your point on inspections.

Dr Maxwell: There were inspections and some data is continuously available—

Tavish Scott: In terms of highers—

Dr Maxwell: Such as exam results, pupil destinations and—

Tavish Scott: Just to repeat my question, between 2009 and 2015, did the management board, which you have talked about a lot this morning, not consider that it would be appropriate to provide the education minister of the day—there was a number of them over that period—with an evaluation? Maybe he or she did not ask, but did it not occur to the management board that it would be a good idea to have a regular evaluation, so that we would know what was going on?

Dr Maxwell: My recollection of the discussions with the management board was that there was a clear understanding that a comprehensive evaluation should be developed and undertaken at an appropriate time. The OECD report, as I said, was the first part of that.

Liz Smith: Just to be crystal clear about this, the OECD is not arguing that you can come out with a full-scale measurement of whether curriculum for excellence has succeeded, because it is a short timescale. The point that the OECD and Lindsay Paterson are making is that the data that we would need for the period from the instigation of curriculum for excellence until the time that we choose to measure its overriding success has not been collected in a way that would be helpful. Surely that is the point.

Dr Maxwell: That is the argument that Lindsay Paterson is making.

Liz Smith: It is the argument that the OECD is making.

Dr Maxwell: As I said, there is some data around and there are gaps in the data. I would agree that attainment data that could be used to drill down to school level, as opposed to the data from the SSLN, which is available only at national level, would be helpful, and it will be forthcoming as a result of the changes that have been made. The management board did not create that data earlier for various reasons, no doubt.

The Convener: Gillian Martin has a question on inspections.

Gillian Martin (Aberdeenshire East) (SNP): I thank Education Scotland for meeting me and Tavish Scott last week. I would like to speak about inspections, as I did then. On your website, you say:

"we plan to introduce a suite of inspection models, which we can use in different contexts and for different purposes. We are continuing to develop our short inspection, localised thematic and neighbourhood review models".

What is happening with the change in inspections from the previous model to short inspection and localised thematic models? What do those things actually mean?

Dr Maxwell: I will pass you over to Alastair Delaney; he has been leading our inspection review, which has been going on for a year or so. The purpose of the review has been to redevelop the existing models and it has entered some interesting new territory, such as an integrated look across the senior phase.

Alastair Delaney: I have been leading the review since April 2014. We have had an external reference group involving all the key stakeholders, such as professional associations, parent bodies and directors of education, who have advised us throughout the review.

Until September this year, we had a single model of how to inspect schools. There was one standard model approach across secondary, primary, or whatever. As a result of the evidence and the consultation that we had, we wanted to move to a menu or suite of models, which could be flexed, to be more proportionate and more risk based and to enable us to get round different themes and issues in Scottish education as they arose.

The first element in achieving that was the new set of quality indicators, which were launched in September last year. The indicators were given a year to bed into the system; we started using them in inspections from September this year. A lot of training events were run to get teachers up to speed with what that meant.

The indicators are in the fourth edition of "How good is our school?" I should make it clear that that is a self-evaluation framework, which we also use for inspection. It is not compulsory for schools to use the framework, but about 99 per cent of schools use it, because they are involved in the development of the framework.

The new full-model approach is similar to what we did previously, but it has been updated with the new quality indicators. One of the big differences in that model is that we negotiate a quality indicator with the school. The idea is to help the school to focus on an issue, a challenge or something that it wants to engage with the inspection team about. We piloted a formalised way of doing that, and we have been taking that approach since September.

Also in the system is a shorter model of inspection. We had some try-outs of taking less time in school and then following up by going back again if there were issues or things that we could not find out about. It is a risk-based approach, which involves a shorter time in the school. We will do a number of those inspections more systematically from January and fully implement the approach thereafter.

We are also looking at short-notice inspection. We and the professional associations agree that there is a 50:50 split among teachers—almost exactly—between those who think that that is a good idea and those who do not, which is interesting. Parents bodies would prefer us to turn up without giving schools notice. We piloted short notice, which meant telling people on Thursday and arriving on Monday, and we learned a lot.

The key thing that we need to put in place is electronic questionnaires, which are to be sent out in advance of inspections. Currently, we send questionnaires in paper format, bring them back and collate them—they go to parents, staff and learners and pupils in the school. From January, all our inspections will use an electronic questionnaire. That is a pilot; we can finalise the approach and roll it out, with more unannounced inspections.

