

COMMUNITIES COMMITTEE

Wednesday 15 November 2006

Session 2

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2006.

Applications for reproduction should be made in writing to the Licensing Division,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by Astron.

CONTENTS

Wednesday 15 November 2006

Col.

ITEMS IN PRIVATE	4267
SCHOOLS (HEALTH PROMOTION AND NUTRITION) (SCOTLAND) BILL: STAGE 1	4268

COMMUNITIES COMMITTEE 30th Meeting 2006, Session 2

CONVENER

*Karen Whitefield (Airdrie and Shotts) (Lab)

DEPUTY CONVENER

*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

COMMITTEE MEMBERS

*Scott Barrie (Dunfermline West) (Lab)
*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)
*Christine Grahame (South of Scotland) (SNP)
*Patrick Harvie (Glasgow) (Green)
*John Home Robertson (East Lothian) (Lab)
*Tricia Marwick (Mid Scotland and Fife) (SNP)
*Dave Petrie (Highlands and Islands) (Con)

COMMITTEE SUBSTITUTES

Chris Ballance (South of Scotland) (Green)
Alex Johnstone (North East Scotland) (Con)
Christine May (Central Fife) (Lab)
Mike Rumbles (West Aberdeenshire and Kincardine) (LD)
Ms Sandra White (Glasgow) (SNP)

*attended

THE FOLLOWING ALSO ATTENDED:

Frances Curran (West of Scotland) (SSP)

THE FOLLOWING GAVE EVIDENCE:

Councillor Charles Gray (Convention of Scottish Local Authorities)
George MacBride (Educational Institute of Scotland)
Councillor John McGinty (Convention of Scottish Local Authorities)
Robert Nicol (Convention of Scottish Local Authorities)
Michael O'Neill (Convention of Scottish Local Authorities)
Dave Watson (Unison Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Katy Orr

ASSISTANT CLERK

Catherine Fergusson

LOCATION

Committee Room 5

Scottish Parliament Communities Committee

Wednesday 15 November 2006

[THE CONVENER *opened the meeting at 10:20*]

Items in Private

The Convener (Karen Whitefield): I open the 30th meeting of the Communities Committee in 2006. I remind all those who are present that mobile phones and BlackBerrys should be turned off. I welcome Frances Curran to the committee.

The first item on the agenda concerns item 3, which is consideration of a draft report on the budget process 2007-08, and item 4, which is the committee's work programme. Members are asked to consider whether to take items 3 and 4 in private. Is that agreed?

Members *indicated agreement.*

Schools (Health Promotion and Nutrition) (Scotland) Bill: Stage 1

10:21

The Convener: We will hear from two panels of witnesses. I welcome our first panel of the morning. We are joined by Dave Watson, of Unison Scotland, and George MacBride, of the Educational Institute of Scotland. Thank you for attending the committee this morning.

I will begin the questioning. Were you satisfied with the Executive's consultation on the bill?

George MacBride (Educational Institute of Scotland): Yes. We were satisfied with the prelegislative consultation, to which we responded, and we think that the current consultation allows people to make their views known.

Dave Watson (Unison Scotland): We were probably less satisfied with the formal consultation. We have a problem with the fact that the Scottish Executive Education Department has not quite grasped the fact that there are staff other than teachers who work in schools. It would be nice if the department recognised that there are now thousands of various types of support staff in schools, who have a keen interest in the issue.

The Convener: As you will both be aware, much of what is proposed in the bill is based on the hungry for success programme, which is being introduced in schools throughout Scotland. The bill would place hungry for success on a statutory footing. Do you believe that legislation in the area is required?

Dave Watson: Yes, our position is that legislation is required. Although hungry for success has had a large degree of success in particular areas—particularly in procurement and in the quality of food and its nutritional value—we must recognise that that good practice has not been universally followed in Scotland. There is good and not-so-good practice in the area. We must also recognise that hungry for success has not delivered the higher take-up of nutritious school meals that we might have wished for. On that basis, we think that legislation is probably the right approach.

George MacBride: We agree that legislation is the right approach, for the reasons that have just been stated. However, we do not see the bill as concerned solely with school meals; it is also about health-promoting schools. Creating a legislative basis for that concept is an important function of the bill.

We are deeply concerned by the way in which certain agreements with private sector providers have led to a serious deterioration in the quality of school meals. We therefore welcome the provision in the bill that those acting on behalf of education authorities—those with whom education authorities have contracts—must meet the same nutritional standards as the education authorities themselves. That is why we welcome the bill.

The Convener: I have one more general question to you both. The bill will have an impact on employees in our schools. We will probably touch on some specific examples of that later in our questioning. Do you have any general points that you would like to raise with the committee about the potential impact of the bill on employees?

Dave Watson: Yes. In general, the bill will place a range of different demands on staff in schools. We must recognise that a significant amount of administrative time and effort will be required of school administrative staff, who are not generously provided for in Scotland's schools. Charging for school meals and other food will require the collection of cash, so security will be an issue, especially in the larger schools. There is an issue for classroom assistants in relation to the impact on discipline when pupils do not get the right nutrition. Last—but, by no means least—there are issues for the school meals staff, who care passionately about the service that they deliver and are keen to make progress to provide more nutritious meals to a much larger number of the school population.

George MacBride: The bill will probably have fewer direct impacts on teachers. As Dave Watson said, much of the impact will be on Unison members.

We welcome the proposal that food that is brought into schools should be subject to the same nutritional standards as food that is provided directly at lunch time. However, we would not want our members to be given the role of food police, inspecting pupils' piece boxes every morning. We support the provision, but we hope that it is implemented in ways that are supportive rather than punitive. An important message in the bill should be that staff should be supported as they develop higher nutritional standards in schools.

The Convener: My final question is for Dave Watson. Do you believe that the Executive is aware of Unison's specific concerns about the impact of the bill on employees? Are you in discussions with the Executive about the role of guidance, rather than the provisions in the bill, in addressing some of the issues that you have touched on?

Dave Watson: We have flagged up those issues historically. As I hinted earlier, the level of dialogue on the matter is not as good as it might be. There is a cultural issue in relation to the Education Department's approach to other staff who work in the education service. Frankly, it could be better.

When we deal with these issues, we pull together groups of our members who work in the field and get their understanding of what is happening on the ground. People's experience could be tapped into better at a lower level. I am sure that it is done with the high heid yins in the local authorities. The department is perhaps not so good at tapping into the views of front-line staff who deliver the service.

Patrick Harvie (Glasgow) (Green): Mr MacBride talked in positive terms about health-promoting schools. Can both witnesses talk about either their members' experience of working with health-promoting schools or about the definition of such schools in the bill?

George MacBride: Fundamentally, we strongly welcome the definition in the bill, as we share the broad concept of health promotion. It is not only about physical health, important though that is; it is also about one's emotional, mental and social well-being. In the on-going work on a curriculum for excellence, one of the areas that is being developed is called "health and well-being". We think that that will be central, in educational terms, to the development of health-promoting schools.

We also believe that health-promoting schools are schools that are marked by a culture of openness in which all members of the school community are valued and in which employees take part in the management and direction of the school, which are also open to pupils' views. In that context, we commend the work that is being done under the better behaviour—better learning action plan, which is about developing restorative practices, emotional intelligence, and self-efficacy on the part of pupils, teachers and other staff in schools.

We welcome the broad definition of health-promoting schools in the bill and the statutory requirement for education authorities to promote health in schools.

Dave Watson: We, too, welcome the definition in the bill. We have other members who work in schools, such as school nurses, who have a role in the health-promoting school. We also have a wider membership interest in the area. Many of our members who work in the health service and in community care have an interest in the promotion of health in schools through health promotion staff, and so on.

It is clear that, anecdotally, people would say that a great deal can be done through schools—although I appreciate that there is an issue about people saying that everything can be done through schools. Huge demands are placed on the members of George MacBride's union to do things that may not always seem to be core to school life. We think that the promotion of health is core. In addition to the anecdotal evidence on that from our members, there is evidence such as that from "Eating for Health: a Diet Action Plan for Scotland", the stakeholder work for which said that dealing with obesity through diet was among people's top priorities.

