



OFFICIAL REPORT
AITHISG OIFIGEIL

Education, Children and Young People Committee

Wednesday 12 March 2025

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 12 March 2025

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EDUCATION, CHILDREN AND YOUNG PEOPLE COMMITTEE

9th Meeting 2025, Session 6

CONVENER

*Douglas Ross (Highlands and Islands) (Con)

DEPUTY CONVENER

Jackie Dunbar (Aberdeen Donside) (SNP)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)
*Miles Briggs (Lothian) (Con)
*Keith Brown (Clackmannanshire and Dunblane) (SNP)
*Pam Duncan-Glancy (Glasgow) (Lab)
*Ross Greer (West Scotland) (Green)
*Bill Kidd (Glasgow Anniesland) (SNP)
*John Mason (Glasgow Shettleston) (Ind)
*Willie Rennie (North East Fife) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Jenny Gilruth (Cabinet Secretary for Education and Skills)
Dr David Gregory (Education Scotland)
Clare Haughey (Rutherglen) (SNP) (Committee Substitute)
Clare Hicks (Scottish Government)
David Leng (Scottish Government)
Nico McKenzie-Juetten (Scottish Government)
Alison Taylor (Scottish Government)

CLERK TO THE COMMITTEE

Pauline McIntyre

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Education, Children and Young People Committee

Wednesday 12 March 2025

[The Convener opened the meeting at 09:30]

Subordinate Legislation

Education (Scotland) Act 1980 (Modification) Regulations 2025 (SSI 2025/44)

The Convener (Douglas Ross): Good morning, and welcome to the ninth meeting in 2025 of the Education, Children and Young People Committee. We have received apologies from Jackie Dunbar, and we welcome back Clare Haughey, who is substituting for her.

Our first agenda item is consideration of a Scottish statutory instrument that is subject to the negative procedure—SSI 2025/44. Do members have any comments to make on the instrument?

Members indicated disagreement.

The Convener: There being no comments, does the committee agree that it does not wish to make any recommendations in relation to the instrument?

Members indicated agreement.

Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [Draft]

The Convener: Our next agenda item is consideration of an item of subordinate legislation that is subject to the affirmative procedure—the draft Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025. The committee will take evidence on the draft order, which relates to the Public Appointments and Public Bodies etc (Scotland) Act 2003, from the Cabinet Secretary for Education and Skills and her officials. The minister will also move the motion that the instrument be approved.

I welcome Jenny Gilruth, the Cabinet Secretary for Education and Skills; Clare Hicks, director of education reform; and Nico McKenzie-Juetten, who is a lawyer in the Scottish Government legal directorate. I understand that the cabinet secretary wants to speak to the draft order.

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Good morning, and thank you for inviting me to discuss the draft Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025.

If the order is approved, it will allow ministers to make early appointments to the board of qualifications Scotland, which is an essential step in ensuring that the new qualifications body has a fully functioning board in time for its establishment in autumn this year and delivery of the 2026 exam diet.

I take the opportunity to put on record my thanks to Fiona Robertson for her leadership of the Scottish Qualifications Authority and for her many years of service to education. The SQA has now put in place interim arrangements to ensure continued delivery, and preparations for a full, fair and open process to appoint the SQA chief executive are well under way.

Back in November last year, as the chair of the SQA mentioned in her recent evidence to the committee, changes were made to the SQA's board to ensure that it would be better able to support the establishment of qualifications Scotland. At that time, five appointments were made, including the appointment of members with experience of teaching in schools and colleges. Those appointments are already supporting the establishment of qualifications Scotland and—which is important—the work to support the organisation to transform how it engages and operates across the education and skills system.

Subject to the agreement of the Parliament, the Education (Scotland) Bill will ensure that the SQA chair is able to transfer to become the chair of qualifications Scotland. It will also enable a number of members of the SQA board to transfer. Those arrangements are critical in providing a smooth transition to the new body and supporting the implementation of the new membership model, as required by the Education (Scotland) Bill.

The revised model for board membership and new governance and accountability mechanisms will provide a more robust platform for delivery, which will ensure that the organisation's decisions are more directly shaped by the views and experiences of teachers, college practitioners and pupils alike.

To build on the measures that are set out in the bill, the Scottish Government has also provided funding to the SQA for secondment of a secondary school headteacher, who will act as an adviser to the organisation and lead a new dedicated schools unit. That senior role will support the organisation to ensure that it is able to rebuild trust and confidence with Scotland's teachers. I am pleased

to say that the SQA will announce the successful candidate early next week.

As we move towards the establishment of qualifications Scotland, it is crucial that our qualifications body is able, now and in the future, to demonstrate leadership that inspires trust, confidence and transparency.

In order to begin the process of appointing new board members, I commend the order to the committee. I am happy to answer questions.

The Convener: Thank you, cabinet secretary. We move to questions and comments from members, and I will begin.

The Scottish Government's policy note on the proposal states that

"This is to ensure continuity of leadership"

as we move from what we have at the moment to qualifications Scotland. Given what the SQA has gone through in recent months and years, do you think that continuity of leadership is a good thing?

Jenny Gilruth: You are speaking about the draft order, and I reflect that there have been changes in leadership roles in recent times. That has been reflected in the evidence that the committee has heard. I also reflect on the fact that we have a new chair in the form of Shirley Rogers. Shirley Rogers has been leading some transformational—

The Convener: The new chair has been in post for more than a year now.

Jenny Gilruth: She is relatively new to the organisation, convener.

The Convener: She was appointed in December 2023, I think.

Jenny Gilruth: That is correct. She has been leading on a number of changes, which the committee has been broadly supportive of, in relation to getting the organisation ready for the change to qualifications Scotland. Although there will be some continuity in the move across to qualifications Scotland, there are still some relatively fresh appointments. I spoke to the members who joined the board just before Christmas—five appointments were made at that time.

Although there is continuity, the body needs to operate, and the order is needed to give it the powers to do so and to fulfil functions in relation to the 2026 exam diet.

The Convener: In its stage 1 report on the Education (Scotland) Bill, the committee was very critical of what you have introduced as the cabinet secretary in the Government. We stated that the bill would require to be heavily amended. I think that that was the precise wording that the

committee unanimously agreed to. Is it right to lay the order now, when the committee—and the Parliament—expect a considerable number of amendments to the bill that will, if it is passed, bring in qualifications Scotland?

Jenny Gilruth: The alternative would be for the Government to sit still, which I am not sure is acceptable to Scotland's parents, teachers and young people. We must reflect on the real urgency for reform of our qualifications body, which has been expressed by stakeholders and by the committee. The committee backed the general principles of the bill at stage 1, which is important.

The Convener: That was if the bill was heavily amended. You accepted that in the debate that we had in the chamber.

Jenny Gilruth: Absolutely, convener.

The Convener: Do you accept that what was agreed to at stage 1 will not be what the Parliament will ultimately pass, because you have accepted the deficiencies in the bill and the fact that it needs to be heavily amended? Therefore, I wonder whether we are a bit premature with your proposals today.

Jenny Gilruth: Those are your words, convener, not mine. I would not necessarily accept that there are "deficiencies in the bill" as currently drafted.

The Convener: You did accept that the bill needs to be heavily amended.

Jenny Gilruth: I have accepted that the Government will, in a Parliament of minorities, always have to work on a cross-party basis.

The Convener: Do you not accept that the bill that you presented at stage 1 was deficient in a number of areas, which is why the committee unanimously agreed that it will have to be heavily amended?

Jenny Gilruth: I am somewhat confused by your line of questioning.

The Convener: I am just asking you, quite simply—

Jenny Gilruth: I have to ask this in response. The committee backed the principles of the bill at stage 1. Is that a position that you do not now support?

The Convener: I support the principles if the bill is heavily amended.

Jenny Gilruth: I have accepted that, as I did in the chamber.

The Convener: So you do not think that there is anything wrong with the bill as you presented it, but you accept that it needs to be heavily amended.

Jenny Gilruth: I have accepted that there are areas in which the Government will willingly work on a cross-party basis to strengthen some of the key provisions, but there is an on-going need to reform our qualifications body. As I said, standing still on the issue is not acceptable to Scotland's teachers, our children and young people, or parents and carers.

It is vitally important that the legislation moves forward so that we can deliver on that ask from the country in relation to how we deliver qualifications, especially post-pandemic.

The Convener: My question was about the timing of the instrument that is in front of the committee today. Given that I think that you are accepting that the bill will have to be heavily amended—whether you believe that that is because the bill is not good enough or because, in a Parliament of minorities, you will have to accept that—and given that there will be changes to the bill before it is passed at stage 3, if it is successful, why is the order coming forward now? I know that there is precedent for taking things forward after stage 1, but has that been the case where there has been so much criticism of a bill at stage 1?

Jenny Gilruth: To reflect the real ask here—to give you that reassurance—the appointments process will have to take account of any amendments that are agreed to at stages 2 and 3.

The Convener: What if the legislation is not, ultimately, passed?

Jenny Gilruth: Do you mean if the draft order does not pass today?

The Convener: No—I mean the bill, at stage 3.

Jenny Gilruth: That is a matter that the Parliament will have to respond to.

The Convener: What will happen with the order if it has been passed but the bill does not pass?

Jenny Gilruth: I will defer to Nico on that.

Nico McKenzie-Juetten (Scottish Government): I think that the order will not do very much. The order is about allowing appointments that are made early to qualifications Scotland to be regulated appointments, in order to increase transparency and accountability. If there is no body to which to make the appointments, that becomes irrelevant, essentially.

The Convener: The appointments will have been made to a body that does not exist.

Nico McKenzie-Juetten: I do not see that being a realistic possibility at stage 3. An appointment process takes around six months.

The Convener: We are being asked to start the process now to have things in place for day 1 if the

Education (Scotland) Bill is passed. If the bill does not pass—given that legitimate concerns have been raised at stage 1 and we do not know what amendments will or will not be accepted at stage 2, or what the ultimate outcome will be at stage 3—I am querying what would happen if appointments have been made to a body that does not exist.

Clare Hicks (Scottish Government): The appointments would not be made by stage 3. Preparation requires a number of months. Even given agreement today to the motion on the order, the appointments would not be made for six months. There would therefore be an opportunity to pull that around—

The Convener: The order would have to be withdrawn—is that correct?

Nico McKenzie-Juetten: It would have been passed by that point, assuming that the committee and the Parliament support it, so the order could not be withdrawn, as such, but it could be revoked if it no longer serves any purpose.

The Convener: I am sorry—what was that?

Nico McKenzie-Juetten: If the order is supported by the Parliament, it will be the law. The law can be changed—it can be repealed or revoked. If the order no longer serves any purpose, that would be done—essentially, just by way of hygiene on the statute book.

The Convener: But people will have gone through a process at that point.

Nico McKenzie-Juetten: It is fairly—

The Convener: Sorry—is that wrong, Ms Hicks?

Clare Hicks: The process would have started. When it comes to the timeline to appointment, we would probably have started the recruitment advertising process, but people would not have been appointed by stage 3.

The Convener: However, that process will have started. People will be engaged in that process although, ultimately, the body to which they would be appointed might not be approved by the Parliament.

Clare Hicks: Yes.

The Convener: Cabinet secretary, are you comfortable with that, because you believe that the time constraints do not allow for any alternative?

Jenny Gilruth: I am comfortable, convener, because, if I do not move now, we will not have an operational board to fulfil the functions of the new body. There is a requirement on me, on which I have been advised by my officials, to move

forward on that—to have the board ready to operate.

It is worth saying that, if the motion on the order is not agreed to today, it will not be possible to start making regulated board appointments to qualifications Scotland before its establishment. It is hugely important that that body has a working board that is ready from day 1 to undertake the work that we expect it to do.

Pam Duncan-Glancy (Glasgow) (Lab): This exchange is extraordinary. It is really odd that we are being asked to vote on the order when we do not yet know the shape of the board that the Government will be asked to recruit to, because stage 2 could bring many amendments that would add other people.

I have many questions. My first is on the recruitment. Should the motion on the order be agreed to today, does the cabinet secretary consider that she will, for example, appoint to the board a member of a trade union?

Jenny Gilruth: Such matters will be discussed in relation to the amendments that are lodged. As I have made clear to the convener, we will look to engage with committee members across the Parliament on that basis.

Pam Duncan-Glancy: However, when it comes to the process that you are asking us to agree to today, you do not know who you will recruit, to what particular board function you will recruit them, or how many people you will recruit. Or, do you know any of those things?

Jenny Gilruth: We do, because that was specified at stage 1. The member has a view in relation to trade union membership—

Pam Duncan-Glancy: I am sorry, cabinet secretary, but the Government has said, and the committee has made it very clear, that the bill needs to change, including when it comes to membership of the board of Education Scotland.

Jenny Gilruth: It is not about Education Scotland.

Pam Duncan-Glancy: I am sorry—I mean the board of qualifications Scotland. You are right. I misspoke. You do not yet know how many board members you will need to recruit through the process, because that could change at stage 2.

Jenny Gilruth: It could change at stage 2; however, if we do not start the process now, we will have to lead an alternative appointments process, and I have been advised that that would be truncated, far less robust and more open to challenge.

Pam Duncan-Glancy: How so?

Jenny Gilruth: That is the advice that I, as cabinet secretary, have been provided with. I am happy to bring in officials on that point, but when it comes to public appointments, there are certain requirements and duties that ministers have to fulfil. Those things take time. We have to move forward to ensure that there is an operational board, but I do not detract from your points on, for example, trade union membership of the board. I have been open to engaging on that issue. Currently, as the bill has been drafted, there is no such provision, but Pam Duncan-Glancy is well aware that I have made it clear that I will work with committee members on a range of issues that they might have, in that regard.

09:45

My other point is that recruitment takes time. As you heard from Clare Hicks, it can take many months. I will be in front of the committee two weeks after recess, but to provide some reassurance to members, we could write to the committee on the timescales that are associated with public advertising of vacancies and ensure that the Government reflects on the committee's asks in relation to amendments to be agreed at stage 2.

Pam Duncan-Glancy: I accept that the recruitment process takes time—officials indicated that it would take six months. However, surely it should be six months from the point that the bill, which includes the detail of the board that you are recruiting to, is passed, as opposed to six months from now?

Is it the case that the Government is trying to do that process now, because if we wait until the bill passes, it could go beyond the timescales that people expect? If so, that is not the committee's fault—it is the Government's fault for not sorting itself out on the bill earlier. We are being asked to vote on something that we do not have details for, purely to meet a deadline that the Government wants to meet because it has dragged its heels to this stage in order to abolish the SQA.

Jenny Gilruth: I do not accept that at all, Ms Duncan-Glancy. In fact, the Government is moving forward with the appointments process in advance of the stage 2 amendments—that has been a point of discussion today, which I will reflect on—because we want the new body to have a functioning operational board in place as soon as the bill is passed. That is hugely important. We do not want the creation of qualifications Scotland to be delayed in any way, shape or form.

Pam Duncan-Glancy: No one wants it to be delayed.

Jenny Gilruth: The reality is that, if we do not have the order passed today, it will not be possible

to start making regulated board appointments to qualifications Scotland before its establishment. That issue is within the committee's gift, but I need to make members aware of the effect of not passing the order today.

Pam Duncan-Glancy: You are asking us to do that in relation to a bill in which substantial amendments are required to the construction of the board that you want to pass a regulation on. It just does not feel right, cabinet secretary.

Jenny Gilruth: The stage 2 and stage 3 timescales will be well in advance of the recruitment process having been finalised. I am not clear why you think that the Government will not have to reflect that in the recruitment process—of course we will, because the committee and Parliament's decisions on amendments will impact on how the board is constructed.

Pam Duncan-Glancy: Can you give assurances that, if the order is passed today, any changes that are made to the board's composition at stage 2—such as including trade union representatives and others—will be reflected in the process; that the timescale of six months that you are committing to will not be delayed as a result; and that the Government will not say that it cannot accept such amendments at stage 2 because the order has already passed?

Jenny Gilruth: Absolutely. We will have to reflect on the amendments that are agreed by the Parliament at stage 2 and, potentially, stage 3, and reflect that in the board composition and the subsequent recruitment that takes place. You can take reassurance on that point.

Pam Duncan-Glancy: I have one final question. The convener read out the policy note that we have received today, which says:

"This is to ensure continuity of leadership from appointments made during the transitional period."

Members and others will know about my concern in respect of leadership continuity, and the convener has reiterated that concern. How long is the transitional period, and when could we expect to have a fresh board in place?

Jenny Gilruth: In my opening remarks I spoke about a number of board appointments—five were made late last year. I referred to Ms Rogers as the new chair, but I accept the convener's point that she was appointed in December 2023 and so is perhaps not so "new" any more. Fresh leadership was brought in at that time, and we will look at further appointments as part of the upcoming recruitment process.

Pam Duncan-Glancy: Is it the Government's view that the people who have recently been appointed will transition to the new board?

Jenny Gilruth: Along with the chair, the five people who were appointed in November will transition.

Pam Duncan-Glancy: How long do you expect them to be in place before the recruitment process is repeated and people get an opportunity to refresh the board membership of qualifications Scotland, should it be set up?

Jenny Gilruth: I think that some of the appointments are time limited. I will bring in Clare on those points.