The final element is the localised thematic and neighbourhood models. On localised thematic, we did a pilot inspection in Moray Council, to look at the senior phase, no matter who the provider was. We were looking at the senior phase not just from the school's point of view but from the learner's point of view: how did the college, careers and everything else work together to make the senior phase work? Everyone who was involved in the pilot thought that the approach added value to our inspection activity, so we will roll out some of those inspections over the coming inspection year.

The neighbourhood model takes us to the next step: it asks what it is like to learn in a particular community, no matter who the provider is. In other words, what is someone's path and progression, from early years right through to the destination? We have done one pilot on that but we need to do more work to develop the model. The intention is to have that model on the stocks.

Gillian Martin: I grant that the new approach to inspections has only just started. However, we have had feedback from teachers, and the submission from the EIS commented that the response from teachers who have been inspected provides "a variable picture". You said that you want to be more supportive of teaching and learning, rather than take the judgmental approach that used to get people into such a state about inspections. The EIS said, of its members' concerns:

"These centre on confusion around the process of inspection; the lack of opportunity for genuine professional

dialogue between teachers and the members of the inspectorate teams;"

and

"excessive workload and stress that inspection generates for teachers and senior managers".

My committee colleagues Ross Greer and James Dornan talked to teachers, who said that inspections still create a flurry of activity, with inspectors not really gaining an insight into how the school works. I am sure that you are familiar with that kind of comment.

What feedback do you get from the teachers whom you inspect? Are you getting, if you like, reverse feedback from them on how valuable they found the inspections? If so, do you look at that feedback and modify the inspections based on it?

11:15

Alastair Delaney: That is a good question. However, I would make a slight amendment: the changes that we introduced from September relate to our approaches to inspection. That said, for a long period of time now—indeed, more than 15 years—we have been moving to more professional dialogue and improvement-focused activity in inspections. It is not that we just switched in September from being about pure accountability to being about improvement. In fact, the Scottish approach to inspection is genuinely internationally renowned, and a lot of inspectorates have followed our improvement-focused approach.

In direct answer to your question, for every single inspection, there is a post-inspection return from the school involved. Because that happens after the process is complete, it does not affect the process itself. Schools have the opportunity to come back and tell us what they thought and how valuable they found the process, and according to our statistics based on those responses, a very high number of people said that the inspection was valuable.

More than that, we have excellent relationships with the professional associations. We meet them regularly, and they provide us with feedback on a confidential basis from, for example, EIS representatives in the schools that have been inspected. That allows us to get a feel for how we are doing from their perspective.

In the process that has been undertaken over the past two years of developing, amending and refining the models and new approaches, we have genuinely been trying to learn things and get a consensus around the best way of carrying out inspections to meet the requirement of having some level of accountability—after all, we, and certainly parents, want to ensure that schools are delivering what is expected of them—and to make things better. We do not just read the meter—if I can phrase it that way—and tell people what is good or bad; we help them understand what they can do to improve things.

Gillian Martin: Do you accept that a lot of teachers find the idea of an inspection very worrying and that it actually increases their workload? Your main message that it is all about support is probably not getting through to all teachers, who are having their weekends obliterated because they have to spend the period from the Thursday to the Monday reprinting documentation and being at school. That message is really not getting through, because people are still concerned about getting everything tickety-boo for the inspectors coming in on the Monday.

Alastair Delaney: We genuinely understand that people have such a reaction, and we go to great lengths to try to persuade them that that is not what they should be doing. The whole Scottish system is based on self-evaluation, which means that schools should have to make no adjustments whatever for an inspection team coming in; everything should just be as expected. Of course, it is easy to say that. There will be people running around in advance, checking what is on noticeboards and so on.

When we ask teachers about this, we find an obvious concern about someone coming to look at their practice and at something in which they have invested their lives. That concern is there, and we cannot stop it happening. However, teachers have been very positive about the reductions that we have made in what is expected of them in advance of our turning up. In years gone by, there would have been rooms filled with paper, and we just do not want that—we do not demand or ask for it—any more.

However, issues have arisen when a local authority has tried to anticipate when a school might be inspected and has done its own reviews. That sort of thing is not universal across the country, but it has been raised with us by teaching unions and teachers, and it is more of a concern than what actually happens during an inspection. We have engaged with local authorities to try to stop that happening, and we are just about to embark on a publicity and information campaign for all teachers. One aspect of that is myth busting, in which we will say, "You might think that this is what we want in an inspection, but it really isn't", and we will try to reinforce that and get that information out through different channels such as social media.

Gillian Martin: This will be my final question, convener. Do you accept that the final verdict that you give a school can obliterate everything else in

the report? Have you noticed that and, if so, are you looking at it?