The comments that Harry Burns, Scotland's chief medical officer, made only a few weeks ago highlighted in stark terms some of the issues to do with tackling obesity and, in his report on health economics, Andrew Walker pointed out that the cost to Scotland of obesity was likely to top £170 million. We are not talking just about a matter of money. When such large sums are flagged up, the amounts of money that are needed to ensure wider provision of nutritious school meals pale into insignificance.

10:30

Patrick Harvie: I have a quick supplementary. George MacBride is right to say that it is appropriate that the definition of a health-promoting school is broad, but the definition seems to be extremely broad. The concept of social health and well-being could be taken to mean numerous things. What is your understanding of it?

George MacBride: Our understanding of that would be that not only when they leave school, but as they go through school our young people should be confident, able to interact socially with a wide range of other people and capable of being assertive but not aggressive, and should have developed the social skills that allow them to express themselves orally confidently and effectively. All those areas are part of social confidence. We acknowledge that many youngsters have a wide range of social skills, but may not be aware of them. It is important that we make young people aware of their social skills so that they can build on them and develop them.

Dave Watson: We would largely agree with that. A broad definition—backed up, of course, by flexible guidance—provides a holistic approach.

Christine Grahame (South of Scotland) (SNP): My question fits in with Patrick Harvie's. I have listened carefully to what the witnesses have said about health-promoting schools and have read both their submissions, in which concerns are expressed about the school estate. Both

organisations make the point that it is not just in the older schools, but in the new schools that have been built under public-private partnerships and private finance initiatives that health promotion activities will not be possible because of how the buildings have been built. Unison says that "intervention is needed". Will you expand on that? It seems that buildings' unsuitability might defeat the purpose of the bill.

Dave Watson: Yes. We have highlighted the issue for some time. Older schools had facilities that were designed for the purpose of preparing fresh produce. Best practice has shown that with a dedicated area, a school can do a great deal to make its food attractive and to get pupils to take it up.

One of the problems with PPP schools has been the pressure on costs. There is always an affordability gap between when a scheme is started and when it is finally introduced. The result is that "non-essential" areas tend to get cut back, which often means that areas that are used for food get used for other purposes. Multipurpose areas are not able to provide the same range of facilities and are not designed to cope with the variety of school meal provision that we favour. That is tied into the fact that PFI schemes are usually run on very long contracts. If a school starts messing around with the contract, variation orders are slapped on it by the contractors who provide its services. There is not the flexibility that would be available under traditional public service provision.

George MacBride: I endorse what Dave Watson said and point out to the committee that PPP contracts are so restrictive that even a desire to move one 13A power point necessitates a debate about the lifetime impact that that will have on the building and the cost to the contractor. There have been situations in schools in which a wish to put down a square metre of carpet has been the subject of intense discussion. The system is incredibly rigid. The key issue is that, because of the drive to keep down costs, areas with multipurpose functions are built, with the result that in some new PPP-build schools the dining area is also the school's main thoroughfare for parts of the day and is the place in which events such as school gatherings and assemblies are held. Such a part of the building cannot serve the purpose of a dedicated, attractive area in which to eat one's food. Few of us would want to go to a restaurant or a cafe that was also a thoroughfare.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): People do that all the time in shopping centres—they eat when they are sitting in a thoroughfare. In Cumbernauld, there is a highly successful school that was not built under a PPP

contract and which has a multipurpose space that is used extremely effectively.

My colleagues and I must ask certain questions, and you have given full answers to the first questions that have been asked. It is obvious that you have researched well what the proposed legislation will mean.

You agreed that giving the food and drink nutritional standards a statutory basis would benefit us all, and you have spoken about what is in young people's packed lunch boxes. Should the nutritional standards' coverage be extended so that they cover all food and drink that schools serve?

George MacBride: The short answer is yes. I understand that that is what the bill will do. We are happy to endorse that proposal, provided that things are done in a supportive way. Avoiding conflicts is important.

Dave Watson: I agree. We think that such coverage is vital, particularly in areas in which there have been problems for many years—for example, the provision of inappropriate food as a result of commercial sponsorship has been a difficulty. However, flexibility is important, which is why we think that it is right that the bill does not attempt to define what will be covered in minute detail. The best way of dealing with the matter is by secondary legislation, which will allow flexible guidance to be developed that meets current research standards and takes into account the experience of our members in dealing with such issues.

Cathie Craigie: This morning, the committee held a videoconference with young people who live in a school hostel in Shetland. We were told that four meals a day must be served there and that the proposals should not be too restrictive. Do members of the organisations that you represent work in such situations? Can you say something further about that?

Dave Watson: We have members who are houseparents and members who have similar functions in hospitals, particularly on the islands. I was an officer on Shetland for several years and I dealt with the hostels there. Those hostels provide a different challenge to that which is provided by a traditional school environment—in many ways, the challenges are more akin to those that can arise in social work settings, in which there are issues to do with continuity of care and longer care.

You gave a good example of where there must be flexibility. The bill is flexible in recognising, for example, provision that can be made at school events. One clearly wants to promote healthy eating by people who are in care for long periods, just as parents want their children at home to eat healthily, but there should be a balance. No one

wants to be a food fascist. Schools have a role in developing good practice and in assisting parents to develop it. When children are in educational care for longer periods, it is entirely appropriate to be flexible in order to achieve the right balance.

Cathie Craigie: The committee has pursued with Scottish Executive officials the scope of the bill and the schools that will be covered by it. Currently, the bill covers local authority and grant-aided schools, but Unison's submission suggests that private schools should also be covered. The Scottish Executive has said that private schools do not come within the bill's scope because it is not normal practice for the Executive to impose legislative burdens on the independent sector. Will you say something about that? I am also interested in your views on the effects on the private nursery sector.

Dave Watson: I understand that the provisions will apply only where the state contributes to education. However, we see the bill as predominantly a public health measure and therefore we see no reason why private or independent schools cannot be covered by it. Private clubs are not excluded from the provisions of the Smoking, Health and Social Care (Scotland) Act 2005, for example, and we see no reason for excluding private or independent schools from the provisions of the Schools (Health Promotion and Nutrition) (Scotland) Bill, which is about promoting good practice. We may come on to this later, but the evidence that we have seen indicates that the problem of childhood obesity is not limited to state schools and to the children who attend them. It is an issue for all children, so we see no reason for excluding the paying sector.

George MacBride: Neither do we see any reason for excluding the paying sector. I will make two points. First, SEED is being a little disingenuous when it says that it places no legislative burdens on private schools. A great deal of legislation, including a bill that was passed two years ago, deals specifically with private schooling. Private schools are regulated by law in many ways. Secondly, this year one of the key themes of the Scottish Commission for the Regulation of Care in its inspection of the nursery or pre-five sector, including both the private and public sectors, is healthy eating and nutrition. The precedents exist, and we have no difficulty with the bill being extended to cover the private sector, beyond the very limited coverage that it already provides for places bought by way of private provision by local authorities.

Dave Petrie (Highlands and Islands) (Con): As the good people of Shetland reminded us, the bill is about meals and snacks at school. What benefits will the proposed power for education

authorities to provide snacks at school, either free or at a charge, bring to children?

George MacBride: It will bring very positive benefits. The provision of free fruit in Glasgow primary schools has had a major impact on the attitude of children in many schools towards eating fruit. They eat it with enthusiasm and keenness during the school day. The bill will support practice of that sort. It should also deal with the issue that Dave Watson has raised: the provision in many schools of vending machines that in the recent past have sold—and sometimes still sell—unhealthy food. There is clear financial pressure on schools, because often a profit is made from such machines. We welcome the fact that some authorities, such as Glasgow City Council, have taken steps to remove vending machines that sell high-sugar drinks and snacks and to replace them with machines that sell healthy snacks and fresh water. This is an important power in the bill and is part of a package of measures.

Dave Watson: I agree. There is good practice at the moment—Glasgow City Council is the example that is often cited. Breakfast is a particularly important meal. We should ensure that children have the right nutrition when they start the day. Earlier I hinted at the fact that having the right nutrition in place impacts on issues such as discipline and behaviour in schools. Although there is good practice, the bill clarifies the legal powers that exist and ensures that there is no doubt that local authorities have the power to provide healthy snacks to children. Good practice will spread across Scotland as a result.