Clare Hicks: Yes. This is an opportunity not to take a big-bang approach. The point of continuity is that some members will continue to provide oversight. We refresh public appointments as we go. That is the point of the order. Good governance will continue: the public body will have appropriate members in place. The normal appointment period for board members is three years, but that is subject to review. It is done on a rolling basis to allow bodies to continue to function and have continuing leadership in place.

The Convener: Cabinet secretary, I am more confused after your answers than I was before. You have said that you are willing to amend things, depending on the results of amendments to the bill at stages 2 and 3, so the process, and the cohort of people going into the board, could be fundamentally different after stage 2 or stage 3. What is being done between now, 12 March, and stage 2 at the beginning of April that cannot wait until after stage 2, when you would know what amendments have been lodged by committee members and others and voted on by the committee? What will happen between 12 March and the stage 2 committee meetings on 23 and 30 April, after the recess? Any process that could be gone through in that period might be ripped up if, things change at stage 2, so why go ahead with this today?

Jenny Gilruth: I might defer to Clare Hicks, but my understanding is that there would be a substantial delay to the appointment process if that were to happen. I am happy to bring my officials in on that.

The Convener: We will bring in Ms Hicks, but I presume that you will have made some assumptions about that because you do not know what is going to happen regarding the order today or what will happen at stage 2. What contingency plans have you, as cabinet secretary, and the Government prepared?

Clare Hicks: The usual process for a public appointments round is that there must be engagement with the Commissioner for Ethical Standards in Public Life in Scotland to ensure that there is clarity about the field that you are trying to recruit to. That would include meetings to set that

out with policy officials, the commissioner and the chair of the current body. We would look at deficiencies within the current board and areas where we might need to grow skills.

The Convener: None of that can happen until after stage 2. What did you say about the field of candidates? That field has the potential to be very different if Pam Duncan-Glancy gets an amendment passed about including trade unions on the board. That could not happen until after stage 2.

Clare Hicks: Regarding specificity, you are absolutely right, but there is a wider question about the composition of boards that support public bodies in any way. The initial scoping conversations can take place, then there will be an opportunity to reflect, as the cabinet secretary said, in the light of stage 2 and stage 3 amendments.

The Convener: Do you need an SSI in order to have those conversations?

Clare Hicks: We do, in order for us to be assured that we can start the process.

The Convener: Is that a legal requirement? Cannot you just have a conversation with the chair of the SQA or with the Ethical Standards Commissioner?

Clare Hicks: Conversations can happen, but there is investment of the Ethical Standards Commissioner's time to support that, so they would want an assurance that we were involving them in something that had the support of the minister and of the Parliament.

The Convener: Surely that would come after stage 2. The assurance that you have just spoken about can only be given after stage 2.

Clare Hicks: Yes—and, as the cabinet secretary said, the opportunity to amend the bill and to reflect on stage 2 and 3 amendments is absolutely built into the process. The committee can be assured of that.

The Convener: I am genuinely not sure why you need the instrument today or what you are going to do before stage 2 that you might have to rip up if things change at that stage.

Clare Hicks: It is about being able to provide assurance to the current chair that the process has started and that they will not be in a position, on day 1 in November—

The Convener: You cannot provide that assurance. You simply cannot do that and neither can the cabinet secretary or the Government, because we have been tasked by the Parliament with scrutinising the bill and making amendments that will not be considered or voted on until April. I therefore find it very difficult to see why and how

we can support the instrument today, given the acceptance that I think we have had from the cabinet secretary and from you as officials that things could change significantly at stages 2 and 3.

Jenny Gilruth: Things could change as far as the board's composition is concerned. I hope that you hear my acceptance on that point. However, I have been provided with advice on the risks of our not having an operational board if the draft order that is before the committee is not passed today. It would delay the process that needs to be undertaken, to which Ms Hicks has spoken.

The Convener: That is my point, though, cabinet secretary. That delay could still happen, depending on the amendments that we will debate and vote on at stage 2. What are your contingency plans if that should happen? I presume that you have planned for that. Given that you will have contingency plans in place—which will be based on respecting the committee's views at stage 2—and you could detail those to the committee now, surely we should not vote on the order today.

Nico McKenzie-Juetten: I will come in briefly to stress that this is an ordinary part of the process of setting up a new non-departmental public body. This is normally done at this point. In the past, it has usually been done earlier in the process, which would have been sooner after the stage 1 debate. There have been 17 such orders since 2005.

The Convener: In fairness, I did allude to that earlier. My point—

Jenny Gilruth: And this—

The Convener: I am sorry, cabinet secretary. My question is whether any of those orders were on pieces of legislation that the committee's stage 1 report said would have to be heavily amended. That is the difference here.

Nico McKenzie-Juetten: I did not see in the stage 1 report any expression of doubt about whether qualifications Scotland would be a non-departmental public body, which needs board members who will require the usual skills that are needed for the corporate management of an NDPB, such as finance and strategy management.

The Convener: They would usually come from a wide range of organisations and backgrounds. Cabinet secretary, do you want to come back in?

Jenny Gilruth: Nico made a hugely important point. In the stage 1 report there was acceptance that a board would need to be created. There is a requirement for the order to be introduced to allow us to do so. I take on board the convener's and Ms Duncan-Glancy's points about stages 2 and 3. We have given a reassurance today that the Government will have to reflect that in our

recruitment processes, but that is a normal part of a Government establishing a new NDPB. On the other hand, considering an alternative approach would leave the Government open to the risk of having to run a truncated recruitment process that might not be acceptable to the Ethical Standards Commissioner. We would need to speak to the commissioner about that.

There would be an inherent risk in our not moving forward with the order, because we would not be able to make the required appointments, notwithstanding that the Government would have to—and will—listen to amendments at stages 2 and 3. This is about timescales in establishing the new body. If the committee were to vote down the order today, or not move on it, that would delay the appointments process, and potentially delay the establishment of qualifications Scotland as a body. Members should be aware of that real inherent risk this morning.

The Convener: It is also a real inherent risk that the Government will be aware of. I have already asked a couple of times what the Government's contingency plan is if the draft order is not passed today because of members' concerns—not their views on the bill itself or on qualifications Scotland, but their concerns about not being able to influence the bill before stage 2.

Jenny Gilruth: We would have to reflect on that, and I would have to take advice on an alternative recruitment process.

Miles Briggs (Lothian) (Con): Good morning, cabinet secretary and officials.

We need to put on record that we are working to the Government's timetable and that it has been the Government's decision to leave the bill until the end of this parliamentary session. The committee does not have a choice in that regard. However, I would have liked to have seen the bill being considered much earlier in the session, and I think that every other member would probably agree with me on that.

I return to the convener's point. I expect various amendments on the board to be lodged. The bill will establish a board, which other people will potentially join as a result of those amendments. Will you not need to come back to the committee after stage 3 with that anyway? Does that not present an opportunity for the Government to lay orders on what will be a reformed board? Given everything that you have outlined, would delaying the order until stage 2 not be more sensible, because by then we will have a clearer view of the political consensus on what the board structure would look like? As the convener has outlined, we are talking about a matter of weeks.

Jenny Gilruth: Nico, do you want to come in on the first point?

Nico McKenzie-Juetten: I have one further remark about what the order would do. Its net effect would be to bring forward the benefits of qualifications Scotland being a specified authority for the purposes of the Public Appointments and Public Bodies etc (Scotland) Act 2003. Ministerial appointments would be regulated by the Ethical Standards Commissioner and subject to the code of practice that is issued by and enforced by that commissioner. That is the order's key benefit. The alternative, in a different scenario, which we have not pursued, would be to consider making unregulated appointments for the first round of recruitment to the board. That would be quite undesirable from the perspective of transparency and propriety. I want to bring us back to what the effect of the order will be and away from some of the other scenarios that we have discussed.

10:00

Jenny Gilruth: I do not have anything further to add to Nico McKenzie-Juetten's comments on that aspect.

I heard what Miles Briggs asked about stage 3—Pam Duncan-Glancy made that point earlier. I go back to Clare Hicks's point that we would not seek to begin the recruitment round until we had certainty on any such amendments, because we would not be able to make appointments to a board without listening to the Parliament in relation to the amendments that the Government will accept. We have to reflect that in the recruitment process, but my concern as cabinet secretary is that if we sit still—this is predicated on the advice that my officials have given me—we risk not having board appointments in place for the new operational qualifications Scotland. I do not think that that will be credible to Scotland's teachers or to pupils and their parents. It is therefore imperative that we have the board appointments in place.

Miles Briggs: You say that the Government wants to work on a cross-party basis. Do you accept that the order makes members of the committee feel that the Government is putting the cart before the horse, and that it is disrespectful of the committee's upcoming work?

I listened to the chair of the SQA impress upon us that this was an opportunity to get things right. However, it feels like the Government has its own agenda and has decided what it will do. It has already been said in the press that the replacement of the SQA with qualifications Scotland is only a nameplate change. We need significantly more than that. I hope that the cabinet secretary understands members' concerns that they feel that the Government has decided what it wants to do already, before we have even got to

the amendment stage, and that it is trying to railroad the legislation through the Parliament.

Jenny Gilruth: I do not accept the assertion that Mr Briggs made in his final point. Of course, purely on the basis of the numbers, in a Parliament of minorities, the Government must listen to the views of Opposition parties. However, I want to have cross-party support for the bill, because that will strengthen the way in which our qualifications offer works. I have met Mr Briggs privately and I have met other members of the committee to talk about their interests in relation to amendments. I am very keen to deliver on that.

Again, I go back to the inherent risk of our not agreeing the order today, which would in essence mean a delay to the board appointment process. That concerns me, because the legislation is key to delivering all that the Parliament has asked the Government to deliver on on education reform. We can sit still if that is the committee's view as to what we should do, but it will delay the process and there is inherent risk in that approach. It is, of course, a matter for the committee to decide on.

John Mason (Glasgow Shettleston) (Ind): I have to say that I am surprised by some of the lines of questioning so far, given that the committee is very keen that we see a big change and quickly. Presumably, even if the membership of the board is tweaked at stage 2, we would still need a core board and a chair. That will not change; the Educational Institute of Scotland will not take over the whole board like it wants to. Therefore, surely we can move ahead.

I have been trying to think of other examples to show that this process whereby legislation goes through the Parliament and the Government moves ahead in the meantime and appoints people on an interim basis is quite normal. The example that I thought of is the Scottish Fiscal Commission. I was on the Finance Committee when the legislation to establish the commission was going through the Parliament, and I think that people were in post before it passed.

Whatever the committee anticipates for the Education (Scotland) Bill—there might be major amendments and there might not be—we were in the same position when we legislated for the Fiscal Commission. As I said, I am surprised. I do not know whether the cabinet secretary is. It is quite normal for such things to go ahead in parallel.

Jenny Gilruth: Mr Mason, I am not surprised by some of the questioning, although I am not sure that I share your views about my former union—the EIS.

This is a normal order, and such orders are required when making board appointments. I accept that there is a diverse range of views

around the committee table in relation to board appointments, and the Government will have to reflect that in its recruitment processes. If we do not move now, there will be a delay to appointment processes. That would be concerning, because that would impact on the delivery model that is associated with qualifications Scotland.

The member spoke about the Scottish Fiscal Commission. I also reflect my responsibilities, in a previous life, as Minister for Transport, when we routinely appointed board members to Scottish Rail Holdings Limited. It will be of interest to Ms Duncan-Glancy to note that there was railway trade union representation on the SRH board, which was an ask at that time.

As I said, this is a normal order. I go back to my concern about delaying the process, but that is a matter for the committee to decide on today; it is not for me.

Ross Greer (West Scotland) (Green): Nico McKenzie-Juetten mentioned a moment ago, and you have just repeated it, cabinet secretary, that this is a routine process and the alternative would be a truncated process. You do not have cross-Government responsibility for board appointments, but are you aware of any situations in which the truncated process has been followed? If this is the norm and we are just following the regular process, are you aware of any examples where that has not been done and the truncated process has had to be followed?

Jenny Gilruth: Nico McKenzie-Juetten also highlighted the point that, if we took a truncated approach, it might lead to a scenario in which some of the board appointments would be unregulated, which would be highly unusual.

Nico McKenzie-Juetten: That would be one scenario.

Ross Greer: I cannot recall a situation in which unregulated appointments have been made, but maybe I am just not aware of it. Is anyone aware of unregulated appointments being made because an order has been laid at a later point rather than at this stage in the process?

Jenny Gilruth: I am not, but I will defer to Clare Hicks and Nico.

Nico McKenzie-Juetten: No examples come to mind.

Ross Greer: This is absolutely the norm for this process.

Jenny Gilruth: Yes.

Nico McKenzie-Juetten: As I said, it has been done on many occasions over many years.

Ross Greer: The purpose of the order is transition. We can assume that at least some of the SQA board members will transition to the new board. I am conscious that, in the intervening period, members of the current SQA board might step down or decide to step away from the organisation. Would you have any concerns that, without clarity on the process, we could end up with vacancies on the SQA board that would be harder to fill because people would be reluctant to step forward, because they are unsure about the status of their position on the board as it transitions to the new organisation and, I imagine, they would not want to end up in an unregulated appointment?

Jenny Gilruth: You are speaking hypothetically, Mr Greer, but I share your anxiety in that regard. We would not be able to give board members certainty about their role during the transitional period in which the SQA finds itself in as the bill makes its way through the Parliament.

Pam Duncan-Glancy: As the discussion has continued, I have realised that, as well as the composition of the board, some of the amendments that might come at stage 2 could be about splitting the functions of the organisation for which you are seeking to create a board. If the functions were split—for example, if the accreditation function was taken out of qualifications Scotland—would you be recruiting to an organisation that is very different to the one that the order allows? Would you be recruiting for a position that exists? Would you be recruiting for a job that does not exist? It does not make much sense to me.

Jenny Gilruth: That sits with the line of questioning that Ms Duncan-Glancy pursued earlier. The Government will have to reflect and respond appropriately to the amendments on the recruitment process. If the committee chooses not to pass the order, which is in the committee's gift, it will simply delay that process and risk some of the appointments becoming unregulated, which speaks to Mr Greer's point.

On accreditation specifically, I remind the member that only 20 staff are employed in the SQA accreditation team, so if there is a suggestion about different board composition for accreditation, we need to be mindful of the number of staff in the part of the organisation that we are talking about. The Government will have to reflect on the amendments that are agreed to at stages 2 and 3. I have given the committee a reassurance today that I will do that. I have to do that, but I also want to do that as cabinet secretary, because it will provide for a stronger piece of legislation that will have more political goodwill around it, and it will deliver the outcomes that we want to see for our young people.

Pam Duncan-Glancy: I get that. On the point about political goodwill, the cabinet secretary must be aware of concerns about the current board and the transfer of staff. Being asked to do this at this stage just feels a bit uncomfortable.

I take the point about delay, but I do not think that the committee can be blamed for the Government's timescales on the bill.

Jenny Gilruth: I am at a loss as to how the committee can support the general principles of the bill at stage 1 and then not seek to work with the Government on amendments. In fact, I think that I have met most of the members who are at the table today and there is a political willingness from most parties to work with the Government on improving the bill to get it to where it needs to be, and I accept that.

Fundamentally, however, if the member's line of questioning was accurate, I would have expected the committee to reject what the Government was proposing out of hand at stage 1. I think that there is a consensus in the room that we need to replace the SQA. I think there is also an expectation from the public that we deliver on that—but how we do that is in the gift of the Parliament. The order before you is a matter for the committee.

Keith Brown (Clackmannanshire and Dunblane) (SNP): Good morning. I should say that I am quite new to the committee, and I am not that keen on being lumped in if statements are made along the lines of, "The committee believes this," when I have not had a chance to take evidence and make up my mind in relation to the matter. I find the questioning bizarre. I will make a series of observations, and then perhaps you can tell me if any of them are wrong, cabinet secretary.

From the public's point of view, the situation will be very hard to understand, unless you are an adherent of the idea of the multiverse, where there is an infinite number of universes that you should plan contingencies for. It might make sense in that regard. It seems that you are doing a straightforward thing of ensuring that appointments to a public body—the principle of which was agreed at stage 1 of the Education (Scotland) Bill, I think—are done in an ethical way and are overseen by the relevant regulatory bodies, which is very important in public appointments. That is not something that most people would object to; they will probably be surprised at some of the questioning around it.

The Government has been accused of having an agenda and a direction. I would certainly hope that the Government has an agenda and a direction. Perhaps it is because there are other agendas that we are hearing some of the

questioning. What is being done seems to be eminently sensible and not unusual.

On the idea that something might happen at stage 2, I would say that this committee does not make legislation; it is part of the legislative process. It is the Parliament that decides on these things. Of course the Government will have to listen to that.

It seems to be eminently sensible to make provisions now so that you do not lose time. I do not know why anybody would not want to support the proposal; it is very odd to me. The convener seems to be suggesting that the committee might not want to support it, but I would certainly want to support it. I am happy to—

The Convener: Mr Brown, I have to—

Keith Brown: I am happy to—

The Convener: Mr Brown.

Keith Brown: I know you interrupt people all the time, convener.

The Convener: Mr Brown.

Keith Brown: Could you not interrupt me when I am asking my question?

The Convener: Can we—

Keith Brown: You interrupt everybody else all the time.

The Convener: Excuse me—Mr Brown.

Keith Brown: Could I ask my question, please?

The Convener: Can we switch off Mr Brown's microphone?

Mr Brown, I was just going to clarify that, at no point—

Keith Brown: I do not need clarification; I am fine with—

The Convener: Mr Brown.

