



OFFICIAL REPORT
AITHISG OIFIGEIL

Education and Skills Committee

Wednesday 18 January 2017

Session 5



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Pàrlamaid na h-Alba

Wednesday 18 January 2017

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EDUCATION AND SKILLS COMMITTEE

2nd Meeting 2017, 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:

Dr Janet Brown (Scottish Qualifications Authority)

Larry Flanagan (Educational Institute of Scotland)

Terry Lanagan (Association of Directors of Education in Scotland)

Dr Bill Maxwell (Education Scotland)

Joanna Murphy (National Parent Forum of Scotland)

Fiona Robertson (Scottish Government)

Seamus Searson (Scottish Secondary Teachers Association)

CLERK TO THE COMMITTEE

Roz Thomson

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Education and Skills Committee

Wednesday 18 January 2017

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (James Dornan): Good morning. I welcome everyone to the second meeting in 2017 of the Education and Skills Committee. I remind everyone to turn off or switch to silent mode their mobile phones and other electronic devices for the duration of the meeting.

The first item of business is to decide whether to take items of business in private. First, is everyone content to take item 4 in private?

Members indicated agreement.

The Convener: At next week's meeting, we will hear evidence on widening access to higher education. Are members content to take in private at that meeting an item to review that evidence?

Members indicated agreement.

Subordinate Legislation

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

10:00

The Convener: The second item of business today is an instrument that is subject to negative procedure, on assessment requests for Gaelic-medium education. Do members have any comments on the instrument?

Liz Smith (Mid Scotland and Fife) (Con): Would it be possible for the committee to have an update on the number of pupils in Gaelic-medium education and the number of staff involved? As you will know, convener, that issue was raised at the previous committee meeting. It would be helpful to have that information.

The Convener: Yes. We will ask for that information to be sent to us.

Curriculum for Excellence

10:01

The Convener: The third item of business today is oral evidence on curriculum for excellence. The focus today is on responsibility and accountability for decision making in relation to CFE. The committee agreed to hold this evidence session as a result of evidence from Education Scotland, the Scottish Qualifications Authority and education authorities on the functioning of the curriculum for excellence management board and implementation of its decisions. It is useful to have the Government's chair of the board, the SQA, Education Scotland and the education authorities' representatives around the table today to discuss issues that we explored with organisations separately in evidence sessions last year. It is also valuable to have other board members here today to give their independent perspectives on how decision making on CFE operates in practice.

I welcome the panel to the meeting. Fiona Robertson is director of learning at the Scottish Government, Dr Janet Brown is the chief executive of the Scottish Qualifications Authority, Dr Bill Maxwell is the chief executive of Education Scotland, Terry Lanagan is the executive officer of the Association of Directors of Education in Scotland, Larry Flanagan is the general secretary of the Educational Institute of Scotland, Seamus Searson is the general secretary of the Scottish Secondary Teachers Association and Joanna Murphy is from the National Parent Forum of Scotland.

As everyone can see, we have a large panel, so I have asked members to direct their questions to specific individuals. We will not make much progress if everyone on the panel answers every question. If a panel member would like to come in on a question that is not directed at them, please catch my eye and I will—circumstances permitting—call you to speak.

Lastly, if panel members feel that they did not get the opportunity to make a point that ought to be made, they are welcome to make it in writing to the committee following the meeting, as the committee plans to undertake on-going work on curriculum for excellence.

I will open by asking Fiona Robertson, who is the chair of the curriculum for excellence board, to give her perspective on the decision-making processes, including those involved in the board's role.

Fiona Robertson (Scottish Government): Thank you. I am very happy to do that. Good morning, everyone.

The Scottish Government and Education Scotland provided a written submission in advance of this evidence session that outlines briefly the governance structures that have supported the development of curriculum for excellence. As well as the management board, there is the curriculum for excellence implementation group and the assessment and national qualifications group, both of which were agreed by the management board and were established in 2011 and 2016, respectively. Over the years, the management board has been supported in its work by a number of groups that were agreed by the board and ministers to provide advice on specific issues.

As the committee is aware, the development of curriculum for excellence has been a significant reform in Scottish education to enrich and deepen the learning experience of children and young people that has involved all parts of the education system. The Scottish Government has, of course, led the development of policy and the broad national framework, working with education bodies, local authorities, professional associations, parents, teachers and other partners to make key decisions. The membership of the management board is drawn from across the education system and, as the Organisation for Economic Co-operation and Development review highlighted, it has occupied a central position in the development of curriculum for excellence.

That development has been driven by consensus and collective responsibility, and has recognised that all parts of the system need to work together to deliver—from national policy right through to learning and teaching in the classroom. The management board has been an important mechanism for achieving that consensus.

It is fair to say that issues are raised, strong views are expressed and conversations can be challenging, but the approach has been to work closely with the whole system to develop a broad framework and to consider issues in implementation. Notwithstanding the value of a consensual approach, the board is clear that ultimate responsibility for decision making on national education policy rests with the Scottish ministers. The board may provide advice on policy and ministers may commission views on specific issues from it.

As curriculum for excellence has developed, the focus of the board has shifted from design principles, through the development of the "Building the Curriculum" document series from 2008 to 2010, to the broad design of new qualifications, including through the qualifications governance group, and implementation through the work of the implementation group, which my colleague Bill Maxwell chairs. The board has also considered risks to implementation and broader

interdependencies—in particular, the development more recently of the national improvement framework. On the recommendation of the management board, ministers have agreed to provide additional support to the system at key points in the implementation phase.

It may be worth stressing a couple of points before I conclude. First, the national education bodies have their own individual responsibilities in relation to curriculum for excellence and education delivery, beyond their membership of the management board. I know that you have heard evidence from both chief executives in recent months.

Secondly, it is important to note that although the broad framework of curriculum for excellence is set nationally, decisions about how best to implement it rest with schools, teachers and local authorities. One of the essential characteristics of curriculum for excellence is that it places the learner at the heart of learning and gives teachers the flexibility to make decisions locally about what their learners need. Statutory responsibility for delivery of education rests, of course, with local government.

I will say something about the future of the management board. The OECD highlighted that the governance of curriculum for excellence had been

“well fitted to the task ... as a Scotland-wide curriculum programme. That task required consensus and managing processes so that implementation, including of assessment and qualifications, would happen as smoothly as possible.”

There is value in moving from that national-system management approach to a more strategic role with greater emphasis on the nature of teaching, learning and curriculum development in schools. However, the review also highlighted the inherent complexity of governance in every education system.

A number of management board members agree with the view of the OECD that I have just expressed; indeed, the EIS's submission to the committee does so. The Deputy First Minister and Cabinet Secretary for Education and Skills confirmed to the committee in December that he will, as part of the education governance review, consider the continuing governance of curriculum for excellence.

I am happy to answer questions.

The Convener: Thank you very much. What is the Scottish Government's role in ensuring that the changes from the agencies for which we asked in a recent report will be carried out through the management board and in other ways?

Fiona Robertson: The management board will have a role in considering the conclusions of the

report that the committee published earlier this week, but the individual agencies—the Scottish Qualifications Authority and Education Scotland in particular, in the context of curriculum for excellence—will wish to consider those conclusions as part of their own governance arrangements.

Tavish Scott (Shetland Islands) (LD): I will ask Ms Robertson a number of questions about what the board does. Has it been responsible for the implementation of curriculum for excellence since 2011?

Fiona Robertson: In 2011, the CFE implementation group was established. That is chaired by the chief executive of Education Scotland, Bill Maxwell. It has comprised the national bodies with responsibility for implementing curriculum for excellence, notably Education Scotland. The SQA is also involved, as is the Association of Directors of Education in Scotland and, more recently, Skills Development Scotland, given the importance of the developing Scotland's young workforce agenda in the senior phase.

The implementation plan—the detailed reporting of curriculum for excellence—has been taken forward by the implementation group, together with consideration of other issues that relate to risk and communications. All the national bodies have been represented on that board.

Tavish Scott: I was not asking who is on it; I was asking what it does.

Fiona Robertson: Do you mean the implementation group?

Tavish Scott: Yes. What is the implementation group's relationship to the management board that you chair?

Fiona Robertson: The implementation group reports to every meeting of the management board.

Tavish Scott: How often does the management board meet?

Fiona Robertson: It meets quarterly and tends to follow the meetings of the implementation group so that there is a timely report through the implementation group to the management board.

Tavish Scott: I have read the minutes and I cannot find a specific item on them that says, “The implementation of curriculum for excellence”. What is happening?

Fiona Robertson: I can confirm that you will find in the minutes for every meeting—certainly since 2011—that there is a report from Bill Maxwell, as the chair of the implementation group, on implementation issues and issues relating to communications.

Tavish Scott: Okay. The minutes of 13 June 2012 show that Christine Pollock from ADES cited particularly

“the need to consider the potential workload issues for teachers in reviewing nationally produced course materials”.

What happened after that, given that that issue has come up time and again ever since then? What did the management board do about that issue?

Fiona Robertson: Do you mean about workload issues in particular?

Tavish Scott: Yes.

Fiona Robertson: The management board has discussed workload issues on a number of occasions.

Tavish Scott: What do you do after that? What are your actions?

Fiona Robertson: I have been the chair of the management board since September 2013, so I am afraid that I cannot comment on the 13 June 2012 meeting, because I was not at it.

Tavish Scott: Has workload never been raised again in all the time that you have been chairing the management board?

Fiona Robertson: The workload issue has been raised and a number of mechanisms have been used to look at it. There is the work of the implementation group in terms of the CFE information plan, and the support that Education Scotland, the SQA and others, including local authorities, can provide to the system. In 2014-15, the management board agreed to set up a reflections group on the new qualifications, which considered workload issues. There was a reporting mechanism through that, but—

Tavish Scott: In my life, when I run meetings, I want to see actions that will flow from the initial discussion about the particular issue that we know is of concern. I have done my best to read all your minutes, but I have struggled to find the timeline on, or the actions that flow from, the issue of workload, which teachers have been raising with all of us during all the years of curriculum for excellence. We had evidence the other day from Education Scotland that 20,000 pages of guidance have been provided to teachers, but I cannot find, in all your minutes, what you have done about that. I do not mean “you” personally—I mean the board.

Fiona Robertson: The minutes are agreed by board members and they include a number of actions, but what I was saying—

Tavish Scott: Where are the actions on workload?