Alastair Delaney: You will always want an inspection to have an accountability element; in that respect, people will want—and expect—to see something at the end of the report that says, "Here are the grades." We want people to look beyond that and read the story of what the school is about. We try to encourage people to read beyond the appendix at the back because there is an individual, unique story in every school that we visit and it is not possible for somebody to understand that if they only look at the appendix.

However, let us be clear: people live in communities and, when we put grades on any kind of school, the local media will comment on the report, parents will comment on it and colleagues will see it. That is natural if gradings are part of an inspection system. We cannot get away from that; we can only mitigate it as much as we can.

Richard Lochhead (Moray) (SNP): A couple of weeks ago, you gave a glowing report to Craigellachie primary school in Speyside. Thank you for that. It certainly attracted media attention—for the right reasons, thankfully.

As other members said, the inspection process is extremely stressful for teachers and schools. That is one bit of feedback that constituency members regularly get from speaking to schools and teachers. I hope that the short inspections and other improvements that you are speaking about will make a material difference to the stress levels.

The other factors that cause stress in the classroom are variable. We are taking evidence on budgets—we tend to stray into all kinds of policy areas because it is difficult to focus on budget scrutiny. When you carry out inspections, how do you take into account the lack of classroom assistants or whatever the factors are that impact on day-to-day teaching? I presume that your focus is on the delivery and quality of education, but many different factors influence what happens in the day-to-day life of a school, so how do you take into account the budget pressures that some schools face?

Dr Maxwell: As you rightly say, when we do an inspection the focus is on the delivery of education in the school but, if we see that that is adversely affected by, say, the school having to rely on supply teachers—I know that there are particular issues in the north-east with the availability of staff for specialist subjects—we will report on that in the inspection. We then feed back to the local authority and into national sources on what we see and whether it is localised or widespread. That is a classic example of the fact that we not only judge and report on the impact as it applies to a particular school but can draw out messages from that that we need to feed back into Government policy.

Richard Lochhead: I am aware of some issues in relation to additional support needs. How do you take into account inclusive education and the resources that are applied to it to ensure that we give people of all abilities proper educational opportunities? What expertise have you built up in inspecting the ASN elements of education?

Dr Maxwell: Most ASN provision now exists in the main stream, although we have an active programme of special school inspections as well. We deliberately inspect special schools rather more frequently than other schools because of the consideration that the pupils are more vulnerable. We recruit to our specialist teams people—educational psychologists such as me—who have additional support needs backgrounds and are engaged in that kind of work, to look at special schools and provision in mainstream schools.

The general trend towards mainstreaming has, on the whole, been a success in Scottish education, but it throws up challenges all the time. With budgets stressed as they are, it is important that schools maintain the right level of support—including classroom assistants and ASN specialist teachers—to meet the needs of young people in mainstream settings. However, we are seeing some very good practice in that context.

Graeme Logan: Most of the additional support for learning sector—the special schools—have received positive inspection reports over the past three years. Around a third of schools were evaluated as "very good" and "excellent", but further improvement is needed in the curriculum—58 per cent of those schools had a curriculum evaluation of "good" or better, so there is a need to further improve the design of the curriculum in the special sector. That will be highlighted in our forthcoming report, which will require further action in the sector to improve the quality of the curriculum.

Dr Maxwell: We are active members of a group that has been running since the Education (Additional Support for Learning) (Scotland) Act 2004 came into force. We have been feeding back evidence each year to that Government-run advisory group for additional support for learning. The evidence informs the report that the group publishes as part of its responsibilities for monitoring the implementation the 2004 act. The group is another source through which we feed in our evidence.

Richard Lochhead: In some parts of Scotland, such as Moray, there are no alternatives to mainstream education. Do you comment on or look at that as part of your inspection process?

Dr Maxwell: I am aware that that is the case, given that I worked in Grampian at one time. Moray was always relatively pioneering in developing inclusive provision for young people. Clearly, there are specialist units in some schools. We evaluate provision in Moray as we do in other places, but there may well be good lessons from inclusive practice there that could be spread elsewhere.

Richard Lochhead: The Cabinet Secretary for Education and Skills has emphasised tackling teacher workload. Is it now the case that when you are carrying out an inspection you will make recommendations on how to reduce teacher workload? Is that a much more focused objective of your inspection process?

Dr Maxwell: Yes. That approach has been happening for some time; it is not brand new. We will challenge schools and, indeed, feed back messages if we feel that the authority is requiring them to do things that are generating unnecessary teacher workload. We have sent out clear messages on that matter.