Dave Petrie: We have received evidence that when schools try to change over immediately to healthy vending machines, children walk away. Do you think that a gradualist approach should be adopted?

Dave Watson: We had the same experience when people wanted to get our school meals staff to change the culture overnight. The thrust of the bill is not about making a change. We will not have less obese children and better nutritional standards overnight just because we pass legislation. We must recognise that we are in the business of culture change. The experience on the ground is that when we change things gradually, we get people used to a different way of working. The evidence demonstrates that the changeover period has been successful.

George MacBride: Experience shows that it is important to encourage people and to give them rewards, not just sanctions. We must build in reward schemes, so that youngsters who eat a healthy diet are rewarded for doing so, until it becomes part of their normal culture.

Dave Petrie: Are there practical and staff resource issues that education authorities may face if they seek to make full use of the power? I am thinking of issues such as the need to extend the school day so that kids can come in for breakfast, the need for extra catering staff, and the safe storage of food.

10:45

Dave Watson: There is no getting away from the fact that providing nutritious food in schools at different times of the day raises staffing issues. The cost of that falls on local authorities. As members will be aware from other evidence that has been given, local authorities rightly feel that their budgets are under considerable pressure. One thing to highlight is the fact that many of the Scottish Executive initiatives come with short-term funding, which is fine because it enables some innovative developments. However, once that short-term period has passed, there is a need to ensure that, if an initiative is working, the funding for it is continued. So if the initiative is seen to be good—and healthy eating is a good initiative—the Executive must ensure that long-term funding is put in place so that schools can respond to that change over a long term.

George MacBride: We endorse that, but I stress that school meals staff do a heroic job with very limited budgets for the amount of food they have to provide. They work creatively with those budgets. The whole school meals service is underfunded, and that needs to be addressed.

Scott Barrie (Dunfermline West) (Lab): Before I ask my questions, I draw the committee's attention to my entry in the register of interests and my membership of Unison.

Do you think that the proposed duty on education authorities to promote school lunches will result in an increased uptake, or have other competing pressures resulted in a reduction in uptake during the past few years, especially in secondary schools?

George MacBride: There are competing pressures. We agree that there should be a duty on education authorities to increase the uptake of school lunches. Our written evidence proposes a couple of ways in which that could be done. One way might be not through the bill, but through Parliament and the Executive investigating the role of planning or licensing legislation and restricting junk food outlets—I stress that I am saying “junk food” and not “fast food”—in the immediate vicinity of schools, or stopping them from operating during school meal times.

The EIS is committed to free school meals for all. We realise that that is not part of the bill, but we propose that to encourage healthy eating

habits, serious consideration should be given to providing free school meals, at least for all younger primary-aged children—perhaps up to primary 3. That would be one way of encouraging youngsters into the healthy-eating culture.

There is a whole culture outside of school—television and other forms of advertising, and free offers from junk food outlets, for example—that encourages youngsters to adopt unhealthy eating habits. That culture lies outwith the powers of the Parliament, but it requires to be seriously addressed at a UK level.

Dave Watson: We agree that the issue needs to be put in its wider context, and I entirely agree with the EIS's position on junk food vans; there are areas of licensing that might be used to do something about that.

We can have initiatives, give encouragement and send out guidance notes, but if there is a duty on a senior person in a local authority, or any organisation, to do something, they will take it much more seriously. It will move higher up the batting order of the issues that they will address. A duty to promote school meals will focus the issue of resources and the outcomes that the policy is intended to address. To touch on an earlier point, if there were a duty to promote school lunches, then perhaps some of the cutbacks on design specifications for PPP schools in particular—and for conventionally built schools, I accept that—would be rethought. So many schools have been built that way that there is a tendency to build to a bog-standard school design. The Commission for Architecture and the Built Environment and others have commented on the poor design of schools, particularly as a result of PPP schemes. Inevitably, that passes over into conventional design as well and schemes are just pulled off the shelf. A duty to promote school lunches would ensure that suitable facilities were higher up the design specification.

Scott Barrie: A number of questions follow on from what the witnesses have said. Mr MacBride made the point about junk food vans; the committee has a lot of sympathy with the idea of getting them out of the vicinity of schools. While I was visiting schools in my constituency and other parts of Scotland, it struck me that some young people will walk a considerable distance out of school to obtain food from another place. The problem is not just the van outside; people are prepared to walk pretty far. They may be entitled to a free school meal, but they choose not to have it. How we can break that? We cannot shut every retail unit in the vicinity that sells food. Are there any examples of initiatives to encourage young people to remain in school for lunch that could be followed throughout Scotland?

George MacBride: There is no one answer to that; if there were a magic answer, presumably

someone would have thought of it already. The process is incremental: first, one has to start by ensuring that the locus in which school meals are eaten is attractive. Some schools and education authorities have done a lot of work to make those areas more attractive through the furnishings, the provision of plasma screens and background music and so on. A second important aspect is creating a pleasant culture and atmosphere in the school dining room. Issues that can be dealt with include plants, the ways in which youngsters are brought into the area, and systems to avoid long queues, which can make people impatient. There are important aspects of staff training to ensure that dining rooms are welcoming areas. I repeat that the quality of service that is provided by dining room staff in this country is exceptionally high.

Furthermore, there is the possibility of incentive schemes to reward youngsters for healthy eating. Many such schemes have costs, but they are fairly small, and it is a case of progressing bit by bit. There are things that can be done in the curriculum to help youngsters to understand the importance of healthy eating and to encourage them to develop the skill of preparing healthy food. Many of those aspects are being worked on, but the process is slow. I have a strong feeling about that, having asked probably thousands of children, "Why were you late back from dinner?" only to be told that they have been at the chip shop.

Dave Watson: Many initiatives have been tried in that area, a lot of which have tended to focus on the marketing approach. They are important, but as George MacBride said, the approach has to be introduced into the whole life of the school. It is not just a case of, "That would be something nice to do. Let's have some clever marketing ploys." We have offered iPods in Glasgow and other such initiatives. They are worth while, and we should always be trying further ones, but they have had limited success.

Evidence from surveys, such as the Young Scot survey, which was highlighted in the policy memorandum, is a bit disappointing. We might say, "That's a bit discouraging. We're not really getting there"—although the numbers were not quite as bad as we might have expected them to be. The key point is to start early. That is why nurseries and primary schools are particularly important. If we get it right there, we start to change the culture. Parachuting in at secondary school level will not deliver that. We have to recognise that we are in for the long haul. If we have a holistic approach throughout public policy in this field, we have a chance of making progress in five, 10 or 15 years' time. If we do not do that, the cost to the state in 20 or 30 years' time will be massive.

Scott Barrie: Both witnesses have talked about the physical constraints in schools, irrespective of the construction method. I do not think that I have been into a single primary school, including the primary school that I attended, in which the gym hall does not double up as the dining hall—that is how our primary schools have been built. Given the physical constraints, in both the design of the building and the schools' staffing resources, do we have the capacity—particularly in secondary schools—for a massive increase in the uptake of school lunches?

George MacBride: Some schools would find a massive increase extremely difficult. Schools would have to consider timetabling, so that there was more than one dinner session. Otherwise, they would have the problem—which is certainly off-putting for some youngsters—of massive queues building up and folk thinking, "I'm not going to stand at the back of this. I'm off to get something somewhere else." That would impact on the organisation of the school. Although I do not know of any cases in Scotland, some schools in England operate timetables that allow for two or even three different dinner sittings. That is a practical issue to investigate rather than one of principle.

Dave Watson: I agree. Physical capacity is important, but we need to address other capacity issues. One such issue that is close to our heart is the training of school meals staff. There have been some good initiatives, but it was admitted in the initial evaluation of hungry for success that the training of such staff had not been as successful as people would have liked and that not enough effort had been made. Our members are passionate about improving training and standards. There is great willingness to do that and we hope that the bill will place more emphasis on addressing that capacity issue.

Patrick Harvie: Mr MacBride made a point about restrictions on the sale of junk food in the zone around schools. Unison also supported that idea in its written submission. Does that not sit a bit uneasily with the incremental culture change in schools about which Mr Watson spoke? Rather than local authorities banning food vans, should we not encourage them to work with those businesses to try to get them to improve what they are doing? One local authority to which we spoke earlier this week plans to approach such vans and offer the employees training as a foot in the door to having a relationship that will help to encourage the vans to offer healthier choices.