Fiona Robertson: What I was saying to you at the start was that the detailed programme planning relating to curriculum for excellence is undertaken by the curriculum for excellence implementation group. That plan—

The Convener: Bill Maxwell wants to come in on this.

Fiona Robertson: Yes. That plan is agreed by the management board and, indeed, is circulated widely to the system, and it includes measures to address workload, among other things. That has been the focus of the implementation programme since 2011.

Dr Bill Maxwell (Education Scotland): I was around in 2012, as were many other members of the panel here, so I can maybe elucidate a bit more. The issue around workload was very much to do with the clear requirement for schools to develop new courses to suit the new qualifications. My recollection is that the issue at that time was more about the lack of guidance, or a desire for more guidance, for schools. That resulted in a direct request for guidance, as part of deep discussions between the management board and the implementation group around how to support schools and teachers in the process of developing courses, with the emphasis being very much on not providing a single national syllabus—curriculum for excellence is all about moving away, in a sense, from providing a one-size-fits-all national syllabus—but instead being on encouraging schools to develop courses that were suitable for their pupils and their local circumstances. CFE gives them that freedom.

The outcome of all that discussion was an agreement that we should produce course materials but do so by brokering the exchange—we often worked closely with ADES on this—for each of the 95 national 5 courses at that time. Education Scotland took the lead in working with other agencies and parties—which are represented around the table—in co-ordinating a process that is, in effect, about supporting teachers and helping them with their workload by giving them ideas and guidance on exchanging course material that they might want to use in developing their own courses over the coming period. That was done initially for nationals 4 and 5 then, as the years went on, it moved on to higher and advanced higher as part of a planned and agreed process to help with workload.

Tavish Scott: But it cannot have been an agreed process to end up—

The Convener: You have one more question to Bill Maxwell, Tavish.

Tavish Scott: But it cannot have been an agreed process to end up with 20,000 pages of guidance.

Dr Maxwell: What came out of that was a range of exemplification of course materials, which was welcomed very much by parties at the time and which served a very useful purpose as schools were adapting to develop new courses. It was only a small part of the overall package of digital resources—

Tavish Scott: Personally, I think that 20,000 pages is a pretty big part. However, I have a question for Fiona Robertson. There are all those management board minutes, but do they show that the management board ever considered the fact that 20,000 pages of guidance were issued to teachers?

10:15

Fiona Robertson: The issue about 20,000 pages has not been explicitly raised at the management board. The point that Bill Maxwell made is important: the management board was responsive to the needs of the system at the time. For example, when a support package, including course materials, was provided in March 2012 and again in February 2014, the measures were warmly welcomed by all the professional associations; indeed, they had been requested by them. I have statements from the Educational Institute of Scotland, the general secretary of School Leaders Scotland and the chair of the National Parent Forum of Scotland at the time, all of which welcomed the measures. In fact, they stated very clearly that the measures would address workload issues.

It is important to highlight that the delivery plan that the Scottish Government published last June makes it clear that one of the Scottish Government's priorities is to do some decluttering. The time is now right to look at the material to see whether it is still helpful. Education Scotland's work on the material that it has produced and has reviewed is very welcome, but it is important to highlight that the board was responsive to the needs of the system at the time and that the material was welcomed.

Liz Smith: If the board was responsive to the concerns, why did 20,000, or whatever number of pages, suddenly disappear? Who took that decision? Was it the management board or the Cabinet Secretary for Education and Skills?

Fiona Robertson: What decision do you mean?

Liz Smith: I mean the decision to declutter and remove so many bits of advice to teachers.

Fiona Robertson: As I highlighted in my opening statement, decisions on the broad policy

framework for curriculum for excellence rest with the Scottish Government and the Scottish ministers. Mr Swinney will have had conversations with Bill Maxwell, as chief executive of Education Scotland, with his chief education adviser, with teachers and with others in reaching the conclusion to declutter the curriculum.

Liz Smith: The committee's main concern—which is explicit in our report—is that a great deal of advice has been issued to teachers over a considerable time, and the vast majority of that guidance now appears to be redundant. Our concern is that it seems to be that, in that time, a decision was made about the value of that advice—that it was not, in fact, going to be useful. A long time has passed; parents, pupils and staff have a right to ask who made the decision on issuing that guidance in the first place only for it to be found, several years down the road, that it was redundant.

Fiona Robertson: The decision to produce the guidance was made through a process of discussion and agreement at the management board. It was subsequently agreed by ministers and was welcomed by members of the management board and the professional associations at the time.

The OECD review is instructive. It highlighted that Scotland had been bold in its curriculum reforms, but said that it also needed to be specific. Messages in the OECD review suggested that paring back of some materials would be helpful.

As I have said, the management board has been responsive to the needs of the system. Many of the workload concerns that have been raised relate to the unintended and unsustainable level of assessment in the system. SQA has taken and is taking action on that. That has been agreed through the assessment and national qualifications group.

I think that the management board's collective responsibility, given its broad membership, which was established in 2009, has been to seek the views of all the teacher professional associations around the table, to respond accordingly and to advise ministers.

Larry Flanagan (Educational Institute of Scotland): The teaching unions have been particularly exercised about teachers' workload, and those concerns have been reiterated at numerous CFE management board meetings. However, the Scottish Parliament information centre briefing shows that almost all the attempts to alleviate workload pressures have come about as a consequence of direct interaction with the Scottish Government. For example, Mike Russell announced an additional £1 million in funding for the new qualifications after the EIS had engaged

with him on the need to provide support. That policy channelled its way back to the management board, which was a conduit for making the formal decisions, but a lot of the discussions were bilateral. The tackling bureaucracy working group, which was technically a sub-group of the management board, came about when Mike Russell announced at the EIS conference that he would respond to our workload concerns by setting up such a group. The reflections group was set up in response to calls from the unions for a review of the process of implementation, and the national qualifications review group came out of the second reflections report. A number of such things were part of the management board discussions, but they were also part of a more direct political process involving the unions making direct representation.

It is useful to differentiate between the development phase of CFE, when the board was a model of good practice in terms of its collaborative approaches and gave strong advice to ministers about the direction of travel, which was almost always accepted, and the implementation phase, particularly regarding the qualifications, which was when a lot of the operational pressures manifested themselves. In practice, the board had an overview of the implementation process—Fiona Robertson has alluded to the fact that there was nearly always an implementation group update to the board—but the board itself did not micromanage any of the agencies. The SQA was always very clear that it had its own governance structure and publicly appointed board that was responsible to the SQA, whereas Education Scotland does not have any governance arrangements beyond its own advisory group and the ministers. We would often take our concerns about the SQA or Education Scotland directly to bilateral discussions with the ministers, because those concerns were not necessarily the province of the board. The board had a much broader overview of progress.

I will finish on two points that are relevant to that. First, throughout my period on the board—and, I think, for most of the early part of the implementation—communication around the CFE implementation programme was always a difficult area. The system flagged issues as red, amber or green, and, during my period on the board, communication was almost always amber, never green. A couple of times, it was red. It has always been a challenge to communicate headline decisions to schools.

Secondly, if you had asked most teachers about the 20,000 pages of guidance, they would have said that they did not know they were there. We often made the point that putting something on a website is not the same as effective communication. There was a real challenge

around a lot of the communication strategy; we also had that discussion with the SQA around the changes in qualifications. The biggest gap that has developed is the gap between decisions being made at a national level and information being published—being made available on a website—and schools and teachers finding the time to engage with that information and put it into effective practice. Most of the problems that we have around the qualifications came about because of schools' lack of time to engage with the headline decisions. That has been the source of a great number of the difficulties that the board and schools have faced over the past few years.

The Convener: Thanks very much for that; I will make a couple of points. One is that the communications issue came up time and time again—it is mentioned quite strongly in our report. The other is that, although there might be bilateral discussions, the management board has the overview and if page after page of new guidance is coming in surely somebody in the management board, particularly the people from the EIS and the Association of Directors of Education in Scotland, should be thinking, “Hold on a second—this is going to impact hugely on our members and the workforce.”

What is happening? Why are we adding things while not looking at what is redundant? That is the point about the management board that I am struggling with. If board members have an overview, surely that includes not just the purpose of the new stuff that is coming in but what stuff is no longer needed. As long as that is there it adds to the workload of the workforce.

Larry Flanagan: The management board would get an indication from Education Scotland or the SQA that it intends to publish advice on a particular area, but the advice would not be brought to the meeting. In response to a request for clarification on some course elements of units, Education Scotland or the SQA might indicate it is going to publish advice. In our bilateral discussions we quite often say that the message is not getting out there, because people are not engaging with it.

The board itself would not look at the detail of the advice; it would accept a general indication that the appropriate agency was seeking to respond to the request. That has been part of the difficulty. As soon as I saw Education Scotland's clear and unambiguous statement from earlier in this session, I said to Bill Maxwell that it was neither clear nor unambiguous. I said that I did not think that it would fulfil what Education Scotland thought it would fulfil, and we had a fairly robust discussion around that. There has been a lot of feedback on it.

Bill Maxwell mentioned the creation of the units. We got a commitment from the Scottish Government—it was Mike Russell at that time—that there would be ready-to-use unit assessments for national 4 and national 5, to relieve the workload pressure. The co-ordination of that defaulted to Education Scotland, which commissioned some independent creation of the unit assessments. By and large that was through the local authorities, most of which volunteered to make a contribution but many of which did not subsequently make that contribution.

We were quite sceptical about the quality of a number of those unit assessments, and part of the workload pressure arose because people in schools decided to make their own assessments and get on with it. There was an attempt to create the assessments but it did not fill the gap and schools got on with making their own. That was all to do with the fact that people were talking about units in different ways. Schools were talking about them as they used to exist under N1 and N2, and those under the new qualifications were meant to be a different type of beast. There was a bit of miscommunication around what people were actually looking for.

The Convener: That suggests to me that information comes in an almost esoteric form to the management board; there seems to be no recognition of the impact that it will have on the ground. Should there be more discussion about how it might affect the members of your organisations, employers and other agencies and members of the management board, and about how to communicate the information appropriately? There is no point having someone come in to say that they will bring forward guidance but not getting moving on that until the issue is brought to your attention. Can you give a very brief answer to that?

10:30

Larry Flanagan: The key example of that was around the timeline for the introduction of the qualifications. We pushed very strongly for a further year's delay to allow schools time to assimilate the changes, because they were significant.