Keith Brown: I do not need your clarification.

The Convener: Mr Brown, I will suspend the meeting if you cannot control yourself. *[Interruption.]* Mr Brown, are you challenging the chair? *[Interruption.]* Mr Brown, I am trying to clarify the point. *[Interruption.]* You have suggested that the convener was saying something on behalf of the committee. Like you, I am a member of the committee, in which I can ask the cabinet secretary questions and get responses. We have a decision to make on the order, which the committee will take. I cannot influence that in any way. We will either agree or disagree on the motion that the cabinet secretary will shortly be invited to move. That is all that is happening at the moment, and we are scrutinising the proposal.

You cannot, in all fairness, say that I am suggesting something when there is a process that is laid out in front of me that we will go through to allow all members to ask their questions and have them answered, and then make a determination on the order in front of us. If you can continue on those grounds, I am happy to go back to you, Mr Brown.

Keith Brown: I will continue on the grounds that I intended to go on. I know that you interrupt witnesses at every opportunity, not allowing them to answer, but interrupting committee members when they are asking a question is overstepping the mark. Can you allow me to ask a question without interrupting again?

The Convener: Mr Brown, I was clarifying that you were suggesting that I had made a comment about the committee that is just not true. Please ask your questions, rather than making statements that are factually incorrect.

Keith Brown: Are we not allowed to make statements when we ask questions?

The Convener: Yes, you are—just not ones that are factually incorrect.

Keith Brown: What statement have I made that is factually incorrect?

The Convener: I was simply interjecting when you said that the convener was instructing the committee. I have no ability to do that.

Keith Brown: I never said that you instructed the committee. I never said that.

The Convener: You were making a very clear statement about me as—

Keith Brown: I never said that. You have just made a false statement, convener.

The Convener: You were making a very clear statement—

Keith Brown: This is what happens when you interrupt people in the normal course of the committee's business.

The Convener: —about me as convener. I am trying to conduct this in such a way that everyone gets an opportunity to speak. This is your opportunity, Mr Brown, in posing questions to the cabinet secretary and her officials, which she will seek to answer.

Keith Brown: You can see what we have to deal with in this committee, cabinet secretary.

The rationale that I was trying to develop is that, to an impartial observer, the proposal before us seems, I imagine, an eminently sensible thing to do, although they might not be fully aware of the strictures of making appointments in an ethical way, which takes time. If we agree to the order

today, or if we do not make representations on it, there is nothing that means any amendments to the Education (Scotland) Bill might be lost or cannot be carried. The committee has the right to come up with whatever amendments it wants, and the Parliament has the right to decide on them.

Today, the Government is simply going through a sensible process. Do you agree that, if the Government were to not go through the regulated appointments process, it would be pilloried for not proceeding in the correct way?

10:15

Jenny Gilruth: I very much agree with Mr Brown's sentiments, particularly in relation to the ethical processes that are required to be adhered to. That relates back to Mr Greer's point about the running of a truncated approach to recruitment, which might not lead to some of the positions being regulated. I imagine that that would lead to the Government being pilloried and challenged, as Mr Brown suggested, because we had not followed due process. I agree with the sentiments behind Mr Brown's question.

Keith Brown: Is it possible—I will let you answer fully without interrupting—that you could say one or two things about the strictures that you are observing in relation to ethical appointments? What is the rationale for your doing so? There seems to be a gap in the committee's knowledge of what the requirements are in relation to ethical appointments.

Jenny Gilruth: I will bring in Clare Hicks to talk about the Ethical Standards Commissioner's role in the process. Important decisions need to be taken about how we advertise and how the process is conducted. There are risks inherent in our not adhering to the ethical appointments process.

Clare Hicks: People who are a few steps away from the appointments process might not realise the in-depth nature of it with regard to assessing fairness, transparency and openness. The goal is for the recruitment to be open to as many people as possible so that it reflects the types of people who should be members of our public boards and so on. There is a desire to open up that process and ensure that it is as fair as possible.

There can be quite a degree of outreach to ensure that we are as open and transparent as we can be in relation to the appointments. In-depth assessment of the skills that the board is looking for and where those might be located is required to ensure that we do not look only to a small pool of candidates. We are trying to reflect the variety and breadth of skills in Scotland that are required for the board appointments, given the particular skills that are required.

Keith Brown: It is hard to see why any member would not want the appointments process to be carried out in that way.

Thank you for your answers.

The Convener: Cabinet secretary, you agreed to write to the committee to update us on what would happen as regards the process if changes were required later on.

Jenny Gilruth: I would also like to write to you to give you more certainty in relation to timescales, public advertising of the recruitment process and how that will be aligned with the timescales that are associated with stages 2 and 3 of the Education (Scotland) Bill. I want to do that to reassure the committee that the Government will listen—we will have to listen—to any decisions that might affect the order.

The Convener: As no other committee members wish to comment and the minister has nothing further to add, we will move on to agenda item 3. I invite the cabinet secretary to move motion S6M-16297.

Motion moved,

That the Education, Children and Young People Committee recommends that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft] be approved.—[*Jenny Gilruth*]

The Convener: Do members have any comments to make?

Ross Greer: Given that I have called for years for the SQA board to be reformed, I want to quickly put on the record my thanks to the current chair of the SQA. I think that it is a significant improvement that we have moved away from a situation in which, just over a year ago, there was only one teacher on the board of our national qualifications authority and three management consultants. Although expertise in management is important, the balance was not right. The recent appointment of qualified teachers and lecturers is already improving the organisation.

The Convener: Do you wish to respond, cabinet secretary? You have made similar comments.

Jenny Gilruth: I have made similar comments—as a former teacher—and I have reflected on the need for us to have teachers inherently at the heart of decision making in the new qualifications body.

I also have a point to make that does not relate to the board appointments that we are considering today. I think that the role of a seconded headteacher in coming directly from a school to lead the schools unit in the new qualifications body

will be a real strength from the point of view of Scotland's schools and our teachers.

The Convener: The question is, that motion S6M-16297, in the name of Jenny Gilruth, be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

Adam, George (Paisley) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Greer, Ross (West Scotland) (Green)
Haughey, Clare (Rutherglen) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Rennie, Willie (North East Fife) (LD)

Abstentions

Briggs, Miles (Lothian) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Ross, Douglas (Highlands and Islands) (Con)

The Convener: The result of the division is: For 7, Against 0, Abstentions 3.

Motion agreed to,

That the Education, Children and Young People Committee recommends that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft] be approved.

The Convener: The committee must now produce a report on the order. Is the committee content to delegate responsibility to me, as convener, to agree the report on behalf of the committee?

Members indicated agreement.

The Convener: That concludes our consideration of the SSI. I offer my thanks to the cabinet secretary and her officials.

10:21

Meeting suspended.

10:23

On resuming—

Scottish Attainment Challenge: Post-inquiry Scrutiny

The Convener: Welcome back. The next agenda item is to take evidence on the Scottish attainment challenge as part of our post-inquiry scrutiny. We will hear from Jenny Gilruth, the Cabinet Secretary for Education and Skills; David Leng, the head of the Scottish attainment challenge at the Scottish Government; Alison Taylor, the deputy director for improvement, attainment and wellbeing at the Scottish Government; and Dr David Gregory, the strategic director of the Scottish attainment challenge at Education Scotland. Welcome to you all.

Cabinet secretary, would you like to make an opening statement?

Jenny Gilruth: Thank you for the invitation to discuss the Scottish attainment challenge this morning.

The committee's 2022 inquiry into the Scottish attainment challenge and its subsequent report have informed much of our on-going work. My predecessor as Cabinet Secretary for Education and Skills provided an update on progress back in 2022, as did I when I attended the committee to discuss the issue in 2023. I will take this opportunity to update committee members and to flag my priorities for the future.

The mission of the attainment challenge is to use education to improve outcomes for children and young people who are impacted by poverty, with a focus on closing the poverty-related attainment gap. I am pleased that we are making progress. For example, last month, we saw in the data on initial leaver destinations for 2023-24 that the poverty-related attainment gap has been reduced by two thirds, or 67 per cent, since 2009-10. We have also recorded record low poverty-related attainment gaps in literacy in our primary schools and in both literacy and numeracy in our secondary schools. I am grateful to school staff for their excellent work in targeting support towards pupils who need it most.

We all want to increase the pace of progress across all ages and stages. The Government's commitment to the Scottish attainment challenge has been unwavering, as has been demonstrated by our investment of up to £1 billion during this parliamentary session alone. The significance of that investment is not lost on me. That is why we have a comprehensive multiyear evaluation strategy in place, which the committee's 2022 report looked at. Education Scotland gathers and shares a vast range of data and local information.

Over the past year, Government officials and attainment advisers have visited 129 schools to sample pupil equity funding plans in order to see the impact of the programme.

We cannot ignore the lasting impact of the pandemic and the subsequent cost of living crisis. Within that context, it has been heartening to see schools using their pupil equity fund money and working so creatively to help to support their pupils and families. In schools such as Fair Isle primary school in Fife and Braes high school in Falkirk, PEF has been used to reduce the cost of the school day and to help families access the benefits that they are entitled to and to develop their literacy and numeracy skills, thereby reducing the invidious challenges that are associated with poverty.

However, I cannot ignore the impact of austerity on families who are experiencing poverty. It has increased the number of families living in poverty and presents barriers to young people's educational experiences and attainment before they even arrive at the school gates. The Government recognises the pressures on household budgets. That is why, in 2025-26, we will continue to allocate more than £3 billion of funding to policies that will help to tackle poverty and the cost of living. However, it disappoints me that schools are having to fight that battle. Our headteachers are having to make choices about funding things like income-maximisation officers, as opposed to direct educational interventions.

Today, I wish to give some comfort to Scotland's headteachers on the continuation of the Scottish attainment challenge. As I have stated in evidence to the committee previously, I am clear that the Scottish attainment challenge should continue. To that end, the funding will continue through 2026-27. I hope that that confirmation is helpful to local authorities and schools alike, who I know deeply value the central Government's support for the sector. I welcome the opportunity to discuss that important work with the committee.

The Convener: Thank you very much, cabinet secretary. I will read from page 5 of the 2016-17 programme for government. It says:

"It is the defining mission of this Government to close the poverty-related attainment gap. We intend to make significant progress within the lifetime of this Parliament and substantially eliminate the gap over the course of the next decade. That is a yardstick by which the people of Scotland can measure our success."

Using that yardstick, what progress, if any, do you believe was made on that defining mission to close the poverty-related attainment gap over the course of the 2016 to 2021 parliamentary session, and was that progress significant?

Jenny Gilruth: I will talk about some of the progress in due course, convener, but the context is important. One of the findings from the committee's report back in 2022 was that the pandemic had led to on-going impacts on our schools. That is not limited to Scotland; we see it across the United Kingdom. The United Nations has also produced a body of work on young people's attainment post-pandemic. Two years out of formal schooling has impacted on attainment—we see that in relation to exam results, for example. The context matters and we need to be mindful of it.

The cost of living crisis also matters. It has compounded poverty for many families who are on the fringes of our society. If we look back to 2015-16, when PEF was first announced, the interventions that were made at that time were more targeted towards the educational space, but I now see that fund being routinely used for welfare interventions, for example in the employment of income maximisation officers, and I am sure that you see that on your visits, convener. I referred to that in my opening comment quite deliberately. In a school in Dundee, I saw PEF money being used to help families to access cheaper gas and electricity. PEF is being used in a wider sense than was originally intended, and the context of poverty needs to be understood.

I am pleased that we have made progress across a number of different measures.

10:30

The Convener: The quote was:

"We intend to make significant progress within the lifetime of this Parliament",

which was the 2016 to 2021 Parliament. Did you make significant progress in the 2016 to 2021 Parliament?

Jenny Gilruth: I think that we made progress in the 2016 to 2021 Parliament.

The Convener: Did you make significant progress in closing the poverty-related attainment gap?

Jenny Gilruth: I think that we did make progress in that time.

The Convener: Significant progress?

Jenny Gilruth: We made progress, but the context, as the committee reflected in its report in 2022, undoubtedly hampered some of that progress. I accept that, and the committee has accepted that as well.

The Convener: So, you accept that it was not the significant progress that you anticipated in the programme for government.

Jenny Gilruth: Convener, I am not sure that, in 2016, even you could have anticipated a global pandemic.

The Convener: I allowed you to give the full context, which you wished to do, but I am asking you this question. We have in front of us the 2016-17 programme for government, which said that in the lifetime of that Parliament, the SNP Government would make “significant progress” in closing the poverty-related attainment gap. You accept that the Government did not make significant progress—is that correct?

Jenny Gilruth: I accept that we would have liked to have seen further progress, but in the context of the pandemic—

The Convener: In that context, will you accept that you did not make significant progress?

Jenny Gilruth: I accept that the progress is not where it should be, and that the context needs to be understood.

The Convener: Can you not just accept that you did not make significant progress?

Jenny Gilruth: I am not going to have you put words in my mouth, convener.

The Convener: They are actually the SNP's words from the programme for government.

Jenny Gilruth: Yes, the programme for government that was written in advance of a global pandemic. I think that you need to reflect that the context has changed, and that is my position. That was actually the committee's position, back in 2022, when Ms Webber was convener.

The Convener: The second point on page 5 of that programme for government says that you would

“substantially eliminate the gap over the course of the next decade.”

We are in year 9 of that decade. Have you substantially eliminated the gap?

Jenny Gilruth: We are making progress, and I want to come on to talk about that progress.

The Convener: As you come on to talk about that, will you answer the question with a yes or no? Has the Government substantially eliminated the gap over the course of the decade?

Jenny Gilruth: We have made progress, but we need to continue the progress that is required. I do not think that there is an MSP in the room who does not support our ambition to close the poverty-related attainment gap.

The Convener: Most of them would have supported that back in 2016-17, when it was originally said.

Jenny Gilruth: Yes, but external factors have undoubtedly had an impact on the progress that we have been driving. That does not mean that we should move away from that target and aspiration.

We have been able to drive progress. I am sure that the committee is well acquainted with the achievement of curriculum for excellence levels data that was published in December last year, which showed record improvement in literacy in our primary schools, and showed that the attainment gap has reached record lows between secondary pupils achieving third level in both literacy and numeracy. Levels of literacy and numeracy across primary and secondary schools are at a record high.

I am pleased that the poverty-related gap in outcomes has reduced under this Government since 2009-10 by two thirds—or 67 per cent—for people leaving school and going on to a positive initial destination. That is important, because I was in a school in 2009-10, and young people often left school without qualifications and without a positive destination.

We have completely changed how schools support our young people through a qualifications framework and a targeted focus on closing the poverty-related attainment gap. To put it bluntly, historically many of those young people might have left school without qualifications. That was not acceptable to the Government, and I do not think that it would be acceptable to any political party.

The Convener: When you discussed context, you mentioned global events such as Covid and your view on the impacts of, I presume, UK Government decisions in relation to those events. Can any blame be assigned to the Scottish Government for not making more progress on those ambitions?

Jenny Gilruth: I am sure that you can attribute that, convener.

The Convener: Does the Government reflect internally on what more it could have done over the past decade?

Jenny Gilruth: Are there specific points of blame that you would like to address with me?

The Convener: That is what I am asking you. Have you identified any issues with how the Scottish Government, your department and your predecessors have sought to tackle the poverty-related attainment gap? I think that we all agree that it is still far too wide.

Jenny Gilruth: I think that you are asking me whether there are things that we could have done differently.

The Convener: The context that you have given us over the past 10 minutes has included global issues that you believe have not allowed you to reduce the poverty-related attainment gap and issues outwith the Scottish Government's remit. Is there anything within the Scottish Government's remit that could have been done in the past decade that could have reduced that gap?

Jenny Gilruth: The Government looked at the programme prior to my time in office—I think that it was around the time of the committee's report—and reflected on the way in which funding was allocated. There was a bit of learning for the Government around that and we moved to the strategic equity fund model, which essentially accepts—the challenge was put to us by local authorities and others—that poverty exists in all local authorities. The move away from the nine challenge authorities to a more equitable distribution model involved a bit of learning for the Government in relation to how we can better support local authorities, so I accept that. We also now have a team of attainment advisers in Education Scotland, led by Dr David Gregory, who is on my right. They provide targeted support to individual local authorities. I do not think that those attainment advisers were in place at the launch of the SAC funding.

Dr David Gregory (Education Scotland): They were not there at the very start of it; they came into place about six or seven years ago.

Jenny Gilruth: At that point, some learning was reflected in the approach that we took. I accept the convener's point—of course the Government needs to learn lessons on what has worked and what has not. In my initial contribution, I highlighted the PEF sampling work, which has been really important. I was hoping to share with you today some of the detail on that, but I will write to the committee with more detail in due course.

I see a note from Ms Taylor—

The Convener: I do not want to interrupt, but there are members of the committee who want to ask you about PEF, so I want to leave that to them, if that is okay. We will bring Ms Taylor in at that point. I just do not want to have members criticising me for maybe asking their questions, but if your comments are not directly related to that—

Alison Taylor (Scottish Government): No, this is a slightly different point. To add to what the cabinet secretary has reflected on, another learning point for us was reflected in our introduction of the local stretch aims, which came in around 2022—the same time that Ms Gilruth referred to.

The Convener: There are also questions about that, which I do not want to—

Alison Taylor: Fine; we can come to those. Thank you, convener.