As Graeme Logan mentioned, the EIS has in the past couple of days put out guidance to its members supporting our Education Scotland guidance on tackling teacher workload and encouraging its members to adhere to it. EIS has also called for teachers to challenge management in their schools if unnecessary and unreasonable things are being demanded of them.

Ross Greer (West Scotland) (Green): My question takes us back to Gillian Martin's point about inspection. When the convener and I met a group of teachers, a phrase that came up was that inspectors would regularly be "hit by the smell of fresh paint" on entering a school.

If we start with the assumption that the inspections result in positive outcomes and improvements in the schools, a trend in the data that we have from the various surveys—we have your survey and our own survey, which have different methodologies—is that the further away from the classroom an individual is, the more likely they are to see inspections as positive. Almost all the heads of education in your data are very positive about the outcomes of inspections, headteachers are fairly positive and front-line classroom teaching staff are less so. Why is it the case that the further away from a classroom someone gets, the more positive their view of inspections?

Dr Maxwell: To some extent, that feels like a natural trend to me. The process very much focuses on the teacher in the classroom although, fundamentally, we look at a school as a whole and we do not rate individual teachers in any sense. It may well be the case that an individual teacher in a classroom will at some point—but not that often—experience an inspection, whereas it is much more a part of the daily working life of local authorities. We deal with inspections much more regularly, so staff are based there. In addition, headteachers get regular briefings from us and at conferences, so they are probably naturally more attuned to how the process works these days.

I would never underestimate that it is a process in which people feel some pressure. That is only right in a sense. People are passionate about what they do and want to show their best side in any external review process.

It is also worth pointing out that all our inspection teams involve peer associate assessors. Those are basically folk, such as headteachers, from other schools in a different authority who have trained with us as associate assessors and in inspection methodology.

Inspection teams always include associate assessors as well as HMIE staff. That, in itself, is a powerful way of spreading understanding about quality improvement across the system. Those people regularly tell us how valuable an experience they find it to be part of a team going in to see a school in a different authority. They invariably tell us that it is excellent CPD. There is a spin-off benefit from inspection to the wider system in that way, too.

11:30

Ross Greer: We can all understand that, for front-line teaching staff, inspections will be stressful. Regardless of the circumstances, there is an element of stress. The issue is more about a belief that the outcomes are positive. It can be a stressful, unenjoyable experience and staff can still have faith that there will be a positive outcome from it. The issue seems to be that front-line teaching staff have less faith that there will be a positive outcome. Do you take on board the feedback from the EIS in particular that there should be more focus on the education authorities as part of the inspection programme?

Dr Maxwell: I agree. I explained earlier about the three-layer system, schools and their self-evaluation being the vital front line of that. The local authority level is also important. We have arrangements for engaging continuously with local authorities and feeding into other inspectorates' annual scrutiny arrangements. In effect, that approach risk assesses each local authority's ability to improve and assure quality in the schools and other education services. That is an important level. It is important that we not only evaluate and support authorities to build their capacities to quality assure their own schools, but occasionally sample that and go to see what is happening on

the front line in Moray, Aberdeenshire or the Scottish Borders to get a sense of how it is working.

Ross Greer: Absolutely. The communication afterwards seems to be essential. The communication with front-line teaching staff does not allow them to have faith that there are positive outcomes from the inspections. The further away from the classroom we get, the greater the faith that there has been a positive outcome.

Liz Smith: Dr Maxwell, I will pursue some issues that relate to some data that you published about inspection activity and the number of inspectors. Earlier in the year, the First Minister and the Cabinet Secretary for Education and Skills made promises that the number of inspections would increase. I would think that, by definition, that would lead to an increase in the number of inspectors or greater frequency in the number of inspections that they carry out. However, the table that you have given us tells us that the number of inspections is projected to continue to decline: in 2012-13, there were 162 pre-school inspections but it will be 99 in 2016-17; primary inspections are down from 101 to 90; and secondary inspections are down from 26 to 17. How does that tie in with a promise to increase inspections?

Dr Maxwell: I will hand over to Alastair Delaney, who can explain the projections in more detail. The table that our office provided for the Scottish Parliament information centre to give to you does contain projections and illustrates clearly the wide range of different inspections.

Liz Smith: Sorry, did you say that it does not contain projections?

Dr Maxwell: It contains projections for all sectors and shows the wide range of areas in which we are now actively quality assuring and inspecting. Perhaps Alastair Delaney can update you on schools, because I know that you will be particularly interested in primary and secondary schools.