That was the only occasion on which we actually had a vote, in all the time that I was on the management board. Our suggestion was defeated, and we pushed ahead with the timetable. Schools simply did not have time to assimilate the changes that were required for broad general education and the senior phase. The SQA had a very tight timetable for the production of its materials, and it met that timetable, but schools could not make the changes, so most schools defaulted to making the

minimal change that they had to make, which was to replace standard grade with nat 4 and nat 5 and stick with the two-plus-two timetable structure. That meant that the S3 profile did not exist and therefore that people did not use an S3 profile to create their senior phase.

We ended up with a situation in which people were trying to squeeze eight courses into one year, and you cannot do eight times 160 hours in a school year—it does not work. We ended up with a hybrid situation, because schools had to get through the year and ensure that young people did not suffer, and because there was insufficient time. The problems that we have with units might have been avoided if we had had a different timeline for the introduction. That timeline created the real pressure in schools. It led to decisions that were not consistent with the aims of CFE and it led us into the situation in which we are now having to revisit the qualifications to make them fit the pattern that has been developed across Scotland.

The Convener: I am not convinced that I really got an answer to why the board did not pick up on the workload and staffing issues earlier, but Fiona Robertson wants to come in.

Fiona Robertson: I want to talk about the year's delay that the EIS requested. It might be worth while to relay the facts on that. In October 2008, the management board agreed to recommend to ministers an additional implementation year, and that recommendation was accepted at the time. In subsequent discussions in a meeting in April 2010 on the timing of the introduction of the new qualifications, three options were discussed. One was to continue with the current plans to have the new qualifications from 2013-14; the second was to dual-run standard grade and the new qualifications for one or more years; and the third was to delay for a year. The board agreed that the qualifications should be phased in over the three-year period from 2013-14, which was option 1. It is important to know that only the EIS was in disagreement, and it requested a delay for a further year.

Larry Flanagan is right in a sense about the vote, but it is important that, at the most recent meeting of the management board, the board members were again asked for their views on the removal of unit assessments from the national qualifications, and all agreed. I do not know whether that constitutes a vote as such, but all members were asked to provide a formal view on the removal of unit assessments. There were and there continue to be robust discussions as part of the management board.

The implementation group was set up as a vehicle to do the detailed planning and assessment in the key implementation phase. The management board and indeed ministers are

asked to sign off the CFE implementation plan annually. That includes elements around communications, which are updated at every management board meeting.

The Convener: I am sorry to interrupt, but—

Fiona Robertson: It is important that, as the CFE moved towards implementation, the implementation group was set up and therefore the management board was in a new phase of its business.

The Convener: Yes, but how does that answer the question that I asked Larry Flanagan about the fact that you continued to add to the workload and nobody recognised that if you kept on adding and did not take away, that would impact on staff?

Terry Lanagan (Association of Directors of Education in Scotland): It is not true that we continued to add to the workload. The way that the 20,000 pages of guidance have been talked about here makes it sound as if every teacher would have to plough through 20,000 pages. That is just not the case. As was said earlier, much of the advice and guidance that came out was in direct response to requests from the profession for additional guidance.

One might get the impression from what we have heard so far that the management board and the implementation group exist in some higher plane, with no connection at all to the real world and what is going on in the classroom. I will illustrate the role that ADES has played in bridging that gap. I was a member of the management board and the implementation group, and when I was a serving director I also chaired the ADES curriculum assessment and qualifications network, which met quarterly and typically had in excess of 20 local authorities represented at it. At every meeting of the group, which I chaired for five years, the SQA, Education Scotland and the Scottish Government were represented for the whole morning and we discussed directly the live implementation issues. The local authorities then went back and dealt with those issues with their schools and teachers.

A significant amount of work also went on at local authority level, through local negotiating committees for teachers, so that people could consider the workload issues directly and try to address them locally where it was perceived that they existed. Part of that work, about which I can speak because I was involved in it, was to try to cut through to the core of what teachers needed to do.

We need to be careful about making assumptions. It might well be that, in response to requests, the amount of advice became unwieldy. That is being acknowledged and addressed now,

but it does not mean that the additional advice increased the workload.

The Convener: I go back to the same point: if you continue to add guidance and do not consider what you can take away, the possibility of increasing the workload clearly exists. Otherwise, the cabinet secretary would not have taken on the task that he is taking on now and he would not be saying that we need to review the guidance and get rid of a lot of it because it is out of date and not required. If the cabinet secretary says that such action is required, it was required as the 20,000 pages of guidance were being built up.

Daniel Johnson (Edinburgh Southern) (Lab): My line of questioning relates directly to what Larry Flanagan said. I thank him for his responses, which were revealing.

I am primarily concerned about the design of curriculum for excellence and how it sits with the qualifications system. When Janet Brown was before us, she said that the issues that we were considering were a result of the design and implementation of CFE and the way in which the qualifications system worked. The committee considered points about the narrowing of courses on offer, particularly science subjects—Johann Lamont and Tavish Scott asked questions about that. Tavish Scott also asked about the deliverability of the 160 hours.

The Convener: Daniel, can we have a question, please?

Daniel Johnson: Does Fiona Robertson accept that those design points are the responsibility of the curriculum for excellence management board?

Fiona Robertson: I have looked back at the matter. The design principles were certainly discussed at the management board. There were a number of “Building the Curriculum” documents in the management board’s early years, which included a discussion of assessment principles. The broad principles were discussed and agreed by the management board and subsequently agreed by ministers. Thereafter, the SQA designed and developed the qualifications.

A sub-group of the management board called the qualifications governance group did some of the detailed work and I am sure that Janet Brown would be happy to elaborate on its work. The broad principles were agreed and, with the formation of the assessment and national qualifications working group, some of that work is being revisited, given that group’s remit.

Daniel Johnson: Forgive me, but that is not an adequate response because, in response to Johann Lamont’s question about whether students could take three science subjects in one year and Tavish Scott’s question about whether the 160

hours meant that there would be a narrowing of courses on offer, Bill Maxwell and Janet Brown said that such decisions were the responsibility of the curriculum for excellence management board. Your answer does not give clarity about that; indeed, you seem to point upstream and downstream to other bodies that are responsible. Who is responsible for such decisions?

Fiona Robertson: You have highlighted three issues: the broad design principles of the national qualifications; the curriculum models in schools, which define what young people can choose to take at different times in their schooling; and the number of subjects that young people can take.

In 2011, the management board set out issues that relate to the articulation between the broad general education and the senior phase. In May 2016, there was a subsequent restatement of the articulation issues by Bill Maxwell as chief inspector. The management board has been clear that, given the design of curriculum for excellence and the responsibility of the management board in setting a broad national framework, decisions on curriculum models are largely for local authorities and schools. I am sure that Terry Lanagan would be happy to elaborate on that.

Daniel Johnson: Surely there is a basic design point about whether or not breadth can be carried forward. As a broad general design point, is that breadth your responsibility?

Fiona Robertson: The breadth of—

Daniel Johnson: The number of subjects that it is possible to take through national 4 and national 5 and again at higher.

Fiona Robertson: The guidance—

Daniel Johnson: Is that your responsibility or not?

The Convener: Let the witness answer.

Fiona Robertson: I can only restate what I just said, which is that the management board provided guidance in 2011, and that guidance was restated by the chief inspector in 2016. The number of subjects that are available to students in schools is a matter for local authorities and schools. It is important to stress that that has been the design of curriculum for excellence over the years.

The Convener: This is your last question, Daniel.

Daniel Johnson: The length of the school day and the length of the school year raise a practical issue about how much can be delivered. What impact assessment was made, based on the design of the qualifications, of whether the design would lead to a narrowing of the subjects on offer? Did the management board make that assessment

and was a management assessment made after implementation?

Fiona Robertson: In 2012, Education Scotland did work to look at emerging curriculum models in schools, in the run-up to the new national qualifications. The curriculum assessment and national qualifications working group, which Terry Lanagan referred to, will also review curriculum design issues.

On the point about taking three sciences in one sitting that was raised at a committee meeting in November 2016, Dr Maxwell highlighted that the number of students who do that has remained largely static over time, so that has not been a particular difference. However, the broader point is that the senior phase is over three years and, as was stated in the 2011 management board statement and in Bill Maxwell's statement from 2016, it is really important that we do not look at one year in isolation.

We therefore need to consider some broader points. Terry Lanagan might want to highlight issues around the individual responsibilities of local authorities and schools on the curriculum models and the numbers of subjects that can be taken. Bill Maxwell has provided advice on that.

Daniel Johnson: Will—

The Convener: All right—we are done with that one, thank you very much. Before Terry Lanagan responds, I ask Gillian Martin to come in.

Gillian Martin (Aberdeenshire East) (SNP): I will pick up on something that Mr Flanagan said that piqued my interest. You said that some local authorities did not contribute to the process of reviewing the implementation. Probably my only reservation about the evidence that we gathered, which people were able to submit anonymously, is that we have no idea of the geographical spread of the issues and complaints that came up.

My question is for Mr Lanagan, who is representing local authorities. Does the local authority position vary across Scotland? Local authorities have such a responsibility in the implementation of curriculum for excellence, but have some areas not been engaged? Will you give me more information on that, perhaps to answer some of Mr Flanagan's earlier points?

10:45

Terry Lanagan: I will clarify my role: I represent ADES, which is a member-led organisation of centrally deployed education staff. I do not speak for the Convention of Scottish Local Authorities or local authorities.

At the local authority level, there has been widespread engagement with the implementation

process for curriculum for excellence. As I said, typically, more than 20 and sometimes as many as 25 local authorities attended the network that I chaired, and on many occasions that included the island authorities. There was engagement.

Larry Flanagan gave the example of local authorities being asked to contribute examples of good practice. In that case, the response varied across the country, although the responses were widespread.

To go back to the earlier point about the number of subjects, I will give an example from my experience. When I was education director in West Dunbartonshire, one of my secondary schools decided to retain eight subjects at secondary 4, while the other schools decided to have six subjects at S4. That suggests that the schools that opted for six subjects at S4 were being more restrictive. However, there are two aspects to that.