George MacBride: That would be a helpful initiative. When we raised the issue previously, we said that it was for further discussion, debate and investigation. If what you suggest is a way into dealing with the matter and it leads to

improvements, we would be happy for it to be followed up.

Dave Watson: Scott Barrie made the point earlier that even if junk food vans were not outside schools, pupils would go further afield. Banning vans from operating outside schools is a limited measure, but it should be part of a series of measures to incentivise the uptake of school meals and nutritious food in schools. That would not be going over the top. We should take measures to deal with not just the vans, but the other food outlets in the area. Pupils do not just go to the chip shop; they go to the cake shops and many others.

We need to take a broader view, talk to the shop owners and perhaps get some of our health promotion people to work in the area in partnership with the health board. There was even talk in one area about incentivising local outlets to market to school kids. We have to recognise that we make it easy for pupils to pop outside the school gate and buy junk food. There must be a more vigorous response. That is why introducing licensing would be a better way of dealing with the situation.

Dave Petrie: On a point of information, I declare an interest as a member of the Educational Institute of Scotland.

Tricia Marwick (Mid Scotland and Fife) (SNP): I note the witnesses' position on free school meals, about which one of my colleagues will ask them specifically in a moment. My question is about the proposed duty on education authorities to ensure that the identity of pupils who receive free school meals is protected. Will that have any impact on increasing the uptake of free school meals by pupils who are entitled to them?

George MacBride: I am not sure that having such a duty will lead to an increase in uptake. One would hope so and it is a necessary condition to increase uptake, but I am not sure whether it is sufficient. Even if it does not lead to an increase in uptake, pupils have a right to anonymity. Education authorities and schools on their behalf must develop anonymous systems. Large secondary schools in large authority areas have been provided with such systems that operate effectively and efficiently and they ensure the anonymity of youngsters. I am not sure that that is the case in smaller schools, or that it is as easy to organise in smaller schools, but we endorse whole-heartedly the principle of anonymity. If anonymity increases uptake that is a benefit, but it is a right in itself.

11:00

Dave Watson: I agree. We think that it is necessary to introduce a duty in that area. You will

hear evidence that supports a voluntary approach, but statistics show that 71 per cent of secondary schools and only 40 per cent of primary schools have introduced anonymised systems for free school meals. Some might say that that is still a lot of schools, but it means that three out of 10 secondary schools and six out of 10 primary schools do not have those systems.

I know that it is a few years ago now, but I can certainly remember how, when I was at school, those who got free school meals faced difficulties and were stigmatised. I believe that, by placing a duty on schools to introduce such systems, we will achieve very close to 100 per cent, if not 100 per cent, take-up, which is certainly better than the current position.

Tricia Marwick: Mr MacBride said that some schools have introduced effective systems. Can you highlight any other evidence of good practice?

George MacBride: It might be invidious for me to refer only to Glasgow but, having been employed there until recently, I know it best of the 32 local authorities. The fuel zone system in Glasgow secondary schools ensures complete anonymity because pupils use the same card to pay for food at playtimes and intervals—if they have money to do so—and to get a free meal. Moreover, for people who are concerned about such matters, it is extremely difficult to use the system fraudulently. The software that supports the system might be fairly crude, but it guarantees anonymity and gives youngsters flexibility.

Dave Watson: I can point to certain cashless and ticket-based systems that have been introduced. However, they are not cost-free options. Our members, presumably, will have to administer such systems, which involves significant time and cost burdens and means that other things in the school simply do not get done.

When we asked members who administer the systems whether they really work, they said that, although different systems are available, the fact is that kids still know who gets free school meals. It is not always clear how they know—I have heard, for example, that kids see that those who get free school meals always have the same amount of money on their cards—but the fact is that they know.

The issue of stigma is important but, from what our members have said, its impact seems to vary in different areas of the country. You might think, for instance, that the stigma attached to free school meals would be less in a school in which many pupils received them than in a school in which fewer pupils qualified. We have not conducted any detailed research on that matter, but the members whom we brought together to discuss it did not always feel that that was the

case. However, they acknowledged that the kids always seemed to find out who was getting free school meals.

We take more of a public health approach to this issue. We do not have any simple solutions, but we know that, whatever system is put in place, stigma will remain a factor.

Dave Petrie: A recent television report highlighted the use of palm-print identification, particularly for primary schoolchildren, who might well lose their cards. What are your views on such a proposal?

George MacBride: I am not happy about going down such a route. Instead, we should put in place fallback systems and teach youngsters—who will, after all, lose their cards from time to time—how to be accountable. Palm-print or fingerprint recognition has also been proposed for library borrowing in schools, but I believe that, as far as the broad health-promoting schools concept is concerned, making everyone look like a suspect would not be a healthy move.

Dave Watson: I agree.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I have lost my card on several occasions.

John Home Robertson (East Lothian) (Lab): But you are a suspect, Jamie.

Mr Stone: My questions are mostly for Dave Watson. Why do you support universal free school meal provision, given the cost implications and the Executive's strong argument that resources can be more effectively used by targeting the children and families who are most in need?

Dave Watson: The debate boils down to where we are on the spectrum between universal and targeted provision. You will not be surprised to learn that Unison tends to favour universal provision—for free school meals, for prescription charges and for many other things. I accept that it is outwith the remit of the Communities Committee—and, in fact, of the Parliament—but resource issues could be addressed through the tax system.

No one takes an absolute position on universal and targeted provision. The Scottish Executive does not take an absolute position, although there is universal provision of eye and dental checks, and other recent initiatives are clearly universal. A judgment has to be made in each case on whether there is more benefit in universal or targeted provision. On the issue of school meals, we argue that the argument in favour of universal provision is stronger.

In our written evidence, we talk about our colleagues in Hull City Council. I accept that Hull is

just one city, but it has done a lot of work in this area. We have had the benefit of reading the academic reports and of talking to our members who have been involved in the work. Some of that work is yet to be published; it will be helpful when it is.

The Hull experience is mightily impressive. Whatever your views on the merits of free school meals, the work that was done in Hull has succeeded in increasing the take-up of nutritious school meals. That is not because there is something unique about Hull; there is nothing about the sea air or the fishing industry that might lead Hull to have amazing results. Those results have come not just through the provision of free school meals but through the holistic concept of the eat well do well initiative. The average take-up is 60 per cent, but some schools have achieved 98 per cent—particularly schools that have real problems in relation to diet. We are passionate about the work that has been done in Hull.

Our members in Hull tell us—this has probably yet to be published—that poor nutrition is widespread and is not limited to areas of social deprivation. The importance of tackling obesity and providing good nutrition crosses the socioeconomic groups, although there are bigger challenges in some socioeconomic groups than in others.

The Executive is unlikely to do a U-turn on free school meals, although we wish that it would. I suspect that it is also unlikely that the committee will go down that road. That is why we suggest in our evidence that you might seriously consider at least giving local authorities the power to provide free school meals. That has been proposed in English legislation and I fail to see why we cannot do the same in Scotland.

There is a new minister now, but I suspect that the previous Minister for Education and Young People was less than enthusiastic because of concerns that, once people had been given the power, they would want money to implement it. I understand the realpolitik, but the answer is to try some pilots in Scotland. If we give local authorities the power and then fund some pilot schemes in a range of local authorities—or even parts of local authorities—we will be able to do our own research. That would let us know whether we had got the balance right between the costs of free school meals—I accept that those costs will not be insignificant—and the long-term health benefits. We think that the investment would be worth making.

Mr Stone: I think that my second question has been covered. The Hull experience is interesting. If I understand correctly, what you are saying is that the rich simply eat more chips than the poor.

Dave Watson: Well, no—but there does not seem to be a huge difference across the different groups. Obesity problems may apply to different extents, but they apply across the board. We have to address the problems for all kids, not just those from certain socioeconomic groups.

Frances Curran (West of Scotland) (SSP): I had three questions, but Dave Watson has just answered two of them.

The Convener: That is good, because I must remind everyone that the witnesses are going to the Education Committee as well, so we have only got until 11.30.

Frances Curran: I will be quick.