Alastair Delaney: It is clear. The figures are projections and regularly move up and down because of factors such as staff illness, weather or inability to go to a particular school at a particular time due to something happening there that we find out about after notification. We constantly update them.

Our expectation is that, this year, we will do the same number of school inspections as we did last year—that is where we will end up at the end of the financial year on 31 March. The increase will happen next year because of two factors. The first is that we recently took on board an additional nine inspectors. They are still on probation, so they do not contribute to additional inspection numbers at the moment. They should be fully deployed as lead inspectors to add to inspections from April, but that is an individual judgement that will be based on each person's ability or readiness to do that. I am sure that schools welcome the fact that we take our time to ensure that staff are ready to lead inspections. The second factor is the shorter inspection model, which will allow us to do more inspections overall while retaining the risk factor element that will allow us to go back should we have to.

Liz Smith: Are you saying that for 2016 there are 66 full-time equivalent inspectors and that for 2017 there will be an additional nine? Is that forecast correct, or is that weather permitting?

Alastair Delaney: I would have to check that figure. I am not sure when it relates to.

Liz Smith: It is still lower.

Dr Maxwell: We can find out for you.

Alastair Delaney: Next week, we will advertise for inspectors, who are needed to replace others. It is a constantly changing thing, because we have people retiring and a need for new staff. The numbers go up and down. As I am sure that you are aware, we used to be able to predict clearly when our numbers were going to change, but, given current retirement law, nowadays we cannot.

Liz Smith: I am not quite clear why that is.

The main issue is that parents, teachers and pupils want a good understanding of the inspection process. The data that we have in front of us shows that the number of inspections in schools is declining, and that the number of inspectors, despite the additional nine that you are projecting for 2017, will be fewer than the number back in 2010, when there were 83. If we are wanting to build a world-class inspection programme, the natural question is, why are there fewer inspections and inspectors? Does that not make your job very much more difficult?

Alastair Delaney: To be clear on one thing: there will not be fewer inspections of schools this year than there were last year.

Liz Smith: Well, according the table there will be.

Alastair Delaney: The figures that were supplied were a projection for this year that was made in the summer.

Liz Smith: So the briefing is not right.

Alastair Delaney: Our projection now is that it is likely that it will be the same number. It is a natural process inside the organisation: our projections are constantly updated. The figure is a formal projection of 107 inspections of schools.

That relates to the staff that we knew that we would be deploying.

Liz Smith: Can I stop you there? I am sorry to interrupt. It says in the table that in the academic year that has just passed the number of pre-school inspections was 135 and the prediction for 2016-17 is 99. For primary schools, it was 97 and it is going to be 90. For secondary schools, it was 18 and it is going to be 17. That is a reduction in all three categories.

Alastair Delaney: I am saying that, by the time that we reach 31 March, we believe that we will do exactly the same number of schools—if not a few more—as we did last year. A projection can go up or down. Given the extra resource that we have deployed, our belief is that it will go up.

However, you are correct to identify a reduction in early years inspections this year. You will see that next week's advert specifically asks for expertise in early learning and childcare, so that we can boost the number of those inspectors. We have lost expertise in that area. We should go back to where we were over the piece, because we have new inspectors who are going through their induction. Next year, from 1 April, we will see an overall increase in the number of inspections.

Dr Maxwell: I would be happy to provide updated projections. They have changed, primarily because a couple of months ago we looked at our budget mid-year and agreed to take on some inspectors. We regularly use our retired inspectors on a contract basis to undertake inspections. We are well down the track of contracting some people.

The Convener: Those figures would be helpful.

Tavish Scott: I take your answer on the inspection numbers. When your board is considering the inspection regime, at the same time it is considering all the guidance that you have given to schools and the pressures that you have been describing this morning. Is there a correlation between those things?

Dr Maxwell: Is there a correlation? Certainly we look across the whole piece—if that is what you mean—in terms of how we are managing our resource and budget. Yes, we need to make strategic decisions. In my opening comments I indicated that we feel that the demand for us to put resource into guidance and development is lessening. It is not disappearing, but it is certainly lessening, and we can redirect resource into two things. One has been work on the attainment challenge, for which we have created the attainment adviser posts, for example. Another area is to build up an inspections programme—

Tavish Scott: It is Richard Lochhead's point—we are discussing the budget, so I suppose I should ask a budgetary question. Did you reduce the number of inspectors who were available to inspect schools because you had to put more resources into attainment advisers because that was the Government's priority?