First, in all the schools that had six subjects at S4, students could still take three sciences. Secondly, the disadvantage of the eight-subject model was that in that school there were eight subjects at S4, five subjects at S5 and potentially five subjects at S6, which meant a total of 18 subjects over three years. The schools that opted for six subjects at S4 also had six subjects at S5 and at S6, which also totals 18 subjects over the senior phase. In addition, the schools that chose the six-six-six model had the advantage that they could timetable S4 to S6 together, which meant that there was a wider choice of subjects—more subjects were viable, because larger numbers of youngsters could contribute. The schools that chose that model reported that there was a significant positive impact on the S4 cohort, because many of them were in classes with S5 and S6 pupils, whose additional maturity had a positive impact on attitude and behaviour.

Fiona Robertson is right to say that we cannot look at S4 in isolation—we have to consider the whole senior phase. Schools can continue to have the breadth of choice and the specialism of three sciences even if they opt to have six subjects at S4.

The Convener: I remind people—this is not aimed just at you, Mr Flanagan—that one of the things that came across loud and clear in evidence, and I am sure that Joanna Murphy will recognise the point, was that we often use professional jargon, but that is not always clear. We should remember that it is not just teachers and educationists who are listening to the committee. If members and witnesses speak in a way that everyone can understand, that will be much easier.

Please keep it brief, Mr Flanagan.

Larry Flanagan: I have a comment on Daniel Johnson's point about the senior phase and the aims of curriculum for excellence. The three key aims for the senior phase were maintaining breadth across the senior experience; creating more teaching time to foster a greater depth of learning, because one of the criticisms had been that people passed exams but did not have a depth of learning; and creating parity of esteem between vocational and—allegedly—academic pathways. If we use those criteria, the current situation does not tick any of the boxes. If we want to achieve those objectives, we have to recognise where we are and realign to get to where we want to be.

Part of the reason why we are not there yet is to do with a lack of communication about the changes that are required. That is a dilemma because at the heart of curriculum for excellence—and at the heart of the governance review—is the idea of letting decisions be taken as close as possible to school level. In Scotland, we are not very good at letting people make decisions at a school or local authority level.

A number of agencies were resistant to being too directive about curriculum for excellence. On a number of occasions, we argued that Education Scotland should be more directive in giving clear advice. The one time that it did that, in relation to the retention of intermediates in East Renfrewshire, it was jumped on by several people who said, "You're trying to tell a local authority how to do its business." That has been part of the difficulty.

We could have done with a lot clearer advice on the interface between the BGE and the senior phase. For example, we did not sufficiently promote the bypass model. The whole senior phase is predicated on the notion that, nowadays, most pupils stay on to S5, if not S6, whereas standard grade was designed for a period when kids left school, by and large, at the end of S4. We were looking at moving the whole qualification experience up two years to create additional space, but we did not manage to do that, because we did not have enough time to persuade schools that that was the direction in which to go. That is where a lot of the fracture lines have come from.

When that issue was discussed in the qualifications review group, there was general agreement that we still want to achieve the original ambition of the senior phase. The changes that are being considered now, with the Deputy First Minister leading the working group, are about how we realign the system.

I do not think that anyone is suggesting that the experience of the past two or three years was the ambition of the senior phase. However, that is where we are and, if we want to achieve the

ambition, we must look at the changes that need to be made. Most of them will relate to the interface with the BGE. We need to make sure that young people get a three-year broad general education in secondary—we have the S3 profile, which is the starting point of their senior phase experience—and to look at more young people not sitting exams in S4 but having more time to study for exams in S5.

The challenge is that, as a nation, we are thirled to assessment. My former school uses the bypass model—nobody sits exams in S4—and, every year, parents say, “How come we’re the only school that’s doing this?” People do not like to be out of sync with others.

Dr Maxwell: It is not the only school that uses that model.

Larry Flanagan: I know that it is not the only school to do that, but the parents think that it is the only school. It is the only Glasgow school that does that, and there are big challenges in that.

Dr Maxwell: Larry Flanagan is absolutely right to highlight the dilemma. The management board has frequently discussed the extent to which we should hold to the principle that there must be local design and ownership of the curriculum in schools and local authorities. The guidance that I issued in May last year reflects the guidance that was issued at the beginning of the process and promotes ideas such as bypassing as being appropriate. However, we are not prescribing that every school must have that exact curriculum model. That would be inappropriate.

The management board has wrestled with the dilemma throughout the process, but we have held to the principle that, fundamentally, we need schools designing curriculums that meet the needs of their students locally and which take full advantage of the freedoms of curriculum for excellence. However, we are not in the position of prescribing that every school must offer X number of subjects in any particular year.

Johann Lamont (Glasgow) (Lab): I have questions on a couple of points that have come up. The first is on whether we should look at the senior phase as lasting three years. That is fair enough, but what is your comment on the fact that universities do not look at it as lasting three years? To get into some courses at university, a pupil has to take five highers in one sitting.

I taught in a school that made an active decision not to run five highers. We could debate whether that was right for that school, but the consequence of such a decision is that the youngsters cannot compete. Has there been a conversation with the universities to get them to understand the direct consequence for equality of access to higher

education of decisions that are made about the number of subjects that pupils can sit in school?

Fiona Robertson: There have been on-going conversations with universities about those issues. Terry Lanagan chaired the learner journey sub-group of the management board, and—

Johann Lamont: What was the conclusion of that conversation? You specifically said that it is reasonable for us to look at the senior phase over three years, but a young person has to take five highers in one sitting. I will deal with the question about equity in fourth year later. I am not obsessing about youngsters who are in the fortunate position of competing for a university place but, if someone cannot sit five highers in one sitting, they simply cannot access some university courses. What has been the conclusion from your conversations with universities about that? You asserted that we should look at the senior phase over three years, but universities are not doing that.

Fiona Robertson: There were discussions with the universities in the lead-up to the qualifications being reformed. In particular, there was a conversation about the number of subjects in S4—

Johann Lamont: With respect, that is not what I am asking you about. You said in response to a question that we should look at the senior phase as a three-year project for young people. That is not how the universities look at things. We are rationing our university places on the basis of qualifications. For certain subjects, it is necessary to obtain five highers in one sitting. You are telling me that it is perfectly reasonable for loads of young people not to have the opportunity to sit five highers in one sitting.

Terry Lanagan: With respect, I think that there is a fundamental misunderstanding here. I chaired a sub-group of the management board that was about the learner journey, which engaged with universities. As a result of that group’s work, every higher education institution in Scotland issued a statement in which it said that it would support the new qualifications and would not discriminate against any youngster as a result of the curriculum model that their school had adopted.

I do not know of a school in Scotland where it is not possible to do five highers in fifth year. Fiona Robertson talked about a youngster at the start of S4 planning their journey over three years. For youngsters who want to do medicine, veterinary medicine or dentistry—the same applies to one or two other subjects—part of the three-year plan will be to do five highers in S5. I know of no school in Scotland where that is not possible.

Johann Lamont: So every young person can access five highers in fifth year. We have obviously been entirely misled on that.

I turn to the issue of guidance. When I was a schoolteacher, if I gave out directions or instructions to a class and one or two youngsters did not get it, I would realise that I needed to work more closely with those young people, but if 95 per cent of the class said that they needed more help and guidance, I would realise that it might be the case that the advice that I was giving them was wrong. At what point did the implementation board realise that, rather than being to do with the inability of the person in the classroom to understand what you were asking of them, the generation of 20,000 pages of advice might have been to do with the quality of the guidance and what was behind it? Surely the fact that that amount of advice was generated cannot all be put down to the inability of staff to understand it; surely there must have been a trigger point.

You made the point that people asked for advice and that it was requests for advice that prompted the generation of more guidance. At what point did those requests for advice trigger the thought that there might be an issue with the advice that was being issued rather than with the understanding of the people who were receiving it? To me, that would have been a symptom of a deeper problem. I do not know whether Fiona Robertson has a view on that.

Fiona Robertson: I can only repeat what I said earlier: the advice that was issued by a number of agencies was issued in response to requests from the system and, indeed, was welcomed.

Johann Lamont: I am asking at what point you wondered why people kept asking for more advice and whether that was to do with something that you were doing rather than something that they were not understanding.

Fiona Robertson: As chair of the implementation group, Bill Maxwell might want to reflect further on that.

CFE is not a highly prescriptive curriculum. As Terry Lanagan said, we are not expecting all teachers to work their way through every page of guidance. The guidance is a suite of materials that can be accessed at different times by different subject specialists, so it might be a little misplaced to focus on the volume of guidance in considering how that material was accessed.

Johann Lamont: Is it your position that the issuing of 20,000 pages of advice was legitimate? That volume of guidance is either an inappropriate burden or a necessary response; it cannot be both.

The Convener: Mr Maxwell wants to come in, after which we will hear from Dr Brown.

11:00

Dr Maxwell: I will elaborate. Much of the guidance was an appropriate response at that point in time. It was requested, served a useful purpose for a period of time and had a natural timespan. For example, in the very early days, we modelled learner journeys before the new curriculum model existed, so there was guidance on what new pathways through a senior phase curriculum, which did not exist at that point, might look like. It is clear that those models can now disappear as more practical examples from real life are experienced by schools throughout the country.

We take feedback when we have put out advice, and we have often set up working groups with partners around the table that are involved to help to develop the guidance. We certainly did that for the big exercise on the national 4 and 5, higher and advanced higher course materials to get feedback on whether they were hitting the mark.

I will not pretend that every piece of advice that we have ever put out has absolutely hit the mark. If members want an example, we have produced a couple of iterations where it has been clear that, in broad general education, teachers have needed more support to understand the standards of levels 1 to 4. A year or two back, we put out advice that we have, on the basis of feedback, intelligence and what is happening on the ground, now taken out to be replaced by the benchmarks that are currently being produced and are about to come out. We are assured that they will hit the mark much better. Therefore, there is feedback and development but, as you say, it is important that we downsize, remove old stuff and replace it with material that clearly better meets teachers' needs.

Johann Lamont: Just to clarify, you are saying that the 20,000 pages of advice were necessary.

Dr Maxwell: Large parts of it were.

Johann Lamont: It served its purpose, and the decluttering and ending of bureaucracy are not about something being overwieldy and bureaucratic; it has simply been time barred and is no longer necessary.

Dr Maxwell: A lot of it is not.

Johann Lamont: With respect, I do not think that the characterisation by the union and Larry Flanagan has been that that is what has happened.