The Convener: I know that Ms Haughey wants to ask about that, but what you have said is very useful.

Cabinet secretary, you have provided a lot of context and I think that there is now some acceptance that there are international, UK and Scottish issues. Almost a decade ago, however, your Government said that significant progress on closing the gap would be made in the 2016 to 2021 session of Parliament and that you would substantially eliminate the gap over the course of this decade, of which we are now in the ninth year. The final sentence was:

"That is a yardstick by which the people of Scotland can measure our success."

How should the people of Scotland measure the Scottish National Party Government's success, or otherwise, in reducing the poverty-related attainment gap, given everything that you have said about the wider context and about how the gap between the most-deprived areas and the least-deprived areas has stubbornly remained wide?

Jenny Gilruth: In a previous response, I set out some of the progress that has been made. The positive destination statistic is a real mark of progress. A cohort of young people, certainly during my teaching career, were leaving school without any qualifications. I do not want to underestimate the change that has happened in Scotland's secondary schools, particularly in the past 10 years, to give a chance to young people who were often leaving school at the end of S4 without qualifications. The positive destination measure is really welcome.

We might come on to this, but I was listening to some of the exchanges on the radio last Thursday morning between Mr Briggs and the headteacher of the Gaelic school in Glasgow. She made the point that we need to look at the totality of measurements in relation to the achievements of those young people. It might not be the five-highers measurement that we all experienced when we were at school. The breadth of qualifications that our young people are now achieving is quite remarkable. There is learning in that for the Government, and we might come on to that in the question-and-answer session, but it is important that we recognise the totality of achievement.

In every school that I visit, almost weekly, the different pathways that are on offer and the school-college partnerships are transformative. They did not exist 10 years ago. SAC has fundamentally changed the way in which schools meet the needs of our learners. I accept that there

is still a challenge. The poverty-related attainment gap needs to close. We are doing all that we can to work with local authorities on that, but I am happy to hear challenge from the committee today on that point, because it is important that we focus on where the difference can be made. Some of that will be expanded on in relation to the PEF sampling work. You raised that with me in the chamber during the stage 1 debate, convener, and I am keen to share details of that work with you.

The Convener: Should our constituents and people across Scotland view what the Government has achieved over the past decade in reducing the poverty-related attainment gap as a success or not?

Jenny Gilruth: That will be a matter for your constituents in 2026, convener.

The Convener: Do you think that it has been a success? Do you believe that it has been a success?

Jenny Gilruth: I believe that we have made real progress and that there are dedicated teachers out there today—we saw that in the 2022 report—who are making a real difference and improving the life chances of Scotland's children and young people, including some of the most vulnerable.

I go back to the points that I made at the start. You cannot measure the SNP against a point back in 2016 and ignore the global context since then. The challenge is not unique to Scotland: it is being faced in other parts of the United Kingdom and globally. We must not set aside the impact of the pandemic, which did not allow us to make as much progress as we would have expected by this point.

Willie Rennie (North East Fife) (LD): It is interesting that you have chosen the positive destinations measure and the period from 2010, which is well before the attainment challenge was introduced. The attainment gap has been closing. However, before the attainment challenge was brought in, we see that the gap went from around 13 down to 7 percentage points, which is a drop of 6 points. Since the attainment challenge was brought in, the gap has gone down by only 3 percentage points.

It could be argued that the attainment challenge, and the determined effort by Nicola Sturgeon and John Swinney when they were in charge of that portfolio, had less impact on the gap than there was when they were not actually working on it. I am puzzled as to why you have chosen that measurement to sum up the success or failure of the attainment challenge.

Jenny Gilruth: That measure tells us about the totality of the progress that has been made. I go back to how positive destinations were tracked in

2009-10, when a cohort of young people were leaving school with nothing.

Willie Rennie: That was well before the challenge was brought in.

Jenny Gilruth: I accept that. The convener has made political points, so I also accept that my party has been in power throughout that period and that progress has happened on my party's watch and is to be welcomed.

I accept the member's challenge regarding the point at which the Scottish attainment challenge was launched, but I cannot detract from the impacts that the pandemic and austerity are having on our schools. I go back to the points that I made my original contribution. To be blunt, headteachers are now using PEF money to plug gaps that the welfare state should be providing for and the use of austerity policies in relation to benefits has harmed and damaged some of our most vulnerable families. Headteachers now find themselves in the invidious position of having to help vulnerable families while also thinking about educational interventions. They have to make choices.

I confirmed that SAC and PEF will continue—although what comes next is obviously in the gift of the next Government—but we need to think about the totality of school funding and how that can be sustained in the future.

Willie Rennie: You have chosen a metric from well before the attainment challenge began.

The second set of statistics that you focus on is the ACEL figures, which started in 2016. Is it not a bit of an overstatement to say that we have record highs and lows when the statistics have been there for only nine years? Why are you overstating the significance of those numbers?

Jenny Gilruth: We need to be a wee bit careful with the ACEL data, as I am sure that you will be Mr Rennie, because that data is predicated on teacher judgment and I do not think that any member around this table would question teachers' judgment.

Willie Rennie: I am not.

Jenny Gilruth: Indeed. It is the case that the data shows record improvements—

Willie Rennie: But my point is—I am sorry to interrupt; please carry on.

Jenny Gilruth: I do not want to interrupt you. We have already had an episode of that today and I am keen to avoid it.

Willie Rennie: My point is that I think that you are overstating the figures by mentioning "record" lows, as if the data has been collected for

centuries, when, in fact, it has been only a few years.

Jenny Gilruth: The ACEL data are official statistics and are rigorously tested and assessed by our analysts. That is important.

Willie Rennie: Only for nine years.

Jenny Gilruth: That is when the ACEL data was introduced.

Willie Rennie: Precisely. My point is that you are overstating it.

Jenny Gilruth: Which other measure—

Willie Rennie: By talking about record levels of improvement, you are implying that that has gone on for decades or centuries when it has been only a few years. I think that you are overstating the point.

I will come to my second point, which may help. Although the figures fluctuate from year to year, they are broadly the same as when we started. I accept the point about the pandemic, but if you look at primary school literacy levels you will see that the gap was in the low 20 percentage points when we first started and it is now in the low 20s. The numeracy gap was in the high teens and is still broadly in the high teens. The secondary school literacy gap at S3 is about 14 percentage points. There is an improvement in the S3 numeracy gap, from 15 to 12 percentage points, but it has not closed completely. To say that those are record numbers is overstating it. It is important that we are honest about the enormous challenges that we still face.

We also need to understand the real impact of the attainment challenge on the system. I would argue that we are nowhere near closing the poverty-related attainment gap or even substantially closing it, given that we are broadly flatlining. To say that we are at record levels is overstating the improvement that we are getting in some limited areas. Do you not accept that?

10:45

Jenny Gilruth: I do not accept that, Mr Rennie. I go back to the point that I made in relation to the data being informed by teacher judgment. Prior to the Government introducing the ACEL data measurement, there was no way for us to track, nationally, the progress that was being made in our primary schools. The introduction of that measurement has been central to providing us with a data set and a measurement at the national level, so that we can track the progress about which Mr Rennie speaks. For example, in numeracy, a record 80.3 per cent of pupils in P1, P4 and P7 have reached expected levels, while S3 pupils reached a new high of 90.3 per cent. In

literacy, achievement is also at a record high in both primary and secondary. I might bring in David Gregory, for an Education Scotland perspective on the rigour of the challenge. Mr Rennie and I could have a political debate about it, but let me pass to a member of His Majesty's Inspectorate of Education, who might be able to give his views.

Willie Rennie: I will make one point before Mr Gregory comes in—I am sure that he will be helpful. We did some calculations, although they are very crude, as you would expect. To close the S3 literacy gap completely would take 113 years. That is a ridiculous number, but it puts into context the fact that we are, in some areas, making some difference. We are nowhere near closing the gap and we need to be honest with ourselves about that, if we are going to introduce the right measures to tackle the challenge in a much more substantial way. Do you not accept that?

Jenny Gilruth: The stretch aims that Ms Taylor talked about have been fundamental. When the Government looked at the nine challenge model and accepted that we would take the strategic equity fund approach for all local authorities, we attached that funding to a requirement for local authorities to report on their stretch aims. Mr Rennie and I have previously discussed the stretch aims, and perhaps his views in relation to ambition, but if the stretch aims were adhered to, we would close the poverty-related attainment gap by 30 per cent, I think, by the end of this session of the Parliament.

It is important to say that when we are talking about closing the poverty-related attainment gap, we are talking about actions at local level. That requires central Government, yes, but it also requires local governments—which are not here today—to adhere to the requirements that are set out in their stretch aims, which they have committed to working towards. I go back to Mr Rennie's points about the data, which I hear he is not necessarily convinced about. I will bring in Mr Gregory in relation to his team's work on the issue and the improvement that they have seen throughout the attainment challenge.

Dr Gregory: The stretch aims have been a game changer, to be frank. Before their introduction, discussions with local authorities were quite vague, but the stretch aims enable the senior regional advisers and others to sit down with directors and other people, and also our attainment advisers in schools, to focus on what really matters, which is the children in front of them. For example, our attainment adviser in Orkney has worked with the local authority to produce a tracking and monitoring approach, which is fantastic. That has really helped Orkney, as you can see in its figures. The stretch aims enable us to get right down to the children who

matter. The attainment adviser, Sheila Rae, will say, "What about those three children there?" The stretch aims enable everybody to focus on the children who matter.

When I was inspecting, a child came into a classroom, took off her coat and a cockroach fell out of it. I know of two children who were sleeping on a shelf in a cupboard. Those are huge barriers to encouraging children to learn, but the introduction of the stretch aims has meant that we can have real rigorous conversations with people, with data in front of us, instead of rather vague conversations without that data.

In March 2024, we introduced a data performance and research team—I have not been in post for too long; I started just before that—which can analyse the data so that we can have conversations with schools and local authorities that are much more rigorous, and we are seeing changes because of that. It also allows us to provide more targeted support, instead of universal offers that, quite frankly, some local authorities did not need. For example, in Dundee, we are providing a range of support for things that schools agree that they do not have the capacity to provide but that would make a difference to closing the gap and increasing their ability to meet their stretch aims.

Willie Rennie: I will come back on that. It is down to teacher judgment, which is incredibly important, but teachers are under a lot of pressure overall to improve performance. How do you test the rigour of the information that you are receiving? Do you have an independent process to sample the data?

Dr Gregory: My inspectorate colleagues who are in schools review the data and, for every school that they are in, they evaluate how rigorously the data has been considered, moderated and assessed as part of their judgment process for the quality indicators. Of the 250 schools that are inspected every year, the rigour of the assessment and moderation is reviewed for all 250 schools.

My team receives the reports and summarised inspection findings—SIFs, as they are called, once they have been published. We work with the schools if we think that something is not good enough or where there are some learnings. We might say, "This school is doing really well. What is it doing? Can we learn from that?" I would suggest that the inspectorate provides strong rigour around ensuring that the data is accurate.

The Convener: We will move on to questions on the pupil equity fund and potentially some other issues.

George Adam (Paisley) (SNP): When Mr Rennie mentioned 113 years, I thought that that

was how long I had been at the committee meeting. Apparently I came in without a beard.

I would like to ask about pupil equity funding, which has been an unparalleled success. The committee has heard, and I know from my constituents in Paisley, that headteachers are using the fund to make a difference in educational outcomes for young people in their schools. The fund's flexibility is its strength, in that teachers can use it for what they need locally. I am concerned about some of the cabinet secretary's comments about external factors, and about the fact that teachers are having to use PEF for other things because of social security changes and other UK Government decisions that are effectively making it even more challenging for teachers. We cannot look at those things in isolation: they are connected.

We cannot just kid on that that is not happening. Could you give us some more detail on the problem, as it is quite concerning? A few headteachers in my neck of the woods would be concerned about having to deal with that.

Jenny Gilruth: Mr Adam makes a good point. The school that I alluded to in my opening remarks—Braes high school in Falkirk—was one of the first schools that I visited as cabinet secretary. I was really struck by what they are doing. They had a "Take what you want" trolley and provision for the school prom, which many schools have. Many headteachers in our schools are using PEF to provide food and clothing. I do not think that they should have to do that, but they are having to make those choices because needs are not being met by the welfare state elsewhere. The power of PEF and SAC in their totality has been eroded by the implications of other policies, which is harming the impact that those funds should be having. That said, PEF is making a real difference.

I spoke about a primary school in Kirkcaldy in my opening remarks, where the headteacher is doing a lot of good work with a group of pupils with additional support needs. The convener took part in a debate on that last night. She is using her PEF money to employ an extra teacher, who is working with small groups of young people with identified additional support needs to give them time out of class and the extra support that they need. Across the country, PEF is being used to employ about 3,000 extra people, of whom 1,000 are teachers. The fund is being used in a lot of creative ways. That was a welcome reflection in the committee's report in 2022, but we need to be mindful of external factors, because they have undoubtedly diluted the power, strength and impact that the funding was intended to have when it was introduced.

George Adam: Not to labour the point, but if we did not have the extra challenges to deal with, a lot more work could be done. The UK Government is effectively adding to the challenges that we are all facing when trying to support young people.

Jenny Gilruth: To build on that point, the role of the school has changed since I was last working in a school and even in the past 10 years. Schools are now doing so many other things—members will be familiar with that from their visits in their constituencies. Schools provide services that they did not provide 10 or 15 years ago.

Part of that is due to the Scottish attainment challenge—schools are thinking again about how they support the broader community. It is also because schools are open and accessible to families, while many other places are not. Families go to schools and find support. The primary school in Kirkcaldy that I mentioned is doing a lot of work with parents and with mums in the morning on supporting their mental health and wellbeing. That did not happen when I was at school, and it certainly did not happen 15 years ago when I was teaching.

The way that we fund our schools is different. However, schools are also mopping up a lot of societal challenges. In that context—this may be a political point—all parties going into the 2026 election need to think about how we sustainably fund our schools. SAC and PEF will meet some of the need, but we will be required to look again at, for example, how we provide support for health outcomes in schools, which we know are being supported across the country.

George Adam: You talked about pupils with additional support needs. PEF might help with that in some cases. My granddaughter Daisy is neurodivergent. She has come on great guns in her class because she has been in a class of peers who are similar to her, which has been working great. That has made a big difference to her. These are key areas where we can make a difference, and it is the flexibility and locality of the policy that makes that difference.

Jenny Gilruth: It is the flexibility that makes the difference. I remember that when we announced the funding, there was some challenge against having such flexibility and a suggestion that it should be more limited in terms of the choice of how it is used. Headteachers have welcomed the ability to have freedom of choice and expression in using the funding to suit their schools' needs. David Leng and Alison Taylor might want to talk about some of the PEF sampling work that has been done in this space, because that point has been really powerfully illustrated to them. I look forward to a series of visits about it very soon.

Alison Taylor: We undertook a joint piece of work between our team in the Government and Dave Gregory's team in Education Scotland to go out to see what was happening in schools. We visited 129 schools. David Leng can provide some examples of what he saw, as he comes from a teaching background. I think that, in some cases, it was quite profound.

To make a small point about your more general question, it seems to be appropriate that PEF should have an impact on the extent to which schools engage with families and the wider community. We know that we have challenges at the moment on issues such as attendance—those challenges are well known. It is through work with families and communities that you can hope to make and see improvements.

PEF offers tremendous leverage. In total, SAC funding is only about 2.7 per cent of what we spend on education, and PEF is only 1.8 per cent—it is a subset of SAC funding. When we hear about the work that is going on in schools, it is remarkable to reflect on the difference that can be achieved with strong headteacher leadership and teacher empowerment. Perhaps David Leng will say a word or two about some specific examples.

David Leng (Scottish Government): It was a real privilege for our team to go out to all 32 local authorities—urban, rural and island—to see what difference PEF is making. When you have been in education for all your career, as I have, you think you know what you will see in schools. In very local situations, we saw incredibly innovative and creative ways of using this discretionary funding. That was the key. The funding that they get from PEF does not tend to get absorbed in the running of the school; it is additional and can be targeted to specific needs.

I will give you a couple of examples. I was at a school up in Wick, which, as you can imagine, is quite a remote context. They told me that they have struck a deal with Tesco so that any clothes and other things that have been returned or damaged in packaging would go to the school. The school was running a bank of clothing and a bank of food. The school also has a shower so that, if children come in the morning and are not clean, it looks after them. The whole context was a readiness to learn.

What really impressed me and the team that came with me was that it did not stop there. It was not just about getting the children into school. They were then involved in intense work on literacy and numeracy, and their outcomes were improving. There is a context of focusing on the needs of the child, which has now been taken to a space where the pupils are ready to learn, they have quality learning and teaching and their outcomes are improving. That is important for

communities such as Wick that have challenges in accessing resources.

11:00

However, in city-centre schools, in which there are multiple languages and to which refugees come, there are also incredible examples. In a school in Garnethill in Glasgow, I listened to a choir in which there were eight different languages; there are about 20 in the school. A young girl from Afghanistan conducted it. That was fantastic. All that was supported through PEF—the ability to bring in new initiatives, get the community involved and support those children and improve their outcomes. That is key. PEF is about not just mopping up social issues but helping schools to help young people to achieve more and better outcomes.