Dr Maxwell: Those things all undoubtedly interact out of a fixed budget. Let us be clear about this: we reduced the number of inspections that we undertook in the early years of Education Scotland's existence. Often, inspectors were spending time supporting and advising on some of the curriculum developments that were going on. There is also an element of the fact that inspectors cannot inspect all 220 days of their working lives. It is a practical reality that they have other ways in which they can feed their expertise in.

Tavish Scott: So part of the inspectors' job was to advise on guidance to schools.

Dr Maxwell: Yes, they would have done so in previous days.

Tavish Scott: That is interesting.

Liz Smith: I have a brief question on subject choice. Last week, when Dr Brown was in front of us, she said clearly that an important conversation must be had about the concerns about a narrowing of the curriculum in the senior phase. Are you concerned about that narrowing?

Dr Maxwell: I do not accept that there is a narrowing. Looked at in the broad scheme of things, as a three-year programme, and taken as a whole, the senior phase is about offering a much broader and richer set of pathways for young people. We are seeing good evidence of those with, for example, increased uptake of vocational qualifications at a higher level and greater parity of esteem.

To be clear, the broad general education provides greater breadth in the curriculum, rather than narrowness, up to the end of S3; previously, that was not the case. It is a different pattern of curriculum.

The curriculum for excellence management board is engaged, and needs to continue to engage, in active discussion of the emerging new models. Some effective new models are emerging.

Liz Smith: Do you accept that there is pressure in relation to subject choice? Is it correct that, in some schools, the number of subjects that some pupils can take is reducing? When they go into S4, after their experience in S3, they are forced into a much-reduced subject choice because of the number of hours and the way in which courses are structured.

Dr Maxwell: Pupils are moving from a broader base in third year than there was before and, typically, into a smaller number of subjects in S4

than there would previously have been—rather than eight, there are probably six or seven. Ideally, they then follow through into fifth year and sixth year in programmes.

I would like to see more of the original intention of two-year programmes, with more able pupils, in effect, bypassing—to use the shorthand. That was always part of the intention. They might not do that in all their subjects; they might do it in some and not in others.

All of those models are possible and some of the better-designed curriculum models that are emerging in schools are beginning to explore that. Schools are even freeing up their thinking about mixing age groups, so that there is not a one-size-fits-all approach for young people as they go into fourth, fifth or sixth year.

Liz Smith: You make an interesting point but, to come back to the curriculum design teams and the discussions that you have as a board, what was the philosophy behind having a very broad general education up to S3 and then a much narrower senior phase?

Dr Maxwell: In a nutshell, it is about taking young people higher and broader. We include broader achievements, as well as exams and subjects; hence, we are pleased to see the rise in Duke of Edinburgh awards, John Muir awards and leadership awards.

The entitlement to a broad education was to be absolutely clear up to age 15—the end of third year. From there, pupils would start to narrow—if you want to put it that way. They would start to choose coherent pathways that would lead them right through and that might involve school, college or a range of things.

Liz Smith: I am simply echoing parents' views. Because pupils in some schools are forced down the path of taking fewer highers than would have been possible previously, compromising on subject choice is an issue for them. Dr Brown was concerned about that point; I am anxious to know whether Education Scotland is concerned about it.

11:45

Dr Maxwell: We are concerned to see good models emerging. I have not seen fewer highers as an issue. In fact, in the past couple of years, larger numbers of highers have been achieved than ever before. The issues that have been discussed with us are more about fourth year, to be honest.

Graeme Logan: We are not looking at fourth year in isolation; we are looking at a three-year phase. Across the three years, there is the opportunity to get more qualifications and awards than there was previously. If you look at S4 in isolation, it could look as though the curriculum goes from broad to narrow, but that is not the design of CFE. It is a three-year experience, with lots of opportunities to make choices, to look at different pathways and to build up a wide portfolio of achievements and skills.

Daniel Johnson: Is it not the case that we have seen a drop of more than 40 per cent in the number of pupils sitting higher French and German? Would that not be evidence of a narrowing of options? You say that you do not have such evidence.

Dr Maxwell: I am sorry, but I do not have those figures in front of me. The number of highers being achieved in the system as a whole has increased. If there are shifts between subjects, some must be going up and others must be going down—

The Convener: The point has been made.

Dr Maxwell: I was just going to say that they are not our figures, but I am sure that you have them from the open source.

Colin Beattie (Midlothian North and Musselburgh) (SNP): On resources and budgeting, you take a zero-based budgeting approach. Is that common in the public sector?