Dr Janet Brown (Scottish Qualifications Authority): I want to respond to the question about feedback. When we were providing the documentation and trying to understand whether it was valued or valuable and whether we should do something else, particularly on the nature of the

assessments and the qualifications, the feedback that we received was not necessarily about what was in the documents; it was about what teachers need to know, as has been pointed out. That is one of the reasons why we added understanding standards events and webinars, which took a different approach to engaging with teachers. That was seen as much more positive engagement and a much better way by which the teachers could get the message and really understand the nature of the standards.

The Convener: We have spent some time on the subject and another couple of people want to come in on it, but let us keep things brief. Responses should be brief, as well, please.

Ross Thomson (North East Scotland) (Con): Yet again, my question is about subject choice. In following Education Scotland and SQA guidance, a number of authorities in North East Scotland took a narrow view of needing 160 hours for a course in one year rather than over two years and therefore six subjects could be done. If the belief truly is that the curriculum for excellence is a better curriculum, by its principles should students not be more likely to do eight subjects? Is the management board therefore comfortable with the guidance and advice that came from Education Scotland and SQA at the time?

Fiona Robertson: The original guidance, which I have with me, is a statement from the curriculum for excellence management board in 2011. It was fully agreed by the management board, and it highlighted issues, including what it called “Issues for Clarification”. Those included the timetable, the range of provision, the presentation for qualifications, perceptions of a potential narrowing of the number of subjects in the curriculum, and early presentation. I understand that all those were live issues at the time that the management board sought to clarify. Bill Maxwell restated the position on a number of subjects in his statement in May 2016, which he might wish to elaborate on further. It is important to highlight that what was said on subject choice was, in effect, a restatement of the previous statement by the management board back in 2011.

Dr Maxwell: I think that we have covered the issue of the number of subjects in each year pretty well, but that was the fundamental design principle. We should remember that part of the design principle was about having broader entitlement for all young people to achieve across the broad range of the general education curriculum by the end of third year.

Ross Thomson: I appreciate that guidance was issued in summer last year, but my understanding is that it said that choosing five subjects was acceptable but that it gave no indication about choosing six. Do you agree that the restriction in

subject choice is an unintended consequence of badly thought-out guidelines?

Dr Maxwell: No. The statement is built entirely on the principles that were, as Fiona Robertson has indicated, established early on in the process through the design phase of the programme. That allows for a broader general education for young people up to the age of 15—the end of third year—and a coherent three-year senior phase that provides breadth. Terry Lanagan has illustrated how the new models can provide better breadth and depth towards attaining coherent destinations post-school.

Ross Thomson: Given that answer, do you agree that young people who leave school after S4 will have fewer qualifications than they might have had previously, which means that we will be letting down the young people who we hope to help through the Government’s agenda of narrowing the attainment gap? Is the measure that we are discussing not widening the attainment gap rather than narrowing it?

Dr Maxwell: Increasingly few young people are leaving education at the end of S4. Indeed, most schools will plan for young people to move on into further training, college or other destinations. Key to the curriculum for excellence model, as Larry Flanagan indicated earlier, is taking stock of the broad general education at the end of S3, when schools should be planning for onward destinations. One of the key ambitions of curriculum for excellence was to create more coherent “vocational” routes for young people, and to do that better. That is where I think that there is a synergy with the developing the young workforce agenda, which is proving increasingly powerful as schools look at new ways of developing pathways that might not all be in school, because a young person might leave school after fourth year and move on to an apprenticeship or college training.

The Convener: A couple of witnesses want to come back in, but I will let Tavish Scott and Fulton MacGregor make their points first. Can you be brief, please, Tavish?

Tavish Scott: I will ask a question quickly. Mr Lanagan, you talked about young people sitting five highers in fifth year. I want to ask you about the point that I think Johann Lamont was driving at. In your model, a young person will sit five out of six, but you used to be able to sit five subjects out of eight choices. Those kids who have to sit five in one year, because that is what universities want—that is the point that Johann Lamont was pushing you all on and I know about that from personal experience—are sitting only five out of six. Do you not accept that five out of eight gives pupils more choice as to what they may wish to do?

Terry Lanagan: By definition, it does, but it is about what is lost by creating that additional choice.

Tavish Scott: Not for the pupil who has to take five in one year.

Terry Lanagan: No. What we are talking about is planning correctly from S4 onwards. We should remember that subject choice was made at the end of S2 previously, but youngsters have less maturity and experience at that point. There is more chance under the current system that the youngster will get the choice right.

On the previous question from Mr Thomson about S4 leavers, I would argue that the small number of pupils who leave at the end of S4 are concerned about the quality, nature and appropriateness of their qualifications, particularly in relation to vocational qualifications—that is what matters to them. Indeed, most S4 leavers are from the less able group, and many such youngsters struggled with having eight subjects and were quite overwhelmed by the previous system.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Staying on the subject of local responsibility, which we have talked about a good bit—and I am aware that there are no COSLA representatives here—I was struck during previous evidence sessions by the kind of blame culture that existed. That was certainly my reading of it. For example, when we were speaking with COSLA and Education Scotland witnesses, there was an emphasis on the fact that much of the curriculum is the local authority's responsibility. Similarly, Stephanie Primrose was putting a lot back to the bodies that are represented here today.

This might be a bit simplistic, and my colleagues around the table have scrutinised quite well how decisions were made and where we are at, but I want to know how you are going to take things forward. This is a question more for Dr Brown and Dr Maxwell. How will you take things forward in working with local authorities to deal with some of the concerns that you have heard about from the committee over recent weeks and months, so as to get the curriculum right, as is intended, for the young people you serve? As I have said at previous meetings, a lot of good work is being done by all the agencies that are represented here and by all schools across the country. I do not think that anybody would dispute or has disputed that. However, how can you move things forward?

Dr Brown: On qualifications, a decision has been ratified by the CFE management board that the units will be removed. We are currently in the process of redesigning the assessments that are associated with the qualifications in order to proceed with that. We absolutely need to ensure

that every single teacher in Scotland knows about and understands that.

Our current mechanisms of communication are not always reaching every teacher, as we have seen, so we are trying to understand how best to engage with teachers so that they are fully aware of what is going on. The timeframe in which we have to do that means that, as we proceed with the changes that we are making now, it will not be possible to maintain consultation at the same level as during the initial construction of the qualifications.

We are discussing with the professional associations how we can engage with them in a more proactive way. We have done that in the past. In fact, the SSTA, the NASUWT—the National Association of Schoolmasters Union of Women Teachers—and the EIS have helpfully communicated to their members many of the changes that we have been making. We will be having subsequent conversations over the next couple of weeks to maximise the information that we can get out through as many channels as possible, to ensure that teachers are aware of the changes so that they have the intended impact of reducing the amount of work associated with and resulting from unit assessments.

Dr Maxwell: Mr MacGregor, you specifically asked about links with local authorities. Terry Lanagan has already indicated that ADES works closely with us, and we work with the curriculum network that runs across ADES. We also have an area lead officer for each of the 32 local authorities. That is one of our staff who links with the local authority regularly and explores with it how it is implementing various national initiatives—curriculum for excellence clearly being a key one among them.

There is an increasing amount of collaboration among local authorities, which is a healthy thing. There is now a Tayside group, and you may have heard of the northern alliance, which is bringing together discussions across the Highlands and Islands. We are working closely with those groups to exchange and draw out best practice from what is happening locally in certain local authority areas and to make that known more widely across the country.

We are supporting but also challenging what is happening in schools. In certain circumstances we inspect schools in each local authority area, too, so we get some first-hand evidence of what is happening locally. Where particular issues arise, we will support a local authority to address them. That has happened in a few specific instances.

Fulton MacGregor: I am happy to leave it at that, convener. I have a further question on

speech and language, but I am happy to bring that in a wee bit later.

The Convener: Thank you, Fulton. Mr Flanagan and Mr Lanagan wanted to come in earlier. Could you make it brief, please?

Larry Flanagan: This goes back to the question on the number of subjects. One of the difficulties that we have had in Scottish education has been in moving towards the idea that the important thing is the qualification that someone leaves with, rather than the sequence of qualifications that they build up through a stepladder approach, as was the case with standard grade and higher still under the old system.

11:15

There is an issue with the number of subjects that are studied in the senior phase, but it is not really about the assessment and qualification routes. The breadth was partly supposed to be about giving young people the space to do a vocational course along with their five highs, or to take part in the Duke of Edinburgh's award scheme or volunteer in the community. When someone is doing six subjects in S4 and six in S5, all their additional ambitions for wider achievement are squeezed out. That was a big part of the thinking.

The key is what happens in S3, in which—as Terry Lanagan mentioned—young people study more subjects for a year longer than was the case under the old system. That is meant to give young people more choices for a senior phase pathway.

Whether a young person leaves school in S4, S5 or S6, it is the school's responsibility, looking at the S3 profile, to map out a three-year journey to the age of 18 for all young people, whether that involves going directly into work, moving through college or going directly to university. At present, that bit is not happening because of the way in which we have arrived at where we are.

The qualifications review group, which is chaired by the Deputy First Minister, has on its agenda the interface between S3 and the senior phase. If we get S3 right, a number of the challenges around the senior phase will start to make more sense. The DFM has to complete that work, and there will be big decisions to be made. If the DFM uses his authority as cabinet secretary to message that to the system, we will be in a much stronger place to enable us to achieve the original ambitions.

The Convener: Colin Beattie will take us back to CFE governance. You have questions on that, do you not?

Colin Beattie (Midlothian North and Musselburgh) (SNP): Yes—I have a couple of questions for Larry Flanagan and Bill Maxwell. In

its submission, the EIS is not very complimentary about the CFE management board. In fact, at paragraph 2, it suggests that

“the CfE Board has reached the end of its natural lifespan”

and should be replaced. I am interested to know what it would be replaced with.

Larry Flanagan: I thought that we were very fair in our view on the CFE management board. I am absolutely clear—as I indicated earlier—that the management board has been a model for collaborative practice, particularly around the development phase. The challenges have arisen around implementation, and a lot of those implementation issues are at a school and local authority level.

Fulton MacGregor referred to the fact that COSLA is not represented here today. COSLA has never taken up its seat on the management board. It used to send a delegate from ADES—

Terry Lanagan: No—

Larry Flanagan: Yes—it used to send two ADES people.

Fiona Robertson: COSLA has been on the board for a number of years and does attend regularly.