George Adam: I have a point on an issue that has been mentioned. Some years ago, I went to an event that involved young Syrian children who had come to Paisley. Two years after the horrific events that they had been through, they were jumping around on a bouncy castle and sounding as if they had been in Paisley all their lives. To me, that was success. It is great to hear such things.

I remember my time at school—cabinet secretary, if you think that you went to school a while ago, I was there in ancient times. I even feel as though I have been in this meeting for 113 years. Schools have completely changed. When I visit them, I can see the difference. The dynamic leadership in local schools makes that difference.

The Convener: Pam Duncan-Glancy has more questions on PEF.

Pam Duncan-Glancy: One point that has been made is the need for PEF to be used for income maximisation. Some examples of how schools are using it across the country are really innovative, and I thank the schools for what they are doing, because it involves really good work.

The cabinet secretary mentioned staff. Does she accept that PEF is being used for staff because core budgets for local authorities—and, therefore, education—are not necessarily adequate for supporting the permanent recruitment of teachers?

Jenny Gilruth: I do not accept that, which will not surprise Ms Duncan-Glancy. Record funding is going to local government in the settlement this year—I think that it is £15 billion.

Another thing in relation to the budget is that the Government has provided additionality for ASN and teacher numbers. Staff in our schools really matter, so we have protected and enhanced those budget lines. The line for teacher numbers has gone up to £185.6 million and the line for ASN has

gone up to £29 million. The purpose of the ASN funding, which is in addition to an extra £1 billion that is baked into the general revenue grant, is for local authorities to employ more specialist staff.

Ms Duncan-Glancy's line of questioning is about permanency. We want our local authorities to employ permanent staff. That is why there was extra funding in the budget—it was to allow them to do that and to give them that certainty.

Some staff are employed via PEF, and that is not necessarily a bad thing. One interesting thing about SAC and PEF in their totality is that funding certainty has been associated with those budget lines. It is unusual for a Government to say, "We will give you clear sight over a four-year spending cycle." The purpose of that was to give local authorities and headteachers certainty that the funding would not be taken away.

Stopping the use of temporary contracts, for example, has been a helpful measure. Of course, we want to increase the availability of permanent contracts, and we will do that by resourcing local government adequately. I therefore do not agree with Pam Duncan-Glancy's assertion on that point.

Pam Duncan-Glancy: Can the cabinet secretary tell us how many teachers are employed on temporary contracts using PEF?

Jenny Gilruth: No, I cannot do that by using PEF as a measurement. I will see whether we can ascertain that. Across the country, 3,000 staff are employed using PEF; approximately 1,000 of them are teachers.

Pam Duncan-Glancy: What is the cabinet secretary's view on the fact that a number of teachers are qualified and ready to teach but are unable to get jobs?

Jenny Gilruth: Does that question relate to PEF or to the attainment challenge?

Pam Duncan-Glancy: It relates to PEF as well as the attainment challenge, because it is important to have staff in schools, and if the staff do not feel secure in their role it is difficult for them to pass that feeling of security on to children and young people.

Jenny Gilruth: It is hugely important that we create permanent contracts, and local authorities were given extra money in the budget to allow them to do that. I observe that Pam Duncan-Glancy's party abstained on the budget.

Pam Duncan-Glancy: The cabinet secretary is well aware of the reasons for that.

Finally on PEF, I met a headteacher in my Glasgow region last week. She said that the school that she looks after has a great number of needs but is struggling to get an associated allocation of PEF because of the way in which the

funding is distributed. When will the allocation of PEF—including the way in which it is allocated—be reviewed?

Jenny Gilruth: It might be an issue for the local authority. I am happy to pick up the specifics of that with Ms Duncan-Glancy if she shares details with me and officials after the meeting. However, Alison Taylor might want to come in on that point, as I can see her nodding.

Alison Taylor: As Ms Gilruth mentioned, we put in place the funding model for four years in order to give assurance. There are inevitably some changes; for example, you will get the odd new school and you will get some changes in the population of a school.

We will look to review the position on all of that when we get to the next phase. In the meantime, if an individual school or local authority has a problem, they are always welcome to come and speak to the team, and we will see whether there is anything that we can do to help the situation. We know that that is the other side of certainty, if you see what I mean.

Pam Duncan-Glancy: When will the next phase be?

Alison Taylor: That would be after the election.

Jenny Gilruth: That will be a matter for the next Government.

The Convener: Can I just clarify whether you said in your opening remarks, cabinet secretary, that you have extended the funding to 2026-27?

Jenny Gilruth: Yes.

The Convener: Are the funding and the mechanism the same? Is it just that you have given PEF an extension? Will there be changes to how it will be distributed?

Jenny Gilruth: As I understand it, it is exactly the same. The purpose of that confirmation is to give reassurance. I do not know whether you have experienced this, but on my visits to schools, I have met headteachers who were anxious about that funding coming to an end. Therefore, I wanted to give them certainty.

As I said to Ms Duncan-Glancy, what that looks like will, quite rightly, be a decision for the next Government. However, in order to give headteachers that bridging support, it was important that we confirmed that extension beyond next financial year.

The Convener: Are the quantum and how it is delivered for this period, before the next Government comes in and makes any changes, if it decides to, the same?

Jenny Gilruth: They are the same.

John Mason: On that point, as I understand it, the value of PEF in real terms has fallen by 16 per cent since 2017. Is that just because money has been tight, generally?

Jenny Gilruth: It is worth our while to reflect that there is still significant investment, although I accept the member's point.

There is £1 billion in the Scottish attainment challenge, which includes the £130 million per year in pupil equity funding that goes directly to headteachers and the £43 million that goes to local authorities to undertake strategic approaches—the strategic equity fund, in essence. There has not been a reduction, I should say, to that £43 million for SEF.

Reflecting on the totality of investment from the Government in education more broadly, I note that our funding in Scotland by far outstrips that in any other part of the United Kingdom. The Institute for Fiscal Studies report that was published during the February recess said that, per head, we now spend more than £10,000 per pupil. Some reports say that the gap between us and other parts of the UK could be as high as 20 per cent in real terms.

I therefore note, while accepting the premise of the member's point, that we are spending far more on our education system in Scotland.

John Mason: The way that money has been allocated has changed over the years. It used to be about the nine challenge authorities, and now it is about 32 local authorities. I understand the reasons for that: Scottish index of multiple deprivation data is not perfect, which we have picked up in other evidence. Have you done any assessment of how it has affected those nine authorities, which lost a lot of money?

Jenny Gilruth: Yes. We have been working to support them. The decisions around those changes pre-date my time in office, so I might lean into officials, in a moment.

However, if we go back to the committee's recommendations in 2022, there was an acceptance at that time that poverty exists in all local authorities, and an acceptance that the move to that model—which was welcomed by many—seemed to be fairer.

We have worked with those local authorities, particularly in relation to the tapering of the funding. I will bring in officials to talk about what that support has looked like and how we have given that additionality.

David Leng: I will not go back over all the arguments about why we changed that. However, I note that, when we did the analysis, 59 per cent of our children living in poverty were living outside those nine challenge authorities. We therefore looked at how we could target the resources to

where the children are and moved to using children in low-income families data, which we get from the Department for Work and Pensions. We can do that at local authority level, so we used that for SEF. As yet, we cannot do it at school level. We are asking the DWP to help us with that so that our analysts can work on that and we can put the money where the need is.

We recognised that it would be a significant change for the nine challenge authorities and so the tapering process was brought in to ease that process and give local authorities time to plan and prepare. That does not necessarily take away the pain of it, but it means that they have had that opportunity.

We are working closely with those nine authorities. We keep in very close contact with all local authorities and discuss with them any particular challenges or issues. It is a challenge for some authorities that are losing some significant funding, but the funding is now fair, targeted at where children in low-income families are, and based specifically on their needs.

John Mason: The word “fair” is always a difficult one. It is really based on the household circumstances now—is that right?

David Leng: Yes, wherever people are. We also know that rural poverty is often hidden—the Scottish index of multiple deprivation was often seen as an inadequate indicator of rural poverty. We have been trying hard to find the right way to distribute the support to the right families and the right children in the right context.

John Mason: Do you accept the point that a poorer family in a richer area generally does better than a poorer family in a poor area, and that families in the poor areas therefore need more support?

David Leng: I would have to look at that more carefully. There are a lot of reasons why families do or do not do well. There is a lot of research around rural poverty, where there may not be indicators that people are particularly poor but do not have access to resources. There are a lot of factors in there.

John Mason: Fair enough. On a completely—

The Convener: Sorry—there is a question on the same point from Pam Duncan-Glancy.

Pam Duncan-Glancy: On the point about using SIMD and more specific data, we had the same discussion last week in relation to widening access to university and college education. Can the cabinet secretary state briefly whether she supports a national data-gathering and collective agreement so that that level of data can be shared across colleges and universities? That would enable them to use more granular data.

Jenny Gilruth: I know that Mr Dey answered questions on that when he was in front of the committee last week. There is a pilot being undertaken in the north-east of Scotland, and we are working with Universities Scotland on what we can do at the national level. In my experience, it often relates to local agreements; some of the work that was undertaken in the north-east in particular related to a local agreement with the local authority.

The point that David Leng was making pertains to data sharing with the DWP. We have been pursuing that for a number of years, and we are hopeful that we can have that data arrangement in place so that we can better target the funding—that is exactly the point that David was making. I am mindful in particular of the expansion of free school meals and how that will interact with our data at the national level. We need to look at different measurements. We are already doing that through the measurement on children—

David Leng: Through the CILIF—children in low-income families—statistics, which give us a more accurate picture than SIMD data because they are more postcode based, and they are based on income, which is the key indicator.

Jenny Gilruth: I go back to Ms Duncan-Glancy’s point on schools in particular. If we can get the data arrangement with the DWP in place, that will help our intelligence with regard to how we target that support.

The Convener: Cabinet secretary, you might have received a letter from me this week. I wrote to you on behalf of the committee about data sharing, because it was an issue—

Jenny Gilruth: No, I have not received it yet.

The Convener: Well, that is something to look forward to. The issue of data sharing came up last week in our session with the minister.

We go back to John Mason.

John Mason: Yes—that was a very wide discussion; it was about data sharing across the whole of Government.

I turn to a somewhat different subject—types of initial destinations for young people leaving school. As I understand it, those are measured in October each year, roughly three months after young people have left school. Is that right? Should we be concerned about the types of destinations that young people are going to? Certainly, if we use the SIMD figures, we can see that there is quite a range from the bottom 20 per cent to the top 20 per cent. The obvious difference is that more of those from the top 20 per cent are going to university.

I am genuinely open minded about this. Can we be relaxed about that? Last week, we were discussing widening access—some young people go to college first and then to university, so statistics on initial destinations that are captured three months after young people have left school perhaps do not tell us the whole story.

Jenny Gilruth: The Government does a lot of work to track the on-going destinations of young people when they leave school. There is also a participation measure—we will come on to that—which captures those in S4 to S6, so it includes those who are in school and the initial leavers' destinations. There is also data on young people six months on from leaving school. We track that data, and Skills Development Scotland is involved in tracking it across the piece.

For me, the concerning thing is that there has been a slight widening of the gap in relation to positive destinations this year. We have seen that gap widen to 4.3 percentage points, which is an increase on the previous year's gap of 3.7 percentage points. There has been a slight increase, but it is still the second-narrowest gap on record, which speaks to the totality of the situation—albeit over a long time trajectory; I accept Mr Rennie's point that it dates back to 2009-10. Nonetheless, that tells us a story of improvement.

The initial destinations themselves are wide and varied. To go back to Mr Mason's question, part of the answer is that the pathways that are now on offer to young people in school are wider and more varied than when the Scottish attainment challenge was introduced. There is now such a range of different pathways for children and young people to pursue, and the initial destination statistics capture some of that with regard to the next steps.

11:15

John Mason: I might get ticked off for doing so, but I am tempted to widen out the discussion a wee bit. We recently spoke online to some young people, who felt that they had not been made aware at school of the range of destinations that are available. I take your point that there is a wider range of destinations, but do you think that all young people are aware of that?

Jenny Gilruth: That is an interesting point. I do not know whether members were out and about in their constituencies last week for Scottish apprenticeship week, but I hope that they were. I always ask young people who are undertaking an apprenticeship how they found out about it, and I always receive a variety of answers. I think that there is space in the careers collaborative work that Mr Dey is leading at the moment and in

education reform, in particular—although not through legislation—to look at our careers offering. I am very keen that we do that—Mr Dey is already undertaking such work—to ensure that young people are advised about the pathways that are open to them.

When I was at Glenrothes high school in my constituency last week, I had a chat with Roddy Campbell, who is the careers adviser there. He knows all his young people. Some young people who have left Glenrothes high school will come back to speak to Roddy about their pathways. There might be confusion about destinations for many young people, but others get real support, and the headteacher at Glenrothes high school says that she could not do her job without having such a strong offering from that careers adviser.

There are examples of good practice, but there is also a need for us to look again at how we can better support consistency. One key theme that came out of the 2022 report was that there is local variance in attainment across the country. We need to see greater consistency in the support that is provided for young people, particularly by the careers service.

Keith Brown: Cabinet secretary, I will take you back to the point that Willie Rennie made about the initial progress that was made up to 2016, whereby the attainment gap was reduced to 7 per cent, but there was only a 3 per cent improvement once the attainment challenge was established.

You mentioned the pandemic, although that came towards the end of the period in question, and you also mentioned austerity. I suppose that reducing welfare and other budgets will have a grinding effect over the years, and I accept that that might have increased in the latter period. However, is it the case—I genuinely do not know the answer to this—that the more progress you make, the more difficult it is to make further progress? Is the fact that you have harder yards to make to reach people in deprived areas another part of the reason for the reduction in the rate of improvement?

Jenny Gilruth: I think that it is. Some poverty has become more ingrained, particularly as a result of austerity. I am trying not to politicise the discussion, but we undoubtedly live in a state in which welfare is, to a large extent, provided by the UK Government, and there is sometimes a disconnect between its policy and ours in Scotland. That can harm some of our most vulnerable people and can mean that the poverty-related attainment gap has become more stubborn over time and harder to move.

Having a political focus on that has been good for our schools. When I was a teacher at the Royal high school in Edinburgh in 2011, I heard a

presentation, which was probably given by the local authority, about the percentage of our young people who left school without any qualifications. Essentially, we told a cohort of young people who did not obtain 33.33 per cent in their prelim that they could not go on to sit the higher exam because it was not for them. We did not even allow them the opportunity to sit the exam for that qualification. Therefore, I do not underestimate the shift in mindset that has taken place in our schools to get us to a place where we are doing better at supporting young people to achieve.

However, the member is right: austerity and the grinding impact of poverty have become much more challenging to deal with. That is why we see local authorities such as Falkirk Council and Dundee City Council using the additionality of the PEF money to support people with paying their bills by employing income-maximisation officers. I do not think that anyone who was around when we launched that fund in 2016 would have countenanced that. I absolutely support headteachers' decisions, but we need to think again about educational interventions and about the fact that schools are mopping up things that other services should be providing.

Keith Brown: We all have our own subjective experiences. On Monday this week, I went to a secondary school—Lornhill academy in Alloa—where three young men with remarkable innovative ideas were putting together an engineering project for a competition. That afternoon, I went to Abercromby primary school. Both schools are in areas of very high deprivation, but what struck me was that almost every child in the class asked me a question. I have been doing this for 18 years and that is not the norm. On Friday, I will go to Strathdevon primary school, where the pupils are doing a Scottish Opera production. So, intuitively, it seems to me that things have developed.

However, I want to ask about setting the target in the first place. You mentioned that we are moving towards 2026, which is an election year, and all the parties will want to make commitments. Is there something inherently flawed about setting a target when the Scottish Government—any Scottish Government—cannot guarantee the outcome? There will be external factors, such as austerity, Liz Truss's budget or a pandemic. We would probably not have thought of a pandemic, but we know that there will always be certain levers that are not at the Scottish Government's disposal. This is a cross-Government issue. Is it sensible to set targets when you are not in control of whether or not you will achieve them?

Accountability is surely an issue because, if what I have said is the case, it becomes much

more difficult for the public to ascribe responsibility to anyone for a failure to achieve a target.

Jenny Gilruth: Mr Brown is a former cabinet secretary in this Government, and he knows that the Government is a fan of targets. There are good reasons for having targets; it is important that we show the public that we are working to improve public services.

I go back to some of the thinking around closing the poverty-related attainment gap. There was broad support for the target at the time. It was a momentous shift in how we funded our schools to have funding from central Government that was protected. There is a challenge in that, because, to respond to Mr Brown's question, this is about accountability. I am here, and I am accountable, ultimately, to the Parliament and to the committee, but the Convention of Scottish Local Authorities is not here, and I cannot deliver on closing the poverty-related attainment gap if local authorities are not at the table.

That is why our change—from the nine challenge authorities to the strategic model—really tied local authorities in with regard to their stretch aims. We had to tie our funding to a requirement that local authorities were going to sign up to the stretch aims. It is fair to say that that was not without challenge across the piece. Officials had to work with local authorities to get them to agree to deliver in order to provide the accountability on the ground that Mr Brown's point was about, which is what really makes the difference.

As education secretary, I am often reminded that I do not have much power, but we have a partnership approach to the delivery of education in Scotland, which empowers local authorities to run education departments. However, we also need them to deliver on the Government's objectives, and that must be done in partnership. The stretch aims have been really helpful in unlocking some of the progress that has been made. I want to put on the record my thanks to Dave Gregory and his team. They have been working at the national level with 30 attainment advisers and working individually with local authorities to provide support, which has also been key.