Dr Maxwell: It is hard for me to judge how many other organisations take that approach. I suspect that it is becoming a little more common, because all public bodies need to exercise careful husbandry of an understandably tight resource these days. We have found it valuable to return to an approach that, every year, fundamentally questions—and refreshes the question about—whether we need to be doing something and, if not, whether we can move the resource to do something that is now a higher priority.

Colin Beattie: Rebuilding your total budget every year will be hugely time-consuming and incredibly resource intensive.

Dr Maxwell: We profile many of our programmes over a period longer than one year—they might have a three-year horizon, for example. This year, we are rolling forward the programmes that we created for the first time last year. Many of them have a broad profile, which will be tweaked and adjusted rather than defined completely from scratch—

Colin Beattie: So, it is not in fact a zero-based budgeting process.

Dr Maxwell: Alastair, do you want to add anything?

Alastair Delaney: If there is a one-year spending settlement, which is what we have had, the budgeting is zero based in that sense.

When we gave evidence last year, I said that we were taking forward zero-based budgeting, but when we introduced the programme approach, we allowed the programmes to build a profile—they have a life-cycle and we project their resource use. All that we are saying is that those resources are not a given and that, every year, we revisit them to make sure that they still stand up.

Colin Beattie: You are in fact using a hybrid budgeting approach.

Alastair Delaney: This year, yes.

Colin Beattie: A portion of the budget actually requires incremental budgeting. Does that work not need specialist training?

Alastair Delaney: We have specialist staff in planning, performance and finance. We are not all educationists in the agency; we have a lot of specialist staff who support us on how to do the work.

Colin Beattie: You have specialists at the centre, but the people who are at the coalface and feeding back the information that will inform the budget need to understand the incremental accounting that is involved.

Alastair Delaney: I am not sure that staff need to know the technical elements; rather, they need to feed back on how effective the activities that we have been undertaking during the current year are on learners' experiences in Scotland.

We have a lot of feedback loops and a lot of discussions with project leaders on key pieces of work. This time of year is the key point for doing that, because we are reviewing all the programmes to ensure that we are clear about the resource requirements for next year. That will all be profiled and put together.

Colin Beattie: What about intangible outputs? How do you factor those into the portion of the budget that is dealt with through zero-based budgeting?

Alastair Delaney: I am not sure what you mean by "intangible".

Colin Beattie: There are intangible outcomes where there is no direct fiscal element in the budget but there is an outcome that has a notional value.

Alastair Delaney: We take a structured approach to that, which we have developed over the past few years. Every programme has a set of outcomes and a set of performance measures, and all our corporate functions have key performance indicators. That allows the programmes, when they start, to be about what they are trying to achieve, irrespective of resources, and then the resources build below that. There could well be other outcomes that are identified for each of the programmes that do not require resource, just by dint of certain activities. Given that our resource base is 80 per cent staffing, I highlight that there is very little other spend that we can actually make, when accommodation, travel and subsistence are taken off, for example. Most of it is about the deployment of our staff, how effective they are and what difference they make.

Colin Beattie: If you have moved into what is, in effect, a hybrid budgeting process, what happens with your fiscal indicators and your trend analysis? Will it not be quite difficult to compare those when formulating that sort of budget?

Alastair Delaney: I would have to take specialist advice if it was that difficult. We can take an overview of the past number of years and see where our trends have been. We have monthly performance reporting in-year, which makes clear the trends for spend against forecast and for the impact—what difference activities are making. We make adjustments, as Bill Maxwell said earlier. When we made adjustments to the inspection process in August and September, resources went in; that was the result of a mid-year exercise that we undertook to see where we were.

We have a well-rehearsed and rigorous process of understanding where our spend is going and what difference we are making.

Colin Beattie: If this is the first year that you have brought in zero-based budgeting, your trend analysis will be distorted.

Alastair Delaney: It was the opposite, in a sense. We did zero-based budgeting up to this point. We have introduced the new programmes from 1 April and, rather than take a structural, organisational approach to planning our work, we introduced a programme approach from that point. Every single programme set out its longer-term objectives and had a life cycle at that point. All that I am saying is that we are revisiting that approach for this year to make sure that it is still appropriate, and we are updating it in light of what we have learned this year.

Colin Beattie: That point was not clear from the information that I had. If you have been doing zero-based budgeting up to this point, are you now going on to a more hybrid budgeting process because of resource constraints?