Larry Flanagan: It has been on the board from the beginning in theory, but it never sent anybody—it always sent two ADES people. That has been a real issue.

Terry Lanagan: That is not true.

Larry Flanagan: Okay—I stand corrected.

With regard to what should replace the board, there is an open discussion. I do not think that the management board should be disbanded at this stage until we have cracked the S3 and qualifications issues. Thereafter, there comes a point at which we cannot be implementing a programme 15 years after its inception. We need to move forward as a system. I am much more interested in the processes around pedagogy and how we support teacher development. That is the big agenda, once we get beyond implementation—

Colin Beattie: Can I interrupt you? I come back to your submission, which states:

“EIS for the past period”

has believed

“that the CfE Board has reached the end of its natural life”.

You must have a plan for how you would like to see it reconstructed.

Larry Flanagan: We would like to see it replaced with a strategic board that focuses more on pedagogy and curriculum development than on

the implementation of a specific programme. My view is very strong: we will achieve improvements in our schools by moving away from an obsession with qualifications and towards looking at pedagogy and teaching practice. It is about professional development, which is an agenda that we have already started discussing with the Scottish Government and the teaching profession, looking at international examples. There have been a number of initial experiments to support pedagogical improvement and a body of work on initial teacher education. Something along those lines—that is hinted at in the OECD report—would be much more effective.

We raised the issue of a review of the CFE management board about two years ago with Angela Constance, the then Cabinet Secretary for Education and Lifelong Learning. Clearly, the work on qualifications must first be completed, given the issues there. However, once that is done, we will have moved beyond implementation and we will need to look more broadly at how we support education.

Colin Beattie: I have a second question, and I hope that Bill Maxwell will come in and answer both my questions together. Paragraph 13 of the EIS submission says that the CFE management board

“only ever had power to recommend courses of action to the appropriate Education Minister.”

However, paragraphs 4 and 5 of the joint submission by the Scottish Government and Education Scotland seem to imply in that the management board has quite a bit more power. How do you square the two views?

Larry Flanagan: In the development phase, when we were looking at the curriculum and what I would call professional issues around education, the Scottish Government was keen to take fairly strong advice from the management board. We moved to a phase in which a lot of the implementation issues became highly politicised, not least over the past couple of years, when there has been a strong focus on education. We have made a lot of direct approaches to the Scottish Government because that is where we saw the decision-making locus, so—

Colin Beattie: If I can again interrupt, you say in your submission that the management board only ever had the “power to recommend”. That is a lot different from saying that it gives “strong advice”. How does your view equate with how the Scottish Government and Education Scotland see it?

Larry Flanagan: I think that every minister would say that they retain the right to accept or reject advice from the management board. Whether it is a strong or lukewarm

recommendation, the buck stops with the cabinet secretary—they have the decision-making power.

Colin Beattie: The board has more power than simply the power to make a recommendation to the minister. According to the Scottish Government, it has a lot more power than that.

Larry Flanagan: It does not in any formal sense. That is entirely dependent on how the minister accepts the recommendations.

The Convener: The question has been answered, Colin.

Colin Beattie: Bill Maxwell might have a comment.

Dr Maxwell: Fiona Robertson set out the position clearly at the start of the session. Fundamentally, the management board has authority rather than power. Clearly, as Larry Flanagan says, the cabinet secretary has the ultimate power on decision making on major policy aspects. However, the board has a lot of authority because of its make-up—the membership covers a broad church—and in it being consensual in what is fundamentally a system in which authority lies at multiple levels. It makes authoritative recommendations that the cabinet secretary clearly considers carefully.

Colin Beattie: What about EIS’s proposal that the board has come to the end of its lifespan?

Dr Maxwell: As was described earlier, major reform programmes go through development, design and implementation phases and, as the OECD report signalled strongly, we are moving into a benefits realisation phase. There is work to be finished on qualifications, as Larry Flanagan said, but the time is coming to take a fresh look at what has been a guiding alliance.

The power that lies behind what has happened is the strong efforts that have been made to work with all stakeholders and develop consensus wherever possible. How that is maintained may require different mechanisms, but we are not quite there yet.

Colin Beattie: You would agree that—

The Convener: Last question, Colin.

Colin Beattie: —you are coming to a point where a review might be beneficial.

Dr Maxwell: It is worthy of review and, of course, the Government is reviewing governance of education more generally at the moment.

Liz Smith: I want to return to subject choice. Bill Maxwell and Janet Brown helpfully made clear in their evidence to the committee that “conversations still have to be had.” I think that

they both used that phrase, but one would have to look at the *Official Reports* to check.

I agree that conversations still have to be had about subject choice. I would be interested to have parental input on the matter, too. The issue is not just about the number of subjects that are available. As Larry Flanagan said, we are talking about a period from S3 to S6 on the learner journey. We must see it in that context.

The other important aspect of the context—Mr Lanagan mentioned the issue of universities—is that every university in the land is making the point that subject choice is crucial in terms of not just the number of subjects, but the groupings of subjects that pupils can do. Although we have more Scotland-domiciled students going on to university places, we have more who are not getting places, because demand is rising much more quickly than the availability of places.

The groupings of subjects that pupils can do in different year groups are absolutely crucial. I know for a fact that you have received letters about that. We have all received letters from constituents who make the point that their sons and daughters cannot always do the subjects that they want to do in order to be able to get on to the relevant college or university course. Is that a conversation that we need to review, and very quickly?

Dr Maxwell: We certainly need to keep that under review and look at how subjects are provided. Sometimes, they are provided by schools collaborating with one other or working with local colleges on more minority interest subjects, because young people will sometimes have different patterns that are difficult to meet in small schools or schools that have not typically provided certain subjects in the past.

It has always been an issue. It was an issue under the previous curriculum and it is an issue under the current one, so we need to keep it constantly under review. It has been helpful to have Universities Scotland on the management board. As part of that, it produced a paper called “Beyond the Senior Phase: University Engagement with Curriculum for Excellence” on the back of initial discussions about how universities were going to adapt to the new patterns of qualifications that might appear.

The work that is going on around improving the careers advice and guidance service right back into primary and broad general education plays into this agenda, too, because it is important that young people understand the pathways that they are building towards.

Liz Smith: With respect, it is not just about universities adapting, although they are more flexible than they used to be. It is also about schools adapting and, to take up Mr Lanagan’s

point, introducing flexibility. I agree that it is there in theory, but it is by no means there in practice in too many schools. That is the issue that we are facing, and it is part of the delivery of curriculum for excellence.

I know that my colleague Johann Lamont wants to talk about the S4 situation and the lack of external assessment there. However, is it fair to say that there are crucial issues about whether we are delivering what youngsters need in order to be able to pick up the best possible opportunities beyond school?

Terry Lanagan: In my experience, schools are better than they have ever been at providing that flexibility. If I reflect on my experience as director in my local authority over the past five years, I can tell you that we have, for instance, extended the use of consortium arrangements among schools and the use of colleges—not just for youngsters to go to college during the school day, but for college lecturers to go into schools to deliver a range of courses. I can say with absolute confidence that the youngsters who are going through schools in my area today have a far greater degree of flexibility and choice than they had five or 10 years ago.

Liz Smith: I will finish with a comment. That is good to hear, but we are getting a lot of letters from constituents whose sons and daughters feel otherwise.

Terry Lanagan: It is fair to say, however, that it would be impossible to deliver a system that allowed every possible choice because of the way that schools are run and because, at times, if a school has only one or two pupils wanting to do a particular subject, it simply cannot run with that. I understand parents’ frustrations with that, but at times schools simply cannot deliver if a sufficient number of youngsters do not choose a subject.

The Convener: Gillian Martin and Tavish Scott have short supplementary questions.

Gillian Martin: My question was on workload and it has largely been answered, so I am not fussed about coming in if there are time issues. However, Larry Flanagan said something that piqued my interest. I agree that we need to focus on pedagogy more than on qualifications, assessment and an examination-led curriculum—that is long overdue. However, we live in a culture that is obsessed with assessment and examinations, and we have intense political scrutiny and media coverage. We only have to look at the hoo-hah around the programme for international student assessment—PISA—results that came out to see that.

Are we looking for inspiration to other countries that are high achieving in education, but have a completely different model? I want to bring Joanna

Murphy in on this, because reaching out to parents will be really important if we are to completely overhaul educational culture. I want to hear more about what you see as the challenges of that.

11:30

Larry Flanagan: It is important to remember that curriculum for excellence was a pedagogical innovation. We have become overobsessed with processes around it. Even the SPICe document talks about curriculum for excellence being introduced in secondary schools and creates a timeline that aims towards the first qualifications. However, curriculum for excellence was introduced to secondary schools and primary schools at the same time—the pedagogical changes were communicated to all elements of the system. Part of the difficulty is that everything gets measured against the qualifications framework. No one is saying that assessment is not important, however—assessment is part and parcel of the teaching process.

If you look at some of the high-performing countries in PISA, such as Finland, you will see strong echoes of curriculum for excellence in what they are doing, particularly in the focus on teacher quality and professional development. The difficulty is that we get bogged down in procedures around qualifications to the detriment of that much more productive workstream. If we can get past the issue of qualifications and get them bedded in, it will open the door for pedagogy to be the main driver for improvement. That is not about governance but about the attitudes of school and education leaders across the country.

I point out—because Bill Maxwell is here—that Finland does not have an inspectorate and it seems to do fine. Finland also has exit qualifications: young people in Finland sit exams when they are leaving school and the rest of the time is geared towards building knowledge. There are lessons that we can learn from that.

The Convener: I make it clear that the committee is not suggesting for a second that somebody should be made unemployed. *[Laughter.]*

Larry Flanagan: Good.

Dr Maxwell: I add that Finland has set up a new evaluation body and we had a helpful meeting with it last year.

The Convener: He is already looking for a job.

Gillian Martin: I think that Mr Lanagan wanted to come in on that.

Terry Lanagan: It is worth reminding ourselves that the OECD report indicated that all the building blocks are there for Scottish education to be a

world-leading system. Pasi Sahlberg from Finland addressed the ADES annual conference in November and made it clear that he thought that Scotland was in exactly the right place to be a world leader. The same was said by Professor Andy Hargreaves. They are two of the international advisers to the Scottish Government and they were exceptionally complimentary about where we are going. They made it clear that we have not got everything in place yet, and the recommendations in the OECD report are being taken forward by various bodies to try to address the areas where we are not delivering. However, the experts are very clear that all the leading systems are doing exactly what Scotland has done over recent years.