There will always be debates about accountability in education, because there will always be a degree of friction between the aspirations of central Government, which is ultimately accountable, and the reality of delivery on the ground, which can sometimes detract from the policy ambition.

Keith Brown: All of that is an argument for all parties to provide a more nuanced description of what they promise before an election. We have heard some very positive comments from previous

witnesses about achievements in relation to the attainment target. The progress that has been made has been mentioned a number of times, as has the fact that progress has gone slightly backwards. However, there is now a real expectation that things will improve further again. In many respects, what has happened is quite remarkable. Very often, you would not think that from the committee's deliberations, but there has been a remarkable change over that period, which is looked upon with some envy by other parts of the UK.

However—this is not a trite point; it is quite a serious point—as well as learning lessons from the challenges, including about the things that you still have to do, if you learn lessons from what has succeeded, that includes things that have succeeded unintentionally, if you follow my drift. The Government has achieved certain things and wants to go further, and the committee has discussed how we can better measure what it has achieved, for example, through free school meals. Has the Government done work to learn from what has succeeded, so that you can do more or tweak it? If progress is going to become more and more difficult, because of the numbers that are left to bring up to the required level, what has the Government learned from what has gone well?

Jenny Gilruth: I will bring in officials to talk about the evaluation work that we have undertaken. Dave Gregory's team has led a lot of good work on sharing good practice at the national level and on getting schools to work with one another on what has worked.

However, the PEF sampling work that David Leng and Alison Taylor have been involved in has also been heartening. I cannot speak for officials, but they can speak for themselves about the transformative impacts of the funding in our schools. We need to learn from the PEF sampling work, particularly when we look to evaluate the totality of the spend across the 10-year period. Dave Gregory and David Leng might want to say more on those points.

Dr Gregory: Over the past 12 months at Education Scotland, we have looked across all 32 local authorities, and we have provided case studies of what works. I am always reticent about saying "what works" rather than "what is working", because what is working in one school may not work in another school, for various reasons.

The underlying reasons for why something is working are clear leadership from the headteacher; a clear understanding of their data, so that they know what they want to achieve; a clear plan, with measurable outcomes; support for and empowerment of the staff, along with proper professional learning; and an evaluation that takes on board what they wanted to achieve at the start

and that includes the family and the community. Every time we see something working, that process underlies it. My team supports schools and local authorities to take that process forward as best they can.

New headteachers may not have those skills. In certain circumstances, some headteachers might need some support, or the staff might need professional learning that we can provide. Underlying the success of anything is that process.

We have also looked across schools in Scotland as a whole, and we have asked what we can do as we start to consider the variations. One of the issues that inspectorate colleagues came up with in their report on maths and numeracy concerned variation across maths and numeracy. We tweaked how attainment advisers are used to provide extra resource to consider projects. One of the projects that we have running concerns how PEF and SEF are being used specifically for numeracy and maths. We will produce a report on what is working and a set of tools for schools to use, which will enable them to say that, although a given project may not be for them, there is a set of tools that works for numeracy and maths, so they can use that.

David Leng: We have commissioned evaluation throughout the programme. We have social researchers and analytical services examining specific factors such as readiness to learn, impacts on attendance and pedagogy in the classroom. We are trying to learn the lessons as we go along and to take the evaluation. The most powerful elements of that include surveys of headteachers and surveys of organisations that support and work with us. In a sense, we are trying to learn lessons continuously to understand what is working, as David Gregory has described, and to feed that back into the system.

I have mentioned the PEF sampling already. That has been a tremendous learning opportunity for us. We are packaging that, and the report will come to the Parliament in the spring. We have taken the opportunity to capture the voice of young people and of headteachers, so that it is not just an overview from a statistical point of view—it contains real stories and real-life examples. We want to make sure that we give everybody the learning that can be shared round the system.

We regularly hold drop-in SEF sessions. Last week, we had one with two secondary heads, who shared their experiences of how they have been using PEF effectively. We had 50 or 60 other headteachers listening in on that conversation. We are trying to build in objective evaluation—learning about what is happening and taking the opportunity to share that among the profession, so

that we are constantly improving what we are doing.

The challenge is huge. We know that. We are trying to provide as much support as we possibly can and to ensure that we have really good evidence of what is actually effective.

The Convener: Mr Leng, you mentioned a report that would

“come to the Parliament in the spring”.

We are now in March. Could you outline that?

Jenny Gilruth: I have not had it yet.

The Convener: Okay. Will there be a statement from you, cabinet secretary?

Jenny Gilruth: I will wait to receive advice from officials. That relates to wider work. We are coming to the end of the 10-year investment, so the aim was to pull some good working together.

Alison Taylor: We are trying to create something a little more dynamic than we are perhaps famous for: it is quite an interactive resource. It is certainly something that we will share with the committee.

Jenny Gilruth: I have not seen it yet, but I will be happy to share the details of it with you.

The Convener: It is fairly imminent, if it is to be issued in the springtime.

Alison Taylor: Yes. I have reviewed it.

The Convener: Okay—thank you.

11:30

Bill Kidd (Glasgow Anniesland) (SNP): Now that the nice side of things has been hijacked by Mr Brown, I will take you to another side of the refreshed approach to the Scottish attainment challenge. You have told us about the successes, but what has not worked as well as you had hoped and expected?

Jenny Gilruth: Are you asking about the move from the nine authorities to the wider—

Bill Kidd: We can take it on that basis.

Jenny Gilruth: The decision making around that pre-dates my time in office, so I might ask my officials to speak to things that have not worked. In my experience, the move was welcomed. Some local authorities took the view that they were missing out—to be blunt, they were missing out on the funding, given that we had nine challenge authorities—and we had to respond to that ask. The move was welcomed at the time.

David Leng has already spoken about some of the issues with tapering and the additional support that we provided. If you look at the funding that is

going to local authorities in the round, you will see that record levels of investment are coming from the Government. I spoke to the funding that has been protected for education in relation to teacher numbers and ASN, and it is important that we protect those budget lines, although there is probably a debate to be had on the extent of ring fencing of education spend.

The approach was broadly welcomed. I will bring in officials on the question of what did not work well, because it pre-dates my time in my role.

Alison Taylor: I will start, if I may, and colleagues can come in. Taking your question quite broadly, Mr Kidd, we still see a lot of variation. You have heard my colleague Dave Gregory talk about the work that the attainment advisers do to try to share effective practice—I pick my words with care—but we still see quite entrenched variation.

Jenny Gilruth: We see that even when extrapolating poverty.

Alison Taylor: Indeed. There has been a shift in the desire of colleagues locally and centrally to work together to look at that in a learning context, which is encouraging, but we definitely have further to go. It has, unquestionably, been hard for the challenge authorities to move away from the previous model. That model did not use the sort of allocative formula that we have now, which is based on a data set relating to poverty prevalence—it was a bid system. For some of those authorities, it was a big change and a big step to move into the new model, hence the tapering and the support that has gone with it.

My colleagues might like to come in.

Dr Gregory: Could I come in on a more positive issue? I agree that variation is one of the issues, but it has also led local authorities to think more about their own actions. They have been working on what they are calling quads. There are eight sets of four local authorities. Each set is similar in its make-up. It is based on the local government benchmarking framework, so the Scottish index of multiple deprivation level would be similar, for example. A range of factors would be similar.

The local authorities have got together and developed “How Good Is Our Education Authority? A framework for self-evaluation of local education authorities”. Two or three directors are ex-inspectors, and they and their colleagues have pulled together two quality indicators—one on impact and one on leadership. In the past few months, they have been meeting with senior regional advisers, my colleagues and inspectorate colleagues to look at what they are doing together.

I have been working with local authorities for almost 20 years, and this is the first time that I

have seen them come together in that way—to be open about what is not working and what is working. They are using data that we have supplied as well as their own data to look at themselves and to ask, “What are you doing, and why are you doing well in this particular area while I am not?”

Some common themes are coming out of those meetings—I think that my SRA colleagues are pulling together those eight meetings as I speak. I know that the Association of Directors of Education in Scotland is doing the same thing. There seems to be a focus on middle leadership and support for middle leadership.

There also seems to be something around the senior phase pathways. We talked about youngsters not understanding some of those pathways, which I found interesting. It was much easier when I was at school—you either went to university or you did not. The myriad pathways now are much better. However, again, there is some question about what more we can do about those senior phase pathways to help every child.

There is an interesting point about training for the central teams, which I agree with. I have worked with lots of central teams and there is variation across them, so they are picking up on that. The impact that those teams can have on schools can also be different.

There are some quick wins from that work, which are helping with variation. Authorities are asking whether another authority has a strong data system and, if so, whether they can share it, what it looks like and how it can be used.

At an ADES and ES meeting that is coming up in April, the organisations will, as a joint strategic group, look at how the findings of the first round of quad meetings can be used in their own planning and to support national planning. That is what Scotland is all about: self-evaluation from the ground up. The local authorities are undertaking that self-evaluation, and it is helpful and important that Education Scotland, as a national body, takes on board the results of that and discusses with those local authorities how, at a national level, we can implement whatever might be needed to support those findings and improve the outcomes for children and young people.

Bill Kidd: So, when it comes to areas that may not as yet have worked quite as expected, you have a plan in place to get everyone together to move that up to the best level.

Dr Gregory: I would like to say that we have a plan, but it is a partnership plan. ADES is focused on that, and is pushing itself forward—

Alison Taylor: There is a competitive element to it.

Dr Gregory: There is a wee bit of a competitive element around that—directors, and everybody else, are competitive, although not in a nasty way. ADES is working from the ground up, and is being supported by Education Scotland where we can do so.

Bill Kidd: I highlight something that matters to everyone and which was mentioned earlier. To what degree is SAC creating greater equality of outcomes across all income groups? How are people in poorer areas and poorer families being moved up, and is that working well? The cabinet secretary mentioned that there are areas that still need to be worked on—for example, because the Covid pandemic has held things back a bit. To what degree are lower-income areas and individuals being moved up to an equal level?

Jenny Gilruth: I do not think that we have an explicit measurement in relation to income groupings. I set out some progress in relation to positive destinations, and we have seen progress in our primary schools, but I would like faster progress—it needs to happen at pace. However, we cannot ignore the context that you highlight, Mr Kidd, with regard to the pandemic.

When we talk about the Scottish attainment challenge, we consider school education in Scotland quite narrowly. However, I draw members’ attention to the gaps that are already emerging among our youngest children. There are speech and language delays among zero to two-year-olds in some of our poorest communities. We track that data in terms of educational performance. We know that the outcomes for those young people, who were not necessarily exposed to health visitors during lockdown in the same way that they might have been otherwise, are being impacted as a result, so we need to think again about how we provide them with support to drive progress.

I am sorry—I see that Alison Taylor wants to come in.

Alison Taylor: I was going to add another point, if that is okay.

Looking at the other end of the age spectrum, there are individual bits of evidence from which we can infer that there is some impact on different income groups, but we do not look at that comprehensively—

Jenny Gilruth: We do not gather the data in that way.

Alison Taylor: No, we do not. However, we know, for instance that the latest Universities and Colleges Admissions Service data shows an increase of 44 per cent in the number of young people from the poorest backgrounds getting into university. Notwithstanding everything that we

have said about the complete appropriateness of different routes through life, different educational pathways and so on, that is a fairly striking indicator of an impact on children and young people who come from some of our poorer communities.

Bill Kidd: So we can see from those figures that you mentioned that SAC is working towards creating greater equality of outcomes.

Jenny Gilruth: Yes, but SAC cannot do all that on its own. We need to be mindful that the attainment challenge in itself is also about responding to the societal challenges that we have spoken about, and that there are other elements of support that families need in order to help us to close that gap.

The Convener: I bring in Miles Briggs.

Miles Briggs: Good morning to the officials who have joined us for this session. I will carry on with questioning on the theme of tracking outcomes specifically. On educational outcomes, Scotland has the highest absence rates in the UK—according to Scottish Government figures, one in three children is persistently absent and missing 10 per cent of their education. With regard to PEF, therefore, how are we tracking impacts on the educational outcomes for those children, or is it just for teachers to look towards the projects that might help to improve those outcomes? I am thinking, for example, of the family link worker model that some schools have taken forward.

Jenny Gilruth: Miles Briggs has raised the subject of attendance, which has been a real challenge in our schools after the pandemic in particular, although members will welcome the fact that there was a slight improvement in the most recent dataset, particularly on persistent absence levels. I agreed with officials to introduce that measurement the year before last, I think, because, until it was introduced, we did not measure persistent absences from school over a long period—of 20 days, I think—at the national level. We need that granularity in the data.

That dataset demonstrates the point that has been made on variance across the country: there is variance by year group. The thing that struck me most when I was first appointed to my role was the existence of challenges in relation to attendance at certain transition periods. Whether in primary 7 or S3, there seemed to be a drop-off in attendance. We have been considering that. Education Scotland undertook a deep dive on attendance, about which David Gregory may want to say more; however, more broadly, PEF is being used to respond to some of the challenges of attendance across the country. In the school in which I last taught, in Edinburgh, PEF is being used creatively to support families.

Legislation requires parents and carers to send their children and young people to school, and that is for good reason, but a cohort of young people are struggling with the formality of going back to formal education. For many, that is really challenging. We therefore have to put in place the necessary supports. To take Keith Brown's point on nuance, that will depend on the pupil, the school and the teacher. I have sat in primary schools and listened to headteachers talk about the individual work that they do to support a young person to come back into school, which can take many months. PEF is supporting some of those interventions. More broadly, there has also been support through the virtual school headteachers network, which has helped to keep young people engaged in school if they are not physically able to attend.

However, I accept that the issue is a challenge. I announced in the Parliament very recently that we would have a national marketing campaign to encourage an improvement in attendance. I hope to say more on that in the coming weeks. We cannot make progress on closing the poverty-related attainment gap if we have challenges in attendance.

All those things are interlinked. Across the country, PEF is being used to improve attendance. Every local authority has a stretch aim, which is linked to the SEF and is focused on attendance. They are all signed up to driving improvement on that.

David Gregory may want to say more on the deep dive that Education Scotland undertook.

Dr Gregory: In 2023, we undertook a deep dive to look at what was behind non-attendance and what helps attendance. Six things were identified. Since then, we have developed resources and support in those areas for schools across Scotland.

We started in March 2024, and the first tranche of resources was published in August 2024. It was based on policies for schools, ensuring that the data was correct and asking what could be done with it, because—I totally agree with Miles Briggs—you cannot do anything unless you know what the problem is. The data is really important.

We have developed professional learning, which follows the quality improvement methodology that is used by the national writing programme. You take the data that you have, look at it carefully, implement the plan, do a small test of change and evaluate the data at the end of that. Twelve local authorities are involved in that at the moment. It is early days for cohort 1, which is coming to an end, but I have heard that there is strong progress in improving attainment in some of those schools. Over the summer, we will be learning from that

and asking how we can roll out the arrangements in a better way.

I will talk about the second publication of material—I constantly say to my team, “Do not publish more stuff, because teachers do not want ‘stuff’.” We have been using stakeholder groups. My colleague Kylie Watson has a headteacher stakeholder group and a teacher stakeholder group. We ask what they really want and we get under the skin of that. Our second publication, this week, focuses on what is working and what we can do. We have case studies, podcasts and other things to attract people’s attention. Those will be rolled out over the next few months.

The headteachers wanted professional learning, so they have helped us to develop that. The first two sessions were run two weeks ago—one for primary and one for secondary. Again, that involved looking at the data and asking how it could be used.

Finally, our next steps—what I have asked Kylie to do—involve looking at what we can do with the more granular data that we now have.

We are going to start looking at structural aspects and structural changes. For example, we will find the schools that are changing their curriculum and determine whether that makes an impact on attendance and what we can learn from their experience. We will use the data more effectively to start looking at structural changes that we could suggest.

11:45

Miles Briggs: That is helpful, and if there is more data—not “stuff”—that you could provide the committee with, that would be useful.

I want to ask about wellbeing. From my constituency case load and meetings with teachers, I know the numbers of young people who are waiting to access child and adolescent mental health services. They are still in school, and the school is using some of the pupil equity fund money for brief mental health interventions because some of those young people can be on a waiting list for more than a year before they are seen. Where do you think that the funding is being used? Sometimes, because of waiting times, the national health service is just not providing that service for young people and schools are being forced to try to find some pupil equity fund money for projects involving, for example, counsellors in schools. There is some welcome progress around that, but there seems to be more demand for mental health services in school because CAMHS is not meeting the demand.

Jenny Gilruth: I have not been presented with clear-cut examples of the health service not

meeting that need. On CAMHS in particular, data was published last week that showed that the Government has met the required timescale on CAMHS referral waiting times, which I think is 12 weeks. That is welcome news. Therefore, children and young people should not be waiting in excess of a year for that support. That improvement has been driven by the Cabinet Secretary for Health and Social Care with the aim of supporting some of our most vulnerable young people.

Of course, CAMHS is the extreme end of the system. From an educational perspective, we always want to try to help support health and wellbeing in schools. It is one of the curriculum areas in the curriculum for excellence, but we also provide funding that is separate to PEF of £15 million for school counsellors. Money from that goes to every secondary school in Scotland, so there should be that provision in every secondary school.