Alastair Delaney: Yes and no. Yes, we are under resource constraints—I want to highlight that. From 2012-13 to 2015-16, we had a reduction of about 12 per cent in our budgets, and the spending review last year led to a 7 per cent reduction in our budgets in 2016-17. We have to manage that; we are no different from other parts of public service. It is an exercise that we have to go through.

The reduction has meant that we have to revisit whether what we are doing is having the impact that we expected. We have had to ask more of our staff—for example, we have had to ask them to be more agile and responsive in their deployment—while bearing down on the agency's core costs, although we would be doing that anyway, of course.

Colin Beattie: You also mention problems with recruiting staff with specialist skills, particularly on the information technology side. We are well aware of other examples in the public sector where there have been difficulties in that regard. How are you handling those problems? How are they being co-ordinated? I understand that there is more or less a central process for IT now. How do you fit into that?

Alastair Delaney: As an executive agency, we follow all the Scottish Government protocols and are therefore keyed into such things as the digital directorate process for IT staff that you are talking about. When we are looking for certain skill sets, we are able to go through ISIS, which is the core Government IT provider, and the digital directorate to identify the skill sets that we need, particularly for short-term pieces of work. We have access to the Lockheed Martin contract and have used it for pieces of development work that we needed in the IT area, such as the national improvement hub. That is invaluable to us, especially because there is no way that an agency such as ours could attract the specialist skills and expertise that we might need for the amount of time for which we might need them. Obviously, as members know, there are issues about the salary levels that certain people would expect.

With regard to specialist skills, we also have an issue in getting educational expertise. The fiscal constraint applies to us at the national level; it also applies at the local authority level. Therefore, we are less able to take secondees from education providers out of the system. They are not willing to come—they are too busy doing their own job in their local area. In thinking about constraints, we need to bear that in mind.

Colin Beattie: Looking again at your budgeting process, I see that you reprioritised your resources in June 2016 around the education delivery plan. What impact did that have on your budget? How did you handle it? What has the impact been? Did you have to restate the budget?

Alastair Delaney: We had to reprioritise not just the budget but our total resource allocation and move resources to deal with what were, in-year, higher priorities than those that we originally set. We did that through a structured process to identify our commitments in the delivery plan. We graded them, looking at whether they were a new ask or were already within what we planned to do, and we reorganised our resource profile to be able to deliver on that plan.

Colin Beattie: That reprioritisation is for a fixed period.

Alastair Delaney: Yes.

Johann Lamont: There is every possibility that I lack specialist knowledge in this area—it is a big learning curve for me. In each of the years from 2013-14, a third of your budget by the end of the year is transferred within the year; the pattern is remarkably similar across the columns. Do you do that to allow you to address new Government initiatives? If so, are you able to sustain your longer-term planning for the core budget, for which you have identified priorities?

Alastair Delaney: The in-year transfers are agreed at the beginning of the year for pieces of work that we are asked to undertake where the money is held elsewhere. There are only two points in the financial year at which we are allowed to make transfers, and at some point in the year the money is notionally transferred to our budget to account for that work.

For example, if we are asked by a policy division of the Government to undertake a specific piece of work, we are given a specific amount of money to do that. However, a lot of that money comes from grants. We are supplied with money to co-ordinate grant giving to other organisations, so the money comes to us and we distribute it to the grant receivers. The reason for that is that we are able to apply a greater level of control and strategic oversight to those grants than was possible previously.

Johann Lamont: So your approach—which my colleague Colin Beattie understands in more detail than I do—is not really zero-based budgeting, although you called it by that name. Is the purpose of the approach to recognise that there will be Government initiatives that are not fully funded and that, although you have a long-term plan, you will therefore have to shift resources quickly? Does that mean that you encourage people to be rather short term or to present what they are doing slightly differently, rather than people having the space to develop something over a period of time in the knowledge that they have the budgets behind them?

Alastair Delaney: I will not hide from the fact that there is always a tension between our long-term planning for what we want to do and the pressures and new ideas that come along during the course of any particular year. Much of the time, we are changing the emphasis—we would not necessarily stop doing one thing entirely and start to do something different. There is a change in emphasis in response to a pressure that arises during the course of the year.

Johann Lamont: But it is driven by Government initiatives that are underfunded.

Alastair Delaney: Well—I do not know.

Dr Maxwell: It certainly can be driven by Government initiatives that we need to reprioritise some of our existing resource to meet. The attainment advisers are a classic example of that.

Johann Lamont: Thank you.

The Convener: We were doing so well there.

I thank the witnesses for their time; that ends the public session.

11:59

Meeting continued in private until 12:44.

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