I do not know whether the witnesses are aware that the Communities Committee has decided not to take evidence on my Education (School Meals etc) (Scotland) Bill. That decision kills the bill, but it does not take the issue off the legislative agenda. It is disappointing, because the consultation on my bill received considerably more responses than the Executive's bill received.

The Convener: We welcome your attendance and participation at the committee, but I ask that you restrict your comments to asking questions.

Frances Curran: Dave Watson has answered the question about Unison's support for free school meals. My other question is about procurement. How should local authorities go about procurement? For example, are you aware that in Rome the procurement arrangements mean that most of the food that comes into schools for school meals comes from within 30 miles of the school? You mentioned private sector contracts. How would we tackle the issue in relation both to the Executive's bill and to the circumstances that would have prevailed under my bill?

Dave Watson: Procurement is an important issue, which I hope that the committee takes on board, whatever its views are on other issues. There are some good examples of best practice. It is always invidious to pick out one local authority, but members may have seen some of the work that has been done by East Ayrshire Council.

The Convener: Some committee members visited East Ayrshire on Monday and saw the excellent work that the council is doing.

Dave Watson: We flag up that council's work as an excellent example. In our submission, we also highlight the work that has been done by WWF, which showed that there can be an impressive 40 per cent reduction in the ecological footprint of school food when we get procurement right. We emphasise to the Executive that while the McClelland report and other procurement initiatives are fine, there is a risk that they will drive centralised procurement to make savings. Local

procurement has merit in both supporting communities and addressing environmental impacts. Getting children in schools involved in procurement issues also brings to their attention the importance of addressing the ecological footprint and environmental issues.

George MacBride: We endorse that position. The first criterion to be addressed is that of the nutritional quality of the food, but once a number of suppliers can meet the appropriate nutritional standards, positive weighting can be given to those that are local, those that supply ethically traded produce, those that are environmentally sound and those that are not wasteful in their use of packaging. Positive weighting should be given to all those factors to balance the issues of cost.

The Convener: That concludes our questions. We have covered our lines of questioning, but if you can think of any relevant subject areas that have not been covered you may raise them with us now. If you cannot think of any now but do so later, by all means feel free to write to us and we will consider your subsequent written evidence.

Dave Watson: I think that we have covered everything.

The Convener: That is helpful.

I suspend the meeting briefly so that the witnesses can move to the Education Committee for their next evidence session and our new panel can join us.

11:13

Meeting suspended.

11:15

On resuming—

The Convener: I welcome our second panel of witnesses, who represent the Convention of Scottish Local Authorities. We are joined by Councillor Charles Gray of North Lanarkshire Council, who is COSLA's education spokesperson, Councillor John McGinty, Michael O'Neill and Robert Nicol. I thank them for coming.

Did the Scottish Executive consult appropriately on the legislative proposals that are before the committee?

Councillor Charles Gray (Convention of Scottish Local Authorities): As we told the Finance Committee, the consultation was appropriate. The process was a bit short, but that does not bother us, because the bill follows on successfully from and is akin to the hungry for success policy, which was adopted some time ago. Progress so far has been reasonably good. We support the bill, which recommends and will

put on a statutory basis many of the measures that we have successfully introduced.

The Convener: The witness from Unison on the previous panel highlighted the organisation's concerns about the consultation. He said that when the Executive consults on education matters, it predominantly consults teaching staff and does not always consider other staff in the school setting. As local authorities are responsible for the direct delivery of education and for the wider provision of services in schools, do you believe that all the relevant matters were consulted on sufficiently?

Councillor Gray: I would say so. I cannot speak for every local authority in Scotland, but that has been the case in my authority. Inspectors from the catering department carry out quarterly visits to schools to check up on efficiency and the quality of the meals. Head teachers and other members of staff who are involved in the provision of meals write a one or two-page report that is returned to the resource sub-committee in our education department, to ensure that the quality, quantity and timekeeping of the meals have been right.

The Convener: The hungry for success programme is being implemented in Scotland's schools, but the bill will put that programme on a statutory footing. Is that the appropriate approach?

Councillor Gray: It has got to be, now that the bill is halfway through the process, and we have said that we will support it. It is good that the bill will give a legal basis for some of the hungry for success measures. However, we seek flexibility to allow in certain circumstances for the phasing in of provisions, particularly those that do not necessarily go in the same direction as the hungry for success programme, such as those on sweets and fizzy drinks. A fair amount of income is derived from the sale of such items in schools, so we must act sensibly and look for alternatives. We expect the programme of elimination of such items in schools to be phased in.

Patrick Harvie: I have some questions on the aspect of the bill that deals with schools and hospitals becoming health promoting. What is your current experience of the concept of health-promoting schools? Will putting that concept on a statutory basis be a positive move? Will it bring any advantages over the current situation?

Councillor Gray: My colleagues may want to add to my answer. We believe that it is right to have a statutory basis. Every authority in Scotland accepts the policy of health promotion for schools. Some are doing that more or better than others, but implementation of the bill would be most helpful.

Councillor John McGinty (Convention of Scottish Local Authorities): Health-promoting

schools have been an effective and positive initiative. In our council area, the initiative has been embraced by all our schools and we have aimed to embed it in the curriculum in West Lothian's education structure. For example, it features in our local improvement plan, which allows an update and a report to be given on progress. The practical experience of health-promoting schools has been positive.

Michael O'Neill (Convention of Scottish Local Authorities): Perhaps I, too, should declare an interest, as members did earlier, as I chaired the expert panel on school meals that produced "Hungry for Success: A Whole School Approach to School Meals in Scotland", so I have a vested interest in ensuring that it works. If it does not, I will certainly be in trouble in North Lanarkshire.

The panel that I chaired debated long and hard a recommendation about statutory provision. Ultimately, the decision not to make a recommendation revolved around the fear that legislation is sometimes by its nature so prescriptive that it leads to difficulties. The report's purpose was to ensure that all schools had nutrient standards and delivered them. That is perhaps better achieved through an inspection of schools by Her Majesty's Inspectorate of Education and guidance, but we understood that a statutory basis provides a status that recognises the initiative's importance, so the point was moot.

Health-promoting schools have been a successful initiative around the country. One of the early stumbling blocks was a reluctance to create a national award. In my area, North Lanarkshire Council and South Lanarkshire Council together with NHS Lanarkshire created a health-promoting schools award when none existed nationally and pressed for a national award. We are pleased that we have a national framework that accredits local awards, so that schools around the country that achieve health-promoting status know that they do so within a recognised framework that is the same whether they happen to be in Orkney or Dumfries and Galloway. That has encouraged schools to go down that line.

Health-promoting schools sit comfortably with all the initiatives on healthy lifestyles and healthy eating. The eco-schools initiative is also often involved. I will give an example of the numbers. My authority has 168 schools, all of which are registered to be health promoting, and 144 have a bronze certificate, of which 70 also have a silver certificate and 11 also have a gold certificate. We expect all the schools to have at least a bronze certificate in the next few months. I suspect that the situation is not dissimilar around the country.

Our concern is that the health-promoting schools initiative involves only schools and does not include nurseries and early years services.

Nursery schools are of course not schools, because statutory provision starts at the age of five. I am sure that all authorities are investing in nurseries, but any funding allocation for health-promoting schools is technically not available for use in nurseries.

In North Lanarkshire, we have created a health-promoting nurseries award—which mirrors that for health-promoting schools—for council nurseries and partnership nurseries. They are embracing that with vigour. We have also extended free fruit provision, which is another initiative that is funded for schools, into nurseries. In the interest of having an integrated service for children from three to 18, a recognition that we are talking about more coherent provision from the early years through to secondary school up to the age of 18 might help to remove that slight anomaly.

Christine Grahame: I will ask the same question as I asked of the representatives of Unison and the EIS about the school estate; I do not know whether you heard their evidence. Your submission says:

"Although all local authorities work within the framework of *Hungry for Success*, the consequences of implementing the Bill and therefore its costs will depend largely on local factors, such as the school estate and the community served."

I will focus on the school estate and not just on older buildings but on new build, particularly under PPP/PFI. Did you hear Unison's evidence?

Councillor Gray: Some of it.

Christine Grahame: Did you hear the evidence about the school estate?

Councillor Gray: Yes.