Tavish Scott: I will be quick and I apologise to Larry Flanagan for obsessing about process, but I have a question following Colin Beattie's comments about governance. Fiona Robertson, did the management board as a matter of course after every meeting make a series of recommendations to the cabinet secretary at that time?

Fiona Robertson: Ministers are made aware in the normal course of events about discussions at the management board. The nature of the advice provided to ministers would depend on the nature of the discussion of the management board. As has already highlighted, there has been a number of very clear ministerial decisions as a result of advice from the management board.

Tavish Scott: Would it be possible to furnish the committee with some of that information, given that it is now in the past? I am looking for some illustrations of where the management board made a clear recommendation and then sent a minute to the cabinet secretary, saying, "We recommend that you do X".

Fiona Robertson: The timeline that has been provided by SPICe highlights a number of those key decisions.

Tavish Scott: I am asking whether you would furnish the committee, not today but in writing after the meeting, with evidence that illustrates the point that you have just fairly made to us.

Fiona Robertson: I can look at what can be provided to the committee separately.

Tavish Scott: Thank you.

Ross Thomson: I have a supplementary that follows on from Liz Smith's line of questioning. If someone had a choice of eight subjects and they decided, for example, that they wanted to go to university to study science, they would choose the five subjects that they needed for that particular course but they would have flexibility to change if for whatever reason they decided by S5 that

studying science was not for them. With six subjects, is it not impossible for people to change route if they wish to?

Larry Flanagan: The issue is when people make those choices. With an S3 profile, young people delay the choice for a year. Young people and their parents then have a better basis for making the decision, because the young person is older and has had more experience of the subjects. When people make subject choices in S2, they tend to do that around January, so they have been in secondary school for only a year and a half. They then choose their eight subjects, which normally goes down to five after two years. A bypass system with eight choices across two years is actually the best of both worlds, because it creates that additional flexibility.

There is not a huge number of young people looking to do three sciences. That is not the highest demand in relation to timetabling. That takes me back to the point that Terry Lanagan hinted at in answering Liz Smith's question, which is that timetable options are resource led. Schools need to have the teachers and the demand. The days when schools could run classes for five, six or seven pupils are long gone. Any timetabler will say that unless at least 10 people pick a subject as an option it will not even be looked at. That is to do with budget pressures—schools have had to cut their cloth. In the past, schools perhaps had a bit of flexibility to run an additional science or language course to meet a relatively small demand, but that option is quite often off the table now. For a school timetabler or headteacher who is looking at those options, that very real pressure has to be factored in.

Richard Lochhead (Moray) (SNP): In the interests of brevity, I will address my question to Terry Lanagan, unless anyone else wants to come in. In delivering the curriculum around Scotland, some local authorities are struggling to attract applications from new teachers and there is a shortage of teachers. In some areas, that could jeopardise the delivery of the curriculum from August 2017 onwards, because the teachers are not there, so the authorities will have to review what can be delivered.

People in the education sector have put it to me that, if Education Scotland was split between the scrutiny role and the development role, and the development role was devolved to regions of local authorities or whatever, that would help to address some of the challenges on a more local basis. Has Mr Lanagan had that feedback from his directors of education? I would be happy to hear from any of the other witnesses if they want to respond.

Terry Lanagan: There are arguments for and against the splitting of the two functions of Education Scotland, but I cannot see how it would

help with the recruitment of teachers. Certain parts of the country are in a difficult position—in particular, the north-east is really struggling to fill posts. That is a challenge for the system that involves a number of issues, including workforce management issues, which have to be dealt with at national level. There are also issues that have to be looked at to do with drop-out rates from general university courses and from the teacher education university courses. I cannot see the relevance of the role of Education Scotland to the attraction of teachers.

Richard Lochhead: You are focusing on the attraction of teachers, but I am saying that, as a result of a lack of teachers, changes might have to be made to the curriculum locally.

Terry Lanagan: That happens at present, and sometimes it is to do with the difficulty of recruiting. For example, there is an issue around computing science teachers, and the curriculum has to be adapted locally. I would not see the division of Education Scotland and its work being devolved to a local level helping with recruitment.

Johann Lamont: I want to ask about something that the committee tried to establish at previous evidence sessions. It is a question about when national 4 became internally assessed. At the beginning, we were told of an expectation that there would be external exams at all levels where they are currently used for certification. We were told about the inclusive nature of the standard grade. By the following year, there was a decision simply to assess national 4 internally.

For the first time in all our evidence sessions, we have heard a coherent explanation of what some of the thinking around that might have been. Larry Flanagan has helpfully explained the idea of qualifications shifting further up the school year, because more young people stay on. When I was still teaching, very few kids stayed on for a sixth year, and they certainly did not work as intensively as my own children did by the time that they got to sixth year.

I am interested in the processes. We were not able to establish when that decision was made and who made it. Can Education Scotland or the SQA clarify when that decision was made?

Dr Brown: As Fiona Robertson highlighted earlier, at different times during the development process, different groups were formed by the CFE management board. A qualifications governance group was formed specifically to agree the process for signing off the design principles of the new qualifications and to agree the design principles. The membership of that group was broad and wide ranging. It had representation from the professional associations, from the part of Education Scotland that used to be Learning and

Teaching Scotland, from the college sector, from ADES, from School Leaders Scotland and from the SQA.

The qualifications governance group discussed and worked through the design principles. It agreed that, given the nature of national 4 as potentially being the exit qualification for those candidates who might be going on to college courses, internal assessment was the most appropriate assessment to put in place for national 4. However, the national 4 internal assessment would be quality assured by the SQA to ensure that a national standard was applied. That was recommended to the CFE management board, which accepted that recommendation and passed it up to ministers to approve.

Johann Lamont: How useful is it to have a qualification that is not externally examined and which can only be passed or failed, as opposed to one that gives more information about a young person? I am troubled about that, and I would be interested to know the EIS view on it.

I am happy to be corrected on this, but my experience is that no funding followed non-certificate courses within schools, even where there should have been funding. Such courses were not externally assessed, so the budgets within schools became constrained and young people did not have the same quality of course that standard grade brought in. It is clear that, in the early days, the initial proposal was to have external examination for anything that had been certificated in that way.

It feels as though there was an opaqueness around the decision to move from agreeing that such courses should be externally examined to thinking not only that they should be internally assessed but that they should result in just a pass or a fail. What consideration was given in that regard?

Dr Brown: There are two issues there. The national 4 is certificated. There are a lot of qualifications that many awarding bodies—

Johann Lamont: I am talking about having an external exam—one that is externally assessed. This is what has been said:

“The proposal for the replacement to Standard Grade at this stage included an external exam ‘at all levels where they are currently used for certification.’”

Dr Brown: That was the original point. A group was then set up, and its membership had a very broad church within it. It actively discussed the value of internal versus external assessment, as well as the importance of ensuring standards through quality assurance. There was a very detailed conversation on the matter; I am sure that Larry Flanagan will come in on that.

The point that I was trying to make is that internally assessed, externally quality-assured qualifications are delivered across all jurisdictions. All the Scottish qualifications in the vocational space have internally assessed units that are highly valued by parents, students and employers, and we see the national 4 as fitting into that space.

Johann Lamont: Why was it only a pass/fail exam?

Dr Brown: That is a different discussion. That was one of the recommendations that came out of the qualifications governance group.

11:45

Larry Flanagan: The ambition for the broad general education was that level 3 in CFE—that is, basic literacy and numeracy—was young people’s minimum entitlement at S3. However, the aspiration of S1 to S3 was that most young people would get to CFE level 4, which is the top end of the experiences and outcomes. That equates to a standard grade 4 pass. The qualifications were based on the idea that most young people, at the end of S3 when they are doing their S3 profile, will achieve level 4 across most areas. Therefore, their natural targets in terms of qualifications—the qualifications group looked at the idea of two-year and exit qualifications—would be national 5 or higher.

There was a lot of discussion around whether there should be an exam for national 5. In fact, in the initial discussion, national 5 was not going to have an exam, but Fiona Hyslop ruled that out and said that it would be a step too far. Given the experience with national 4, that was probably a good judgment. The discussion in the group was about moving to something akin to the Finnish system—the idea of exit qualifications. However, Colleges Scotland made a strong argument for not having external examination for national 4 because national 4 was a progression into college courses and the default position for all the units for most college courses—unless they were SQA related—was that they were internally assessed and validated by colleges. A very strong argument was put that, for the group of pupils for whom it was anticipated that the national 4 would be their exit qualification from school, that was a more appropriate pathway.

It should be borne in mind that it was anticipated that a good number of those pupils would be undertaking a mixture of school and college-based placements and that, therefore, as part of the CFE programme, some young people might be doing their fourth year in colleges rather than in schools. However, that has not been realised. In practice, after N4 and N5 came in together, replacing general level and credit level standard grade,

there has been a huge overpresentation around N4 mainly because schools are not confident about CFE levels 3 and 4 in S3—they have not been doing them, because pupils have made their subject choices in S2.

The discussion in the qualifications review group is that N4 has not worked in the way that it has been used. We think that, to give it credibility and address the concerns around it, there now needs to be some level of external assessment or validation. That is part of the discussions that are now taking place. We have not discussed whether that could be done through an exam or through an externally marked added-value unit, but there is a recognition that, for a number of young people for whom N4 is their top level, the qualification does not carry the status that we hoped it would and is not seen in the way that it was intended to be seen. There are issues to be addressed around that.

Johann Lamont: That is really helpful. You have described how the cabinet secretary said that not having an exam for N5 would be “a step too far”, but that particular group has neither effective rigour around their third-year profile nor necessarily access to college in their fourth year. However, because some of them will go to college, we are not allowing an external examination that would enable some of those young people to show the world that they have been a good attendee at school and have achieved certain things across the curriculum. Standard grade may have been well out of date, but it provided that for a particular group of young people.

There are clearly a lot of issues around curriculum for excellence and things that need to be revisited for the reasons that you have described. We have been told in our budget consideration that curriculum for excellence has now reached a level of maturity that allows the budgets for Education Scotland and the SQA to be cut—I think that the SQA’s budget is being cut by something like half. Is it the view of the unions—and, indeed, of Education Scotland and the SQA—that curriculum for excellence has reached a level of maturity that can justify that decision?