In the post-pandemic period, society has many challenges in relation to mental health. The issue is not limited to children and young people, and many parents are struggling. Some of the interventions that we see, such as the one that I gave the example of at the primary school in Kirkcaldy, are about supporting the mental health of mums. In supporting better mental health for the mums and the carers of young people, the initiatives support better educational outcomes.

More broadly, there are challenges with mental health. I have not been presented with examples of where the health service is not making that intervention and the need is being mopped up by education, but if Mr Briggs or others have such examples, I would be keen to look at them, because we want to ensure that there has not been an erosion of the PEF and that it is being used to support the people that it is intended to support.

Of course, PEF money may well be used to, for example, support nurture in schools. I have seen examples of that in a primary school in Glasgow, where the third sector was brought in to get primary 6 pupils to talk about their emotions. That is not something that, as a secondary teacher, I would have countenanced teaching my young people to do, but teachers are now having to instil in their young people things such as the ability to cope with emotions and talk about their feelings, perhaps because of pupils’ frustrations in relation to having to deal with other challenges.

Miles Briggs: I have concerns about the possibility that, in Lothian, the Government’s target on waiting lists is being met only because people are being re-evaluated in order to remove them from those lists and send them to third sector services.

I want to move on, although I do not know whether the cabinet secretary can answer this point.

The Convener: Before you move on, Mr Greer would like to ask a question.

Ross Greer: Very briefly, as Miles Briggs said, there has been a significant increase in access to in-school mental health counselling, which is positive. The six-monthly reports show some good data in that regard, and the demand that was always there is now finally being met. However, I noticed that the most recent report shows that twice as many girls and young women as boys and young men are accessing mental health support in schools. I realise that this is quite a specific question and that you might not already be aware of the issue, but is that something that the Government is looking into? We are not going to get a ratio bang on 50:50, but it is quite striking that the ratio is 2:1.

Jenny Gilruth: Yes, it is quite striking. I think that there are a number of reasons for the issue. I have not been given further advice in relation to that gender split, so I will ask our officials to look at that in a bit more detail.

I suspect that it might relate to the fact that, in general—although I do not like to make generalisations—women are often able to talk about their feelings in ways that men might find more challenging. That relates to our understanding of masculinity. Particularly in Scotland, there are quite gendered traditional perceptions around talking about your feelings, and that might be coming out in some of that evidence.

Of course, the other interesting point is the rise of misogyny in our schools, which might be behind the issue. However, to be perfectly honest, I have not had official advice on the issue, and I will ask officials to look at it in the round.

Ross Greer: Much appreciated; thank you.

Miles Briggs: I am not sure whether the cabinet secretary will be able to directly answer this question, given her wife's involvement, but how has the attainment Scotland fund been supporting outcomes for care-experienced young people? Specifically, how have outcomes been evaluated?

Jenny Gilruth: I put on the record my refusal from involvement in the Promise, due to my wife's role in that, but I think that I am permitted to talk more broadly about care-experienced young people. I will allow officials to correct me if that is not the case.

I am told that I am able to talk about that. The gap has been narrowing since 2009-10. I know that Mr Rennie does not like that measurement, but we need to look at the trajectory of

improvement between care-experienced young leavers and all children. The narrowing of that gap is welcome news. The gap has widened slightly for lower-level qualifications—across level 4—but it is still half the size that it was in 2009-10 and narrower than it was before Covid. As we often see in August when the exam results are published, to some extent, we need to discount the Covid years, because, in those years, different rules were applied to, for example, the qualifications system. With regard to the Covid measurement, the gap is still narrower than it was, but there remains a sizeable gap in relation to care-experienced young people's educational outcomes, so we need to do more to focus local authorities on driving the improvements that are required.

In response to Mr Briggs's question about attendance, I spoke about the role of virtual headteachers. They have been doing a lot of work at the local level in supporting care-experienced young people to access education and to come back to schools. There are a number of examples of how that works on the ground that officials might want to talk about—I see that David Leng has a wee note about that. The virtual headteachers programme has been used in a number of local authorities and is making a real difference to the lives of care-experienced young people, but there is still challenge in that regard.

Miles Briggs: The committee has done a lot of work with care-experienced young people, and one of the key messages that I have heard is that identification is still not happening in schools.

I also put on the record the fact that young carers are very much in the same situation. I do not know why that is the case or where the opportunities are for using PEF to train teachers to help to deliver that—especially in secondary schools, given that different teachers are involved with the young people. I put that on the record as something for the Government to take away, because the situation does not seem to be improving. In the recent private evidence session that the committee had with care-experienced young people, they all pointed to that.

Jenny Gilruth: One of the interesting points of the budget agreement that the Government struck with local authorities was the establishment of an education assurance board that will allow us to hold the Government to account for things that we are responsible for, and will also hold local government to account. The partnership approach that has been spoken about today is really important. I am keen to take the issue that Mr Briggs raised about identification and support to the education assurance board, which should meet for the first time in the coming weeks.

Incidentally, convener, if there are any other hot topics or issues that the committee would like me to address at the first meeting, I am more than happy to do that.

We must get to a place of understanding that, without local government buy-in in education, we will not drive the improvements that we all want to see. We have a number of willing partners in local government. Dave Gregory spoke about the quads work that is being led by ADES, which is showing real tangible results. That is the headspace that we need to get to. I accept Mr Briggs's point about care-experienced young people, and I will raise that at the first meeting of the education assurance board.

David Leng: The virtual headteachers initiative has been key. Eighteen local authorities are now using it, and we hope that there will be more. I am not sure how many people understand what the initiative is. Basically, it involves establishing a headteacher in a local authority—not in a school—for all care-experienced young people. That is their sole focus in order to provide the services, do the work of identification and ensure that care-experienced young people are considered and cared for in any context. The network is really strong and good at sharing best practice. We have seen it work in England—the idea came from England—and it is having a real impact in Scotland. If the committee has not had a chance to look at it, I commend the initiative to you, because it is helping care-experienced children in that context.

Pam Duncan-Glancy: Hello to the officials who have joined us.

In recent years, the attainment gap in relation to leavers' qualifications has been growing. Can the cabinet secretary set out the drivers for that and how she is going to address it?

Jenny Gilruth: Earlier, we touched on initial leavers' destinations. The gap between the proportion of school leavers from the most and least deprived areas of Scotland moving into positive destinations is 4.3 percentage points, which is an increase on the previous year. I gave a figure of 3.7 per cent in response to Mr Mason—

Pam Duncan-Glancy: I am asking about leavers' qualifications, as opposed to initial destinations.

Jenny Gilruth: Ah, right—okay. Regarding leavers' destinations more broadly, some of the challenge relates to the pandemic generation, and we have talked about some of the impacts in that regard. How we measure what success looks like is a broader challenge.

In its report, the committee highlighted the disconnect between the aspirations that are set

out in the national improvement framework and the stretch aims. That challenge is partly borne out by the fact that today's broad educational offer looks totally different to when you and I were at school, and lots of different qualifications are delivered. At the current time, I am not clear—headteachers will probably agree with this—that we are gathering the totality of achievements in all our measurements.

Some of that is quite unhelpful for the full story. Last week, on the radio, Mr Briggs received a bit of pushback on that from a headteacher, who said, "If you look narrowly at one measure, what you are saying is right, but actually, you need to look at the totality of achievements". Historically, we had a cohort of young people who left school with no awards or qualifications. Nowadays, they are more likely to have national progression awards or national 3 qualifications and be supported to achieve and go on to a positive destination as a result.

Therefore, the gap is in part due to our measurements—you might have a view on that. Local government has a view on it, and it uses the measurements that are set out in the stretch aims. Officials will correct me if I am wrong, because it is a long time since I looked at this, but it does that because Insight, which is the tool that is used by headteachers and school staff, looks at the totality of qualifications across the piece. It presents a truer story in terms of the full picture of destinations.

Pam Duncan-Glancy: I do not doubt that there is a lot of information that could and should be used. I make the point that the Hayward review made suggestions in that area, which have not necessarily been progressed by the Government.

Jenny Gilruth: Which suggestions?

Pam Duncan-Glancy: I mean suggestions on measuring progress, achievement and attainment and how to do so. I am not sure that the Government has made enough progress in those areas.

My point was specifically about the gaps between pupils leaving school after doing Scottish credit and qualifications framework levels 4, 5 and 6, which are growing.

Jenny Gilruth: That goes back to my response to Mr Rennie: when you look at the totality across time, there has been an improvement in relation to on-going positive destinations. With regard to the broader view, I do not know which years you are comparing. Can you clarify that?

Pam Duncan-Glancy: I am comparing the most recent data with last year's data.

I take issue with the point on information over time. The Covid pandemic undoubtedly had an

impact, and I have a question specifically on it in a moment. However, in the period before the Covid pandemic, some attainment gap measures were increasing. Do you accept that?

Jenny Gilruth: On the first point that you have put to me, I accept that the slight widening of levels 4, 5 and 6 in the most recent data set is a challenge. However, it is important to look at the totality of progress that has been made across the piece, which is the point that I made to Mr Rennie.

Some of the challenge is that the NIF measurement is not in the same place as the stretch aims, so it is not gathering the totality of qualifications. The point that was made to Mr Briggs on the radio last week was that, if we only look at the narrow data set, we will miss all the other qualifications that our young people are achieving. It is, therefore, more important that we move to a truer story about the totality of qualifications in the round. However, I accept that the figures for this year are not where they should be, and we need to reset and focus on progress. Today, you have heard about some of the actions that are being taken to that end.

Pam Duncan-Glancy: I take the point about the wider measures, and the Insight data is really useful. Nonetheless, we are still in a situation in which more school leavers left without any qualifications at all this year.

Jenny Gilruth: If you look in the round at the broader qualifications set, which is not captured by the NIF, you will see a range of other qualifications. I am more than happy to share information on that, because it has been raised with me by School Leaders Scotland and the BOCSH group of headteachers. They pointed to the fact that the Government's measurements are not telling an accurate story of the totality of our young people's achievements. It causes me great concern that we are out of sync when gathering data to measure that progress. We cannot have the scenario that you have outlined, because it is not going to help young people with their educational progress.

Pam Duncan-Glancy: If you accept that it has got slightly worse in the past year, what will the Government do about that? What is the plan—

Jenny Gilruth: Do you mean with regard to closing the gap?

Pam Duncan-Glancy: What is the plan to turn that around so that, next year, there is an improvement rather than regression?

12:00

Jenny Gilruth: As we have heard across the piece from my officials and from David Gregory from Education Scotland—who I see is leaning

in—a number of the recommendations in the 2022 report were for local government. I observe that local government is not at the table today—that is within the committee's gift—but we need local government to be part of the answer, which is why the education assurance board is important. Alison Taylor's points about variance are also really key. There is variance across the country—it is not a flat picture in relation to the numbers that Ms Duncan-Glancy outlined. Some areas are better than others, even when extrapolating with regard to poverty, which causes me concern, so it is really important that there is targeted support.

Dave Gregory's team is involved at the national level in the targeted support to authorities, particularly on the measurements that Ms Duncan-Glancy spoke about, so I will bring him in to talk about that.

Dr Gregory: We rightly recognise that the attainment challenge is focused on literacy and numeracy. However, from looking at the data and from talking to some of the professional associations that represent secondary schools, we can see that one of the things that we have been not so strong on is ensuring that subject teachers in secondary schools get the support and professional learning that they deserve. Local authorities will support them, but Education Scotland has started to look a wee bit differently at that.

We are employing what we call Education Scotland associates. In October, we employed 67 people in that role, having received 363 applications. As we speak, my colleagues are probably doing the sift of applications for Education Scotland associates with additional support needs expertise. Those people will work with us for 10 to 15 days a year, focusing on departments or faculties where perhaps there is a new head or the local authority is saying, for example, "We really need some capacity here. We don't have a particular person who can provide support in social studies—do you?" and we can now say, "Yes, we do" when, before, we could not say that.

Last week, there were 47 associates out and about—some working on the curriculum improvement cycle and some supporting schools. I have asked the team to focus the associates' work on secondary schools to support the work on exactly what you were talking about with regard to leavers' qualifications, because the bulk of those are Scottish Qualifications Authority qualifications, and we can help with that. We cannot help with all the other fantastic qualifications that really require expertise. We hope that this work will start to support secondary subject teachers to start to close that gap.

Pam Duncan-Glancy: I appreciate that. I want to move on slightly to the matter of young people with additional support needs—

The Convener: Ms Duncan-Glancy, may I first bring in Miles Briggs and Willie Rennie on that matter?

Miles Briggs: The cabinet secretary has mentioned my media appearances a couple of times. I am impressed that you are listening to the radio so much, cabinet secretary.

The committee heard what the cabinet secretary said about some positive destinations, but voluntary work—there is the issue of whether that is maintained—and activity agreements between schools and local authorities are positive destinations that are not tracked for a significant number of young people. Is the Government reviewing the opportunities that are seen as positive destinations for young people but that might not continue? There is a need to understand the fact that many young people—15-year-olds—who are not going to school but are getting personal skills development, often in the third sector, are not necessarily given any opportunity to get on to the courses that they would like to do. I would love to visit Barnardo's with the cabinet secretary to introduce her to some of the 15-year-olds who tell me about the courses that they want to do but cannot at this moment in their lives.

Jenny Gilruth: May I ask a question? My apologies, convener—I realise that I am here to be questioned.

The Convener: Well, it depends on what you ask—we will have to see.

Jenny Gilruth: Is the member talking about young people who are aged 15 who are not able to access a subject of their choice in school, for example?

Miles Briggs: The courses are out-of-school education within the—

Jenny Gilruth: Is the issue the availability of subjects?

Miles Briggs: It is about positive destinations, and whether the Government would look at reviewing both voluntary work and activity agreements in that context. The Government says that those are positive destinations—they can come to an end, but the Government thinks that those young people are in a positive destination.

Jenny Gilruth: I am not going to announce today a review of how we measure positive destinations, but I take the member's point. SDS carries out the tracking for us in that regard. We track the longer-term trajectory of young people when they leave school, at intervals of three months and then nine months.

It might interest Mr Briggs to look at the data set from three months out then nine months out. There is a disconnect—we accept that. Beyond school, there are things that can be undertaken by Government, but other agencies are often involved in the delivery of support to a young person in that period of their life.

We also introduced the annual participation measure as part of the national improvement framework. That gives us a greater ability to measure the number of 16 to 19-year-olds who are in school, or perhaps at college or university, and gives us a truer picture of their progress across time.

There has been a slight increase, of 0.8 per cent, in participation between 2023 and 2024 for those in quintile 1—that is, those in the 20 per cent most deprived areas of Scotland. In 2024, there was an 8.2 per cent gap in participation by 16 to 19-year-olds living in the 20 per cent most deprived and 20 per cent least deprived areas; that is the narrowest gap on record.

I take the member's point, and it might be that some of his suggestions in relation to positive destinations are looked at in the round as part of the education reform that is more in Mr Dey's space. Nevertheless, I will take that away from today's meeting, convener. The member raises an important point, which has been rehearsed in the chamber previously.

Nonetheless, I go back, in the round, to my original response to Mr Rennie—which I know that he does not like—that 95.7 per cent of our young people are now in a positive destination. That is to be welcomed and celebrated. These young people were being let down by the education system before we started giving them that extra support, tracking, advice and encouragement. I think that we have completely turned around the way in which we support some young people.

To reiterate David Gregory's point, not so long ago, in terms of tracking, it was university or nothing after school—there was maybe a job, or college, but there was often a gap. We have become far better at tracking that progress across time. We can undoubtedly improve—I accept that. I think that that is the point that the member makes.

However, I go back to the comments from Gillian Campbell-Thow, the headteacher who was on the radio with Mr Briggs. I confess that a colleague tipped me off to that interview: I do not routinely sit listening to the radio waiting for Mr Briggs to come on. Gillian Campbell-Thow said in response to Mr Briggs last week that

"We need to look at the currency of these qualifications before we start saying that you'll be doing a disservice to

children in having 15 per cent of all school leavers leave without anything.”

Her point was really about looking at the totality of achievements.

I think—I have reflected on this with officials—that some of our measurements are not showing the totality of the picture of the achievements of all our young people.

Miles Briggs: Thanks for that. I think that Mr Rennie might want a right to reply.

Pam Duncan-Glancy: The cabinet secretary will be aware of the 20 percentage point gap between pupils with and without additional support needs meeting the expected curriculum for excellence level, and also the gap between those pupils who have additional support needs and those who do not going to a positive destination.

The cabinet secretary has spoken quite a bit about the role of local authorities. I heard her say earlier that she does not have much power in that space, whereas local authorities do. However, the Audit Scotland report on additional support for learning that came out recently says:

“Funding allocation methodologies for councils do not reflect the ASL legislation, the presumption of mainstreaming and the continued growth in recorded additional support needs.”

In the light of that report, what is your response to that observation? When will the outcomes for those young people improve?

Jenny Gilruth: I responded to Alexander Stewart’s members’ business debate yesterday evening—some members of the committee were there, although I do not think that Ms Duncan-Glancy was. In that debate, I gave an update on the Government’s response, which is—as I said in responding to a point about the Audit Scotland report—that I want to engage with the Auditor General on that. We need to provide a substantive response to that report, including on the recommendation that the member referred to.