Christine Grahame: The evidence from Unison seemed to be that costs often dictate the building of schools and whether they use multipurpose areas, which would work against having attractive dining and snack areas—I hope that I am paraphrasing properly. The EIS gave pretty well the same evidence. Will you comment on that? Is joined-up working going on to ensure that the schools that are being built are healthy?

Councillor Gray: Joined-up working certainly might have taken place between the two unions, but I am not sure whether what they said was wholly accurate. My authority is building 26 new schools under the PPP arrangements. We have concentrated on the facilities that youngsters will enjoy when they eat lunch. In new schools, the number of kids who take lunch has improved.

The previous panel was probably right to say that something might have to be done about older buildings if the promotion of school meals leads to a remarkable increase in the number of youngsters who take the meals, but I am quite

sure that the increase will not be so great as to defeat the purpose of the exercise. Michael O'Neill might be able to give you more technical information on that, but I am fairly confident that we could manage the programme without too much expense.

Michael O'Neill: A number of issues will be of interest to the committee. My colleagues in various parts of the country, not least North Lanarkshire, have made me aware of schemes that are under way, and I am also aware of what is happening in other parts of the country in my capacity as a member of the executive of the Association of Directors of Education Scotland. It is probably fair to say that a focus on the nature of the dining hall has been important in all the schemes for school rebuilding. I heard what George MacBride had to say, and I agreed with much of it. As I learned when I chaired the expert panel, for the most part the reason for the lower uptake of meals in secondary schools has nothing to do with stigma; it is simply to do with adolescence. Fifteen-year-olds want to get out of the school; they do not want to be regimented.

Much of the new school design that I have seen, including some in Edinburgh, is about creating an area to eat lunch in where the tables are rectangular, not square, and where there are little cafe bar areas where pupils sit on higher stools and can order their food in a different way. That makes lunch time a different experience, with a plasma television in the room, and so on. In all the new build schools that I have looked at, a key part of the design specification has been to make the dining area more friendly to young people, to make them want to be there. Different authorities may do that in different ways, and I could not comment on that, but it has certainly been a key part of the brief.

There has been an interesting development in my authority. I heard the comment about games halls in primary schools doubling up as dining rooms. That is certainly not an issue for us in our new builds, because one of the benefits of our joint-campus approach has been the ability to provide a separate dining area. If two small schools, each with a couple of hundred pupils, come together, you can provide a separate games hall and a separate dining area, and avoid the problems of having to do physical education with the benches around the side of the room, which are then put down for lunches. That is one benefit of the new approach.

The second interesting benefit is that smaller schools tend not to have cooking kitchens. The food is brought in, which makes it less appetising, as I am sure members have heard. Joint campuses, because of their size, now have cooking kitchens, and the heads of those schools

tell me that uptake has gone up. In the old schools, pupils said that they did not like the food or that the kitchen ran out of what they wanted, but if the cooking is done on site, the kitchen staff can respond to what pupils want and cater accordingly. My experience of the new schools that have been built around the country is that improving the dinner hall area has been a key part of the specification, which has had advantages for some of the buildings.

Christine Grahame: It is interesting to hear that, because we have been hearing conflicting evidence and I think that I will have to investigate the issue further. Do all the members of the panel agree with Mr O'Neill's view?

Councillor McGinty: In relation to our local provision, I would echo what Mr McNeill said. In refurbishing and improving, or rebuilding, our schools, we aim to ensure that they are fit for purpose and that we can adequately accommodate the young people who will learn and receive their education there. We also aim to improve their experience of dining, if that can be achieved. Two schools in our council area will be rebuilt and we know that, because of population growth, we will probably have to build another two or three secondary schools in the next 10 to 15 years. That provides an opportunity to consider the dining experience for young people. Mr O'Neill referred to the cultural aspect and why children stay in or go out of schools, and the rebuilding programme gives us the opportunity to address those issues. We can take away some of the regimentation and make the experience much more attractive for children who have lunch in school.

Frances Curran: We have been talking about the policy to drive up school meals uptake. I do not think that there are any specific targets or statutory guidelines, but what level of uptake of school meals would you be happy to see, given the issues that have been raised, particularly by the expert panel?

11:30

Michael O'Neill: That is an interesting question. COSLA has made a plea about not setting targets. In Scotland, we have a habit of setting targets, which can become inappropriate and so do not drive the agenda. I am not sure that we want targets for uptake; the challenge is to get young people to eat more healthily. A child does not have to have a school dinner to do that; they can bring a packed lunch to school—there is nothing wrong with that. In North Lanarkshire, in conjunction with local industry—the EIS has also been doing work on this—we produced a healthy packed lunch leaflet to ensure that parents understand. Part of the problem of overcrowding can be solved by fifth

and sixth-year pupils pre-ordering meals and eating them in their common rooms or bringing packed lunches. The issue is not the uptake of school meals; it is about pupils eating healthily, recognising that that can happen in a number of different ways and at a number of different times.

The dinner hall is obviously a large part of that, but a larger part is the school as an entity. When we took evidence for hungry for success from parents up and down the country, they wanted their youngsters to take a packed lunch for a variety of reasons, including family reasons and the fact that the child was a picky eater and would not eat this or that, no matter what. Part of our challenge is to ensure that there are nutrient standards or guidance for packed lunches. That might be part of the solution.

The target should be for all young people to eat healthily, and action should be focused partly on the dinner hall, partly on breakfast clubs and partly on packed lunches. As somebody suggested, it might even focus on local suppliers. For 15 years, I taught in a school in Glasgow that was 500yd from Paisley Road West, which had a Tesco, a McHarg's and other food suppliers on it. In those days, the local bakers were supplying healthier food than the school. Times have perhaps changed, but that is an issue. The target should be healthy eating for all youngsters through a combination of what is supplied in the schools, healthy packed lunches and what is sold by suppliers outwith the schools.

Cathie Craigie: Councillor Gray will be pleased to know that, just before he came in, I stood up for schools in North Lanarkshire and pointed out the benefits of the joint campuses and dining facilities. I am glad that he was able to back that up.

Councillor Gray: There was no collusion.

Cathie Craigie: Let us move on to the provisions on nutritional standards. COSLA's submission states that you were only recently provided with a copy of the nutritional standards and so were unable to comment on them in any detail. Do you perceive any benefits to giving the nutritional standards a statutory basis?

Councillor Gray: In fact, the standards knit very well with the current provision of lunches under the hungry for success/healthy eating agenda. The situation might be slightly different for snacks and breakfast clubs. We find that the provision of breakfast can be expensive, but we are doing it all the same. It is a pretty plain meal, so we have no great concern about that. Not every school in every authority is managing to do that, but we are making progress and there is an increase in the provision of breakfast.

I mentioned earlier the supply of fizzy drinks, sugary sweets and stuff like that. I hope that,

instead of authorities and schools being hide bound by the standards, they will get the chance to phase out such snacks and replace them with things that might be more attractive to the kids, such as flavoured water. There is some sugar in that, but it is more attractive to kids than having to drink nothing but water.

Cathie Craigie: Does anyone else have a comment on that?

Michael O'Neill: I repeat what I said earlier. COSLA's view is that the nutritional standards are not much different from the nutrient standards in "Hungry for Success", which is to be welcomed. Scotland was well ahead of the game when we launched "Hungry for Success", which set standards that were much better than those south of the border, before Jamie Oliver started his campaign. For our country, there is something symbolic about having those standards embedded in statute; it sends out a signal. It is a symbolic gesture that is worth making rather than a practical measure—although, in practice, the standards will be used in schools and will be inspected and commented on. Their being in statute will perhaps help that.

The only worry that the expert panel had is that if the standards are put in statute, in a few years' time a parent might complain that there was X amount of salt too much in a portion of food that their child was given, so they are going to sue the council. The nature of the world is such that if something is laid out in statute, people want things to be as the statute says. It is difficult to phrase fair and open legislation that is not open to being misinterpreted or misused. That is the danger of putting the standards in the bill rather than in guidance. Ultimately, however, there is a symbolic value to their inclusion in legislation, apart from the practical, operational one.

Cathie Craigie: Michael O'Neill must have been speaking to Moira at St Patrick's primary school. The other day, she said that the school was providing healthy meals long before Jamie Oliver was on the television.