Larry Flanagan: A workstream is clearly still live in relation to the changes that have been agreed around N5, higher and advanced higher. We pressed very strongly for the SQA to introduce the changes—the removal of the units—for both the higher and N5 next year, but the SQA said that it could not achieve that. In my view, that is largely resource driven, because the SQA does not have the same number of staff and it cannot afford the same number of secondees from schools—there is also a pressure on schools not to let people out anyway—so that is an issue.

It depends to some extent what the decision is on N4, but clearly there is also liable to be a workstream on that; I think that that will have to be funded because I assume that there is not a funding stream for it at present, although I do not know that as I am not on the SQA board. The SQA has a relatively small core staff and a lot of development work is done by getting teachers out of school who are subject experts. I would not call for anybody’s budget to be cut, because it might come back to bite me. There has to be a funding stream in place to ensure that the work is completed. A lot of the other stuff about senior phase articulation is around process, so it does not necessarily have a huge cost attached to it; it is about the alignment of local authority and school decision making around process. In that sense, big spending commitments are limited in some of those areas.

Johann Lamont: Would you describe curriculum for excellence as mature?

Larry Flanagan: Like a cheese?

The report by the working group on tackling bureaucracy was an indicator that things had not gone right in implementation across three to 15, because it would not have been necessary to set up a working group to tackle bureaucracy if a bureaucracy had not been created. The tackling bureaucracy report, which everyone around this table was involved in, made really good recommendations, but a year later a second report had to be issued because the recommendations had not been implemented. The issues that were raised were operational issues about school reporting formats and online tracking systems, so there is still an agenda to be addressed.

On the ambitions and the curriculum elements, the guidance on decluttering and the focus on literacy and numeracy have been really useful. I am not convinced that we need any more benchmarks, but that is for another discussion. We are at a stage at which we should be looking towards realising the benefits of the changes, because all the groundwork has been done. Terry Lanagan alluded to the OECD report. The building blocks are all there and we now need to ensure that they gel together.

The Convener: Thank you very much for your comments. Given that all the bodies that would be involved in operational matters are, in the main, on the CFE management board, how did you come up with a report that you could not implement? That takes us back to the discussion that we had at the beginning.

Larry Flanagan: The CFE management board does not run the 32 local authorities. I have seen some very good practice from individual local authorities that have done a lot of work on

modelling senior phase architecture and curriculum. It comes back to the question that, I think, Fulton MacGregor asked—it might have been someone else—about the support that might come from disaggregating Education Scotland. Because of austerity pressures, local authorities across the country have seen their quality improvement officer networks being diminished and they have even disappeared in some areas. A lot of the pedagogical support that used to be available at local authority level has been subject to the cuts process, particularly where teacher numbers have been protected and where that was part of the education budget that could be hit. There is a gap there and I think that there would be genuine benefit in looking at disaggregating some of the functions of Education Scotland into regional networks that are closer to the local authorities, which would give them something extra.

The Convener: Why would you come up with a report when you know that it cannot be achieved?

Larry Flanagan: Which report cannot be achieved?

The Convener: Mr Lanagan says that he does not represent local authorities, but he is here to represent the directors of education, who are in every local authority, so he clearly has some sort of overarching local authority role in relation to education. Why would you come up with a report, knowing at the time that, because of financial pressures or whatever, it was not achievable?

Terry Lanagan: First, I do not think that that is what happened. The report was compiled and many of its recommendations were carried through at local authority level. In the previous school session, Education Scotland conducted a review of tackling bureaucracy across the 32 local authorities and the majority of them received very positive reports that, through the LNCTs in particular and other devices, they had worked hard and succeeded in reducing bureaucracy. It is not true to say that none of the recommendations was carried through. I am sure that the EIS would acknowledge that; indeed, Larry Flanagan has said that there are some very good examples at local level.

Ross Greer (West Scotland) (Green): I appreciate that a wide range of stakeholders are involved in the management board and that there is teacher and parent input. The gap that occurs to me is in direct learner input. I pose my question to Fiona Robertson: what expectation is there at the management board of learner involvement in the decisions and recommendations that are made to ministers?

Fiona Robertson: That is an important point. The breadth of membership of the management

board and the fact that the teaching profession and the leadership in education are represented does not prevent the learner voice from coming through. We try where possible to have meetings in schools, and we have extended those meetings so that there are discussions with learners and teachers as well. The SQA and Education Scotland also have their own mechanisms for ensuring that there is a learner voice through that process, and some of the wider work that the Government takes forward involves the Children's Parliament, Young Scot and others—there is a broad range.

Although young people are not formally part of the governance of CFE in that they do not have formal representation on the board, we have sought to use a number of mechanisms to ensure that their voice is heard. Some really good work was done on that with Children in Scotland. Also, the learner voice, as well as the parent voice, comes through quite strongly through the National Parent Forum of Scotland.

Ross Greer: I appreciate that, and I know from experience that the teachers unions are often very effective at representing learners. However, there is a difference between someone advocating on the learners' behalf and actually having learners as part of the process.

Fiona Robertson: Indeed—I understand that.

Ross Greer: In a previous evidence session, Janet Brown laid out the SQA's consultation with learners, particularly around national 4. Will you explain how the membership of the management board is comprised and who ultimately makes the decisions?

Fiona Robertson: The membership is conveyed through ministers, so they have determined the membership of the management board over time. Invitations to serve on the board are expressed on behalf of ministers. The composition of the management board as it stands has largely been in place since 2009, with some additional representation to reflect the importance of the developing the young workforce agenda for the senior phase, as I mentioned at the start of the meeting.

Ross Greer: There is certainly the potential for a place for learners. Local authorities that have learners on their education committees have seen a significant improvement.

On a broader point, have there been any independent evaluations of the workings of the management board?

Fiona Robertson: The OECD review group met the management board and received material from management board members and others as part of its work. Some of the issues in the OECD report

relating to the management board were taken forward. The education governance review, which has just closed, also considers issues pertaining to the management board as well as broader issues.

The OECD review is important, in that it expresses, as I stated at the start of the meeting, the centrality of the management board in the development of curriculum for excellence and with regard to what Larry Flanagan indicated about a potential shift going forward.

12:00

Ross Greer: In essence, that sounds like, “No, but other reviews have touched on it.”

Fiona Robertson: That is a fair reflection.

Ross Greer: Turning to Mr Searson and Ms Murphy, Larry Flanagan laid out a potential successor body to the management board. Do you have any thoughts on the future of the management board or an alternative body?

Seamus Searson (Scottish Secondary Teachers Association): The SSTA has not been party to what the management board has done over the whole period. We were removed at one stage and got back into the body only in September 2015. That is why I reserved some comments on some of the detail. However, as far as we are concerned, there is a need for a strategic body, but not necessarily the CFE management board, to look at education policy. There has to be a body that brings all the stakeholders together and looks at all the issues. My concern is that the management board is a body that makes recommendations to the minister but does not make the big decisions.

Secondary teachers are concerned about the fact that we are only one voice among a number of voices, which does not give prominence to the profession with regard to some of the decision making. For example, on the issues of workload and the changes to the national qualifications, the teaching unions pursued those matters outside the CFE management board. We welcomed the establishment in January 2016 of the national qualifications review group, and we hoped that changes would be made. However, there are only three teaching unions in that group, and we were the voice in the wilderness asking for some immediate change.

For the future, we need to ensure that the people who are doing the job are involved in the decision making, because that is not the case at present. No teaching unions are involved in the implementation group, although it is teachers who are doing the job. The messages about that and other aspects need to be taken on board. It is about giving the teaching profession a voice in the

group. It is important to have round the table the people who are doing the work. Some working groups are very big, and it is difficult to manage such a large range of people and get down to the nitty-gritty.

As I said, for the future, there is a need for a strategic board. I do not think that work on the CFE element is finished yet, because the issue of national qualifications needs to be resolved—it will be resolved, though. There also has to be a major shift, in that the teaching profession has to be trusted to make the decisions, which would reduce some of the workload. Unfortunately, that is one of the problems that we have to overcome. There is also the fact that we are trying to do all that work when we have a recruitment crisis, and I feel that that problem has been underestimated. For example, teachers are having to split classes to ensure that youngsters get better coverage for their qualifications. The thing that is missing from current discussions is what is going on inside schools at the moment.

I hope that that gives a steer as to where we are coming from.

Ross Greer: It does—thank you.

Joanna Murphy (National Parent Forum of Scotland): Forgive me if I do not articulate this in the same way as my colleagues here have done. I should say that I am a parent and not an education specialist. I am representing other parents who, in good faith, bring their children to schools and trust in the good work of the classroom teachers day in and day out.

Parents can also be volunteers in schools, but the whole process often passes us by. I think that it is telling that, at 5 past 12, we finally get round to talking to parents. We were kind of mentioned in passing a couple of times, but again the discussion went on to other pressing and obviously important matters. This is not a battle between parents and everyone else, but I think that parents have a lot to give to the discussion.

Parents have been well represented at the management board, which we have been on almost since it started. However, in many other parts of the education system, we are brought in at the end just to rubber-stamp, be told what is happening or, worse, not be told what is happening. We are left to kind of—I hate to say this—beat it out of our children or cajole them to tell us because, naturally, they are our conduit to many educational decisions, as they are in school and are the ones who are sitting the exams. There has not been a lot of talk about primary schools, but for the children going into primary 1 to learn to read and write, curriculum for excellence has changed the way that they experience the school system and the world around them.

My experience with my daughters is that one went through school entirely under the old system, the middle one has done a bit of both and the one at the end has gone through the whole new curriculum for excellence experience. So, I can see it all from the different points of view. Obviously, it is not fair to highlight only the experience of my daughters, but through that I can see the process and the differences that have been made, particularly in primary school. Having had a daughter in the first cohort to go through S4, S5 and S6 under CFE, I could see as a parent how difficult it was for the young people, how the school and the teachers struggled to cope and how the parents were very often left behind. They did not really get included, because they are an add-on. It is about time, money and trying to get the parents involved at a time that suits the schools and the parents who have to go along to them.

The Convener: Thank you. Can I just say that you could have participated at any time during the meeting? I can assure you that we were not banning you from talking until the end. It is nice to see you again.

I thank you all very much for that lengthy session, which was useful for the committee.

I now close the public session.

12:06

Meeting continued in private until 12:19.

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