The member spoke about ASN in relation to spend. More broadly—again, I put this on the record in the debate last night—we see an improving picture in relation to the attainment of children with an identified additional support need. We know that, historically, many of those young people were prevented from attaining in the ways that they should have done because of the way in which our school system was structured, which often excluded them from mainstream education.

We have an inclusive education system. There was some challenge to that last night from Conservative members with regard to the presumption of mainstreaming—Ms Duncan-Glancy will have her own views on that—but I think that that is the strength of our education

system in Scotland. The national discussion on education, the results of which were published in 2023 in “All Learners in Scotland Matter—national discussion on education: final report”, welcomed that as being unique to the Scottish education system. However, the challenge is always about delivery, and that is another point that came out in the debate last night.

National policy and local implementation are parts of all that I do as education secretary, whether it be on teacher numbers, ASN or responding to mental health challenges. This week, I answered a parliamentary question on that, which the member might be interested in. I cannot recall which member of the Education, Children and Young People Committee asked the question—it might have been Mr Briggs—but the response lays out additional support for learning spend per local authority. I encourage you to interrogate that data, because spending per pupil varies across the country.

I can protect ASN spend at the national level, but there is a level of local political decision making on how the funding gets to those who need it most, which is cited as a challenge in the Audit Scotland report.

The other challenge is transparency, which is why I welcome the report. I would like greater transparency in spend. I can talk about the record £1 billion of investment that is going to ASN, but we need to track how that spend is getting to those who need it most.

Pam Duncan-Glancy: When can the committee expect to see the Government’s response to the Audit Scotland report?

Jenny Gilruth: I do not have my diary in front of me, but I know that I and my officials are scheduled to meet the Auditor General in the coming weeks. I am more than happy to write to the committee with a fulsome update on that point.

Pam Duncan-Glancy: That would be helpful. I also want to ask about attendance, which I know we had a conversation about a few minutes ago.

Last week, I met a group of parents of pupils with additional support needs who said that they are seeing a lot of coverage on attendance and the importance of going to school. I agree with that, because it is crucial to be in school to learn. However, the parents said to me that they were not prepared to send their children to school because they felt that their needs were not being met in the classrooms. They felt that the buildings were not suitable for their children, that there were not enough support staff or that they could not see a clear pathway of support for their children and young people to access. On that basis, they felt that it was really difficult to justify sending their children to school.

I want to be really clear that I support children going to school, because it is crucial. However, those parents' concerns are real. They felt that it was really difficult, but they were taking the difficult decision to not allow their young people to attend. What is the Government's response to that?

Jenny Gilruth: As education secretary, it is always very difficult for me to comment on specific circumstances. If you want to share with me details of the school or the local authority, I will be happy to ask officials to speak to them directly about that.

On the general observation, we know that ASN can sometimes be a hindrance to attendance if the necessary support is not in place. In the debate last night, I spoke about a constituent of mine who had to take her local authority to a tribunal. It ruled in her favour, but the fight to get support that she is legally entitled to under the ASL legislation was an inordinate pressure on her and her family.

You mentioned school buildings. It is difficult for me to comment on them as they belong to local authorities, but no impediment should be put in place to a young person accessing their education. The legislation sets out that it is a legal requirement to send your child or young person to school. I do not want to take away from the challenge that that presents for a number of parents, as has been the case post-pandemic in particular. We want to have a really supportive approach to helping parents with that. Lots of approaches have been used with PEF, which I have spoken about, and headteachers use various approaches.

It is quite difficult for me to speak to the specifics that you have mentioned without knowing a bit more about the background. If you want to share more with me, either after the session or in writing, I will be more than happy to meet you and the parents in order to hear a bit more and to engage with the local authority in question. We want those young people to be in school.

We need attainment to improve across the piece—that is the focus of today's evidence session—but attainment is particularly important for young people with an identified additional support need. We want them to be in education, and we want no barriers to be in their way to accessing it. I am happy to engage with you more on the issue.

Pam Duncan-Glancy: I appreciate that. Thank you.

Convener, do I have time for one more question?

The Convener: We are a bit short of time.

Pam Duncan-Glancy: That is fine.

Clare Haughey (Rutherglen) (SNP): Good afternoon, cabinet secretary and officials. I appreciate the time that you have spent with the committee today.

Before I ask my question, I put on the record how pleased I was to hear you mention nurture, which is very close to my heart. In my constituency, PEF money has been spent on nurture, and I have seen how that positive reinforcement and emotional literacy has permeated whole schools and not only the children who are accessing nurture classes or being given additional support in that area.

How is the Government supporting local authorities to meet the stretch aims that Mr Gregory mentioned? You alluded to the fact that, when you came into post, some of those stretch aims were perhaps a bit vague. Will you speak to some of the work that is being done to firm them up and to support local authorities to achieve them?

Jenny Gilruth: Would you like Mr Gregory to come in on that?

Clare Haughey: It is entirely up to you, cabinet secretary.

12:15

Jenny Gilruth: The stretch aims have been important to changing our funding model and getting local authorities to buy into the process. We have talked about the challenge and the friction between local and central Government on delivering on the ambition, and the stretch aims tied the funding to delivering improvements. As I mentioned in response to a question from Mr Rennie, if they were achieved, we would see the attainment gap narrow by 30 per cent by 2026, which would be welcome.

I am told that most local authorities are on track to achieve or exceed their stretch aims. Mr Gregory might want to say a bit more about the work of his team. However, I remember being in one of my first meetings when I was appointed as education secretary—Alison Taylor and David Gregory might remember this—and talking about the substantial work that they had to undertake with local authorities to get them to agree to the stretch aims, which was evidence of the partnership approach that we have to have in Scottish education. It has been a success.

I will allow David Gregory to talk about some of the work that his team does to provide support at the local level. We appreciate that this cannot just be a one-way street with local government. We have to give it that additionality and support.

Dr Gregory: It is important that we have a good relationship and partnership with ADES on this.

My senior regional advisers will discuss the stretch aims with directors, and attainment advisers will discuss them with their counterparts. It is a support and challenge role, but it also helps us to understand where we can give support to improve the stretch aims.

We have regular meetings. My SRAs will meet directors three or four times a year to look at a range of things including the stretch aims. In addition, attainment advisers will meet their counterparts regularly to interrogate the data and look at how individual schools and pupils can improve, which improves the stretch aims. We use that to develop plans with local authorities for what we want to do and what they want to do. They need to be—and they are—in control of the situation.

I will give an example. We have work going on in Highland around the cost of the school day. We have recognised that the Highland Council area is huge, and its stretch aims are really stretchy. Highland will need to do some work to meet them, but it is improving. We have provided extra support with another attainment adviser for a short time to add value. I used to be the SRA for the north, and I note that Highland Council area is the size of Belgium. I have done a lot of travelling around there, as I am sure others have. That is one way in which we can provide support.

The other thing that we are doing with stretch aims is asking different authorities whether we can help them with numeracy. As I have said before, Dundee has some work to do around numeracy and the self-evaluation for collaborative improvement programme, which is about supporting middle leaders to evaluate their own work and look at the targets and the stretch aims, and helping them to understand how they can improve.

It is important to look at stretch aims in the round. Along with our children and young people's improvement collaborative colleagues, we look at which schools and local authorities could benefit from the national improving writing programme, which is really important. The latest report on that programme, which was on my desk this week, shows that the five local authorities that CYPIC and I have been working with—the attainment advisers work with them—saw a 3 per cent to 12 per cent improvement in writing, in the schools that have been taking part. One local authority actually achieved a 2 per cent decrease in the poverty-related attainment gap. Given that not all schools take part in the programme, which is targeted, the schools that are involved will have massively increased the number of their children and young people who are writing.

The stretch aims are a game changer. When we dig into them and target the support for them, as is

done with the national writing improvement programme, we get results. My colleagues went to one of those schools on an inspection, unknown to us, and they wrote in the inspection report—I jotted this down—that there was

“clear evidence that staff's focus on improving writing has improved and managed to accelerate children's progress.”

I also have a quote from a headteacher who was in that group and had looked at how they could improve their stretch aims or their targets. In relation to the national writing improvement programme, they said, “It works”, and noted that they had a 50 per cent uplift in those who were on track in writing.

With the stretch aims, we start big. Our SRAs discuss the big ideas with the directors, and then the attainment advisers will talk to their counterparts and schools about how those things can be implemented and the best way to help them to meet their stretch aims. We then get on the ground and do it. Obviously, we do a small amount of work compared with the teachers and young people who actually do the work.

Ross Greer: I am interested in why the stretch aims use a different measurement compared with the national improvement framework. The local aims use all SCQF qualifications whereas the NIF uses just the NQs. I understand the logic of both approaches and it is more appropriate that the stretch aims take that broader approach. However, is there not a bit of a problem in our using two different measurements?

Jenny Gilruth: That is the point that I tried to make in my answer to Ms Duncan-Glancy's point. I do not think that we are gathering the totality of qualifications through the NIF, but we are doing that via the stretch aims. There is therefore a disconnect in how that is portrayed. We are looking at ways in which we can move that, and that work is very much supported by Scotland's secondary headteachers. Our measurement is a bit out of date in relation to capturing that totality; it is quite traditional in using the narrow measurement. I made that point to Ms Duncan-Glancy in discussing leavers' qualifications. We are not telling the full story there, but we are doing that via the stretch aims. There is an opportunity for us to reset that through the NIF.

I hand over to David Leng to talk about the technical detail behind how we do that, because it has not been without challenge.

David Leng: It partly goes back to the question that Ms Haughey asked about the setting of stretch aims. When we set them up, we were very clear that we wanted them to operate from the ground up. We wanted local authorities to own them, in a sense, and then to be in a partnership with us in relation to delivering them. After doing it

for the first year, they presented to us a number of points that they wanted to improve on, one of which was exactly that point about the measurement. In the senior phase, they wanted it to be an all-SCQF measure, which would involve all the qualifications. At that time, that was not the NIF measure. We therefore agreed, in discussion with our headteachers and local authorities, that we would take on that all-SCQF measure in the context of the attainment challenge with the caveat that, although NIF is not there yet, it is moving towards that.

There are technical issues to do with the timing of the gathering of statistics and so on. I will not go into that, but I note that NIF is on that journey, so we hope that the disparity will be closed very soon. It will be closed in the sense that it will go to the all-SCQF levels.

Jenny Gilruth: We will then have parity across the group.

David Leng: Exactly.

Ross Greer: Excellent. That is good to hear.

I am also interested in attendance, which Miles Briggs raised. I am aware that the Children's Commissioner for England has done a lot of positive work on attendance. Is there anything that we can learn from that? The Children and Young People's Commissioner Scotland has had other areas of focus recently, quite legitimately, but some really good work on the subject appears to have taken place in England. I wonder what we could draw from that, given that it is an acute issue but also very much a shared issue, and not just in Scotland and England—it is a wider western problem.

Jenny Gilruth: The Children's Commissioner for England commissioned a really strong piece of work on that. I do not know whether committee members have seen the report, but it is a brilliant piece of work with very strong recommendations to Government.

I will be meeting our Children and Young People's Commissioner with Ms Don-Innes tomorrow and we will raise the issue with her in our discussions. As the member will know, it is not an issue that she has been pursuing. I have been keen to engage with the Children's Commissioner for England because I was so taken by her work on attendance. She links it directly to improving outcomes for children and young people, which is her job as children's commissioner.

Ross Greer: If you can provide an update to the committee after that meeting—

Jenny Gilruth: Do you mean tomorrow's meeting?

Ross Greer: Yes. That would be very helpful.

Jenny Gilruth: I am happy to do so.

Ross Greer: Finally, I will ask about another area of spend. You and I had discussions some time ago about the funding of campus police officers through PEF. That is an example of a wider challenge that you have touched on a few times during the meeting, which is that schools are providing all sorts of other services because public services have been stripped away. When it comes to annual budget setting or on-going intragovernmental discussions throughout the year, how do you manage the funding of services that a school might wish to provide?

I have a different view on the value of campus police officers but, at the moment, that service is being funded by the education budget. Would it be better funded by Police Scotland, the NHS or Social Security Scotland? Are there discussions between cabinet secretaries about the most effective way of funding it, which budget should allocate the money and how the spend can be tracked so that we can identify what the money is being spent on? Historically, that has been a challenge in our scrutiny of attainment challenge funding.

Jenny Gilruth: That is an interesting point that links to Mr Briggs's comment about health. I think that, when I did my teacher training at Clydebank high school, we had campus cops in 2007. I am trying to remember how they were funded. They were obviously not funded from SAC, but I do not know what the budget line was at the time.

I know that Mr Greer has strong views about headteachers using PEF for campus cops, but some of them will have contrary views and they are empowered to choose to bring in such interventions.

Ross Greer: My question is more about how money is spent across Government, rather than the specific debate that you and I have had before about the value of campus cops. Whether SAC funding needs to be used for that purpose is a legitimate question because, putting aside my views on campus cops, could Police Scotland's budget not be used to directly fund them, given that police officers are being funded?

Jenny Gilruth: That is a fair point, which I am happy to reflect on after the meeting. I suppose that it goes back to the central ethos of PEF, which is that it is for each headteacher to decide which interventions to introduce in their school and, to that end, it is not for us to provide direction. Some people have views about campus cops but, if they were to be funded from a justice budget line, would they be in every school? What would that look like?

In my introductory remarks, I tried to make the point that we need to think about school funding in

its totality and in the round post-pandemic. PEF spend is 1.8 per cent of education spend, so it is a tiny amount. I accept that I am here to be accountable for PEF and for SAC, but a lot of other funding is going into education just now. I do not know whether we have the same level of transparency on how that funding reaches those who need it most. That goes back to Pam Duncan-Glancy's point about Audit Scotland's report on additional support for learning. I am intrigued about how it tracks the spend because, although we are protecting ASL spend nationally, it is not necessarily getting to those who need it most.

I want to reflect on Mr Greer's point about how we can work on a cross-Cabinet and cross-portfolio basis. I know that PEF is being used to fund campus police officers and I do not want that to stop that, because the purpose of PEF is to free up headteachers to make decisions for their schools. PEF is also a protected budget line, which they guard very closely. The next step would be to review school funding in the round and consider what would go beyond SAC and PEF in the future. Decisions on that will be a matter for the next Government, but I think that all political parties should be looking at the issue. That is my homework for everyone.

Ross Greer: Thank you, cabinet secretary. I would love to pursue that, but I am conscious of time and the fact that I should have been at a meeting with the Presiding Officer five minutes ago. I will slip away in a minute, if that is okay, convener.

The Convener: Please blame me—I am sure that that would go down well.

The sums that Mr Greer has spoken about are not insignificant. Between 2017 and 2021, North Ayrshire Council spent £590,000 on campus cops. The cabinet secretary made the point that PEF is a small amount of the education budget. However, if a significant amount of that small budget is being spent on other things, we would appreciate further thought on that.

Jenny Gilruth: We will take that away, convener.

The Convener: As you may have seen, in the past couple of weeks, when relevant parties have been in front of the committee, we have taken the opportunity to raise the issue of university funding, and particularly funding for the University of Dundee. Following yesterday's alarming news about the significant job losses that are being proposed, members would like to take the opportunity to ask you a few questions about that.

Willie Rennie: Cabinet secretary, I would like to hear your reaction to yesterday's decision. Previously, Mr Dey indicated that the door might still be open for further action from the

Government, and £15 million of financial transactions has been allocated. I would like to understand whether that position has changed and whether more support will be forthcoming, because the proposed job losses at the University of Dundee are significant. At a fifth of the workforce, they are more than most people would have imagined.

Jenny Gilruth: Yesterday's announcement from the University of Dundee was deeply concerning. The committee may be aware that Mr Dey and I wrote to the university yesterday. I am more than happy to share a copy of our correspondence with the committee. We also wrote to Universities Scotland to seek support for the university in order to respond to some of the challenges that Mr Rennie has set out.

Mr Rennie will recognise the challenges that ministers face around the additional investment of £15 million that the Government committed in the budget, in that we need to be very careful about the Office for National Statistics classification and the role of direct Government intervention.

Yesterday, Mr Dey and I met the chief executive of the Scottish Funding Council, and urgent advice is coming to ministers on what we might be able to do next. I am not currently able to share that with the committee because I do not have it, but I expect to receive it before the end of the week. Once I have received that advice, I will be more than happy to write to the committee more fulsomely to set out the Government's next steps. I am aware that there have also been requests for ministerial statements on the issue. It may be that we will be able to share more detail about any action that the Government might be able to take once we are in receipt of the advice.

It is a deeply concerning and worrying time for the University of Dundee's staff, given the extent of the proposed job losses. We have been very clear in our correspondence with the university that every effort will be made to protect jobs, given the quantum of the proposal, which is not palatable.

The Convener: I would welcome further information being shared with the committee. Will further funding be provided over and above the £15 million that the SFC has to allocate at the moment? Will you look at potential further support for the University of Dundee and other universities?

Jenny Gilruth: Potentially, but I must be very careful, convener, because of the rules on ONS classification in relation to direct support. I do not think that it would be appropriate for me to say any more until we have received the advice from the SFC.

The Convener: Members may be aware that the Presiding Officer has granted an urgent question on the issue in the chamber this afternoon. Our having the cabinet secretary in front of the committee was a useful opportunity to get her reaction to yesterday's news.

I thank the cabinet secretary and her officials for their time.

12:31

Meeting continued in private until 13:11.

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