The Executive's expert working group made recommendations on the nutritional standards. Do you have any comments to make on those?

Michael O'Neill: When I chaired the expert panel, I said that my expertise did not stretch to that. The panel comprised dieticians, researchers and people who knew a lot more about that. Colleagues such as Fergus Chambers, who appeared before the Finance Committee recently, were also there.

Colleagues who are experts on the standards advise me that they are content with them and that they are very similar to the standards in "Hungry for Success". Those standards were based on

previous standards that had been around for a while and were considered appropriate. When the document was launched, the discussion was about bigger portions, different content and the fact that it was, and is, more expensive to provide healthy meals than to provide—so to speak—unhealthy ones. However, the funding from the Executive to do that has been in place for a couple of years. As long as that remains in place, we will be able to fund school meals with a healthier content.

Councillor Gray: It is worth noting the alacrity with which local authorities and schools responded to “Hungry for Success” and the promotion of healthy eating in schools. It would be fairly easy to allow a degree of flexibility on some of the things in the bill that have been talked about; schools would not have to be hide bound by the standards. If there was some flexibility, the alacrity and enthusiasm would not wane.

Cathie Craigie: COSLA’s submission suggests that the introduction of healthy snacks and drinks should be phased to reduce the risk of young people going to the chip shop, the baker’s or corner shops to spend their money. There seems to be a lot of sympathy for that. If you have not had the opportunity to consider the recommendations in detail, we would be happy to hear from you in writing, but do you think that the proposals on phasing get it right?

Michael O’Neill: Yes. The phasing seems reasonably appropriate. The issue for schools, rather than authorities, will be twofold. First, they will not want to drive young people out of school. The argument is that if we want to create healthy lifestyles and encourage young people to choose to eat healthily, they need to be in school. The first thing is to keep them in school to attempt to help them. If they leave school to buy things outside, we have lost them. That is an argument for a phased approach.

Secondly—you will see this in COSLA’s submission—in some schools, a significant amount of money is made from selling snacks and drinks. People might not approve of that, but it can create £13,000 a year for a school, which is used to pay for school trips. If the money was not there and the children did not get school trips, that would be an issue for parents. A phased approach would allow a school to phase in the loss of cash and build in other things so that there is no such fall-out with parents or others.

The tendency around the country has been for authorities to begin to install healthy vending machines, which contain water, alongside the other vending machines and slowly to phase out the other machines, so that over time the healthy machines replace the other ones. The committee will be aware that, in North Lanarkshire, we

launched water bottles and free water in schools. In the schools that I go round now, that has become a way of life. Four years ago, when we started that initiative, teachers said that it would never work, that there would be water all over the place and that the pupils would throw bottles at each other and put vodka in the bottles rather than water. However, it has just been accepted in schools, and I detect that young people now find water cool—I mean not that the water is cool, but that it is cool to drink water. That is part of a trend.

Tricia Marwick: I hope that it is cool. I remember warm school milk.

Michael O’Neill: I remember that, too. The water is chilled.

Young people now view water as something that they want to drink. The phasing out of fizzy-drink machines and the phasing in of water are working very well. Given the deadline of 2009, we have a few years in which to complete that. That will minimise the impact of youngsters leaving the schools and the financial issues, and it will provide on-going encouragement to buy healthy drinks. As Councillor Gray said—and the expert panel agreed—although there might be health issues about flavoured water, it is a stepping stone away from fizzy drinks and towards water, so let us live in the real world of youngsters and go for it. The initiative in North Lanarkshire has been very successful.

Councillor McGinty: I would certainly endorse the phased approach as a way of assisting a change in culture. It is interesting that the background paperwork emphasises the need to give young people choice. We must also recognise that we need to make an impact on their dietary choices by bringing about a cultural change in the choices that they make. The phased approach that has been described, whereby machines gradually convert from one type of product to another, will have more chance of success and will be more effective at capturing young people and ensuring that they make the healthy choice. At the end of the day, that is what we are trying to promote.

Tricia Marwick: On that point about vending machines, I see that the COSLA submission states:

“One local authority indicated that vending machines contribute 13% (£500,000) of the income generated by the school catering service”.

That is an absolutely phenomenal amount of money. Is that figure typical of local authorities throughout Scotland? Does the 13 per cent figure give an accurate reflection of the impact of removing vending machines or changing them overnight?

Michael O'Neill: The position will vary from council to council. The issue is perhaps complicated by the fact that the vending machine sits alongside the school tuck shop. I appreciate that there is a difference between the two things, but schools have always run tuck shops, which also provide money for the school. Some schools might have no vending machines because they have a tuck shop instead, whereas other schools might have no tuck shop but have vending machines. Many local authorities throughout the country have offered to take over the school tuck shop to turn it into a healthy tuck shop. In the schools that already have healthy tuck shops, the financial impact of the bill will be minimised because youngsters already buy healthy foods such as grain bars, Nutribars, water and fruit either from the tuck shop or from the vending machines.

The amount of money that is involved will vary. I do not imagine that great sums of money will be involved for Clackmannanshire Council, which has only three secondary schools, but the sums involved might be greater for Glasgow City Council, which has 31 secondary schools. School population and school size are a factor. Some schools introduced vending machines as a money raiser, but that did not happen in all schools, so the effect will also depend on that. Some of those decisions were school decisions. It should be remembered that vending machines in schools were installed not by local authorities but by head teachers, parent groups or school boards, which chose years ago to install the machines as a way of raising money for school funds. The more vending machines that a school has, the greater the loss that it will experience; the fewer machines that it has, the less that loss will be. I suspect that the picture around the country will vary depending on individual schools' decisions about how many machines to have and on how they deal with the issue. Our submission makes the general point that a significant loss of income will result for individual schools—particularly secondary schools—that have been generating money through that system for many years.

Schools are up for the proposed change. They are not saying that they do not want the change and they recognise the health issues, but they want the proposal to be phased in so that they can find alternative ways of raising money. As Councillor Gray mentioned, schools in our authority area have created their own branded water that they sell and make money from. Members might recall the publicity about the school that introduced unsalted crisps that were lighter and healthier. Schools are very inventive. The underpinning issue is that they will need to find a way to move from one income-generating source to a healthier alternative without damaging

their ability to provide extra-curricular activities for pupils, for which that money has been used.

Tricia Marwick: Paragraph 51 of the explanatory notes to the bill states:

"It is expected that overall there will be no material loss of earnings from vending machines and tuck shops as a result of the Bill."

Do you agree with that? Given what we have said about the material loss that will occur in the short term if everything is taken away, might not the bill be expected to have an impact on schools' catering budgets in the longer term as well?

Michael O'Neill: Tuck shops as such are not part of the catering budget and are nothing to do with the local authority. Tuck shops are run by the school and the funding that they generate is separate and belongs to the school. Although they are financially regulated by the authority, they are not part of the authority's funds. Contracts with vending machines companies have been entered into by schools directly rather than by the local authority. The issue relates to the decisions of the devolved school management.

To respond to the question, I would hope that the bill will be cost neutral in the longer term. It is about short-term pain for long-term gain. Many schools, especially primary schools, already have healthy tuck shops, as committee members will have seen in their own areas. Given that the healthy tuck shop makes as much money as the unhealthy tuck shop, many primary schools already have it cracked. In secondary schools, with adolescents, the process will always be more difficult and will need to be longer. That is why I made the comment about moving away from unhealthy foods gradually.

There is no reason why a machine vending healthy drinks should not make as much money as a machine vending unhealthy drinks. At the gym that I go to, there is a machine vending all sorts of drinks that tell me that I can run for longer and build my muscles up—not that they have worked for me. [*Laughter.*] They cost me £1.20 a bottle as well.

In the longer term, the hope is presumably that the introduction of healthy vending machines and changes in attitude towards what we eat will be cost neutral. I agree that there will be a short-term impact on schools and that local authorities could perhaps help out those that run a tuck shop.

11:45

Tricia Marwick: I want to move on to a problem that keeps coming up in evidence, which is the selling of food by mobile vans and shops close to schools. Could the Scottish Executive do anything

to tackle the problem of children purchasing unhealthy food from such places?

Councillor Gray: A licensing scheme of some kind for vans could be considered, and the proprietors might be persuaded to check the fat and sugar content of what they sell. A van appeared in my area some time ago, but it did not last long because the kids did not want the big cream buns and so on that it was selling very cheaply.

Local authority licensing committees have not been quick to realise the importance of healthy eating and nutritional meals for school kids. We still have a fair number of vans surrounding schools, which is unfair, so some kind of licensing should perhaps be introduced. If need be, vans should be allowed to locate only up to a specified distance from schools. I know of one that is situated on private ground opposite a school across a busy road that kids cross all the time. That is wrong and dangerous.

Tricia Marwick: Do local authorities have sufficient powers under the current licensing regime to deal with that, or would they need additional legislation?

Councillor Gray: I think they have sufficient powers. Licensing committees are inclined to be independent, as they work under licensing rather than local government laws. Perhaps one or two authorities have been slow to realise that there should be a link between their granting licences for food vans and the vans' proximity to schools. We are probably too late in a lot of cases, but when applications come up for relicensing, local authorities could give consideration to refusing them sensibly.

Tricia Marwick: Local authorities also have a general duty to promote well-being. If the powers under the licensing laws were not enough to meet the duty to promote healthy schools, the general duty would be sufficient to tackle the problem of mobile vans and vending outlets in schools' immediate area. Would you support that?

Councillor Gray: Yes.

Michael O'Neill: I would like to add to that and to endorse George MacBride's comments. Although we would welcome the opportunity to move vans away—head teachers write to me all the time about that—there are two points to remember. First, as George said, it will not solve the problem: if the children have to walk 500 yards further, they will do it. I taught in a school near a row of shops—such shops are not going to close at lunch time.

Secondly, it would be helpful to address the problem of vans and we could do that on health and safety grounds because of the litter and public

nuisance, but it is more important to work on the youngsters and their choices. As George MacBride suggested—we have done a little work on this—we can work with outlets to try to improve the quality of what they provide so that if the children are eating burgers, the burgers are at least healthier than are sometimes provided.

There is a dual approach in moving vans further away from schools to make them less convenient and, in recognising that that will not solve the problem, in working with the van owners. As we have seen in North Lanarkshire, other legislation ensures that those people have the right to fair trade—that takes us into a legal debate, which becomes a bit sterile. It is important to work with those people to try to ensure that the food that they supply is healthier. We should try to control it; we are never going to stop it.

Robert Nicol (Convention of Scottish Local Authorities): The Executive has written to all directors and chief executives to highlight the work of East Renfrewshire and West Dunbartonshire councils. They have carried out work to implement policies on some of the issues that we have been talking about, including restricting how vans operate outside schools. It will be for local authorities to decide whether it is appropriate for them to go down that road, but there are case studies that the Executive is attempting to highlight. Local authorities will examine whether those approaches are suited to their areas.

Tricia Marwick: COSLA's submission suggests that there may be a downward trend in uptake of school meals, especially in secondary schools, as a result of implementing the healthy nutrition standards. Can local authorities take action in the short term to prevent that, or will kids continue to vote with their feet?

Michael O'Neill: I am less cynical about the iPod incentive than previous witnesses were. There are a number of things that we can do. The first point that I would like to make is one that I have made frequently and which perhaps gets lost as a result of our Scottishness—our tendency to focus on the negative. Five or six years ago, before "Hungry for Success" was published, pupils in schools were eating burgers and chips. Uptake of schools meals could be 100 per cent, but it was of 100 per cent unhealthy food. Uptake may have dropped, but all those who eat school meals are eating healthy meals. That is a huge success that we should not forget. We should acknowledge that pupils in primary and secondary schools across Scotland are now getting healthy meals, free fruit and water. There has been a slight drop-off, but the majority of pupils are getting those things.

To reverse the reduction in uptake around the country, we look to the incentives that have already been described. For example, every time

a pupil opts for a healthy choice, they are given stamps that get them a free swim, a cinema pass or an iPod. Dave Watson from Unison made the equally important point that we have considered training kitchen staff to promote healthy choices because such promotion is not always done effectively. In North Lanarkshire, we have used the hungry for success money to employ a craft trainee and a dietician. Part of the challenge was to work with catering staff, who do a great job, and to help them to look at ways of presenting food differently and coaxing pupils to try it. That involves a bit of training. In the longer term, educating pupils in healthy choices is the only way to increase uptake. We cannot legislate for that or make school meals compulsory.

For a while, I was heavily involved with drug action teams and anti-drugs policy. Years ago we tried the "Just say no" message. It did not work, because people did not listen to it. Now we try "Choose life," which offers people choices. Much of our success comes from saying to young people "Here are the issues—you choose. Don't choose drugs—choose life." The same applies here. Rather than say "Don't eat burgers," we are saying "Here are the issues that relate to long-term health." In the school context, nutrition is linked to the active schools agenda—the provision of an extra 400 PE teachers, healthy lifestyles and sport. We are saying to pupils, "You choose." We must accept that there will be a slight drop in uptake for a couple of years.

In early years education and nurseries there has been huge success, because at that level youngsters are much more amenable to changes. They have been given a choice of fruit and an awareness of what to do. We like to think that in six or seven years' time, as they move through into primaries 5, 6 and 7, and then into secondary school, we will start to see changes at secondary level. We will not see those changes now, because we are trying to change 14-year-olds' minds.

Tricia Marwick: Will uptake increase in the longer term, or should we not target that? Mr O'Neill made the glass-half-full argument—the children who are eating school meals are now eating healthily. Will the bill increase the number of kids who take school meals, or should that not be a priority?

Michael O'Neill: The bill should—as it will—place a duty on local authorities to increase uptake. It is pointless to put a figure on that because, as we have discussed, provision of healthy packed lunches will vary among schools. Every youngster in a school may be eating healthily, but more of them may have packed lunches than have school lunches, or vice versa. Rather than there being a specific target, there

should be a duty for local authorities to increase uptake and to ensure that youngsters eat healthily, perhaps through packed lunches being healthier.

Getting children to eat healthily is a slow process. We as a nation have to recognise that it will not happen overnight, so we should not get too hung up on small changes in percentage uptake, but should instead focus on the success story and consider how we can persuade more youngsters to come back into school to take the meal. The changes that others have mentioned, such as making the school dinner hall or canteen—or whatever the appropriate name is—more appropriate to the needs of the young people who eat there, will make a difference in the longer term.

The issue that we cannot tackle is that schools cannot compensate for what happens at weekends. We have done a fair amount of work, as have our colleagues in other parts of the country, on home-school partnership officers, who work with parents. The sad fact is that many young parents do not know how to cook and have the same problems as their children. We have run a number of health days, when children were given cookery classes. After parents expressed interest, the school ran the same lesson in the evenings for them. They came with their youngsters, which meant that there was no stigma attached to the class and there was a lot of interest in it. We have to consider how we can change what happens after school and at weekends. If we do not change that, we will not change society in general.

Councillor Gray: I agree that we should not have targets for uptake of school meals. As Michael O'Neill said, the bill seems to exclude nurseries. We are providing healthy food in nurseries, which is where the work starts. We started hungry for success in primary schools. In the medium term there should be an increase in the uptake of meals, simply because the children who have had meals will be coming through from the nurseries to the primaries to the high schools, which are now blessed with facilities that they did not have a long time ago.

Councillor McGinty: Children's experience in the early years of their education will have an impact on the choices that they make. Local authorities are working harder and smarter at trying to make meals attractive, which has to be part of the overall process. We discussed earlier how to make children want to become engaged with the whole experience, which is critical.

Christine Grahame: I have a brief question on procurement, which Frances Curran asked the previous witnesses about. We all know about European procurement rules. I am interested in what East Ayrshire Council does. Does COSLA provide guidance to local authorities on how to

draft contracts to source local, organic, quality produce—which all adds to the eating experience—rather than mass-produced stuff?

Robert Nicol: I am aware of what East Ayrshire Council is doing and what the Highland Council has done through the Soil Association. We do not share good practice or provide guidance, but through giving evidence and our work with partners, we can highlight where councils are doing innovative things.

Dave Petrie: As we all know, the bill is not just about school lunches but snacks. What benefits to children will the proposed power of education authorities to provide snacks—either free or at a charge—bring?

Michael O'Neill: That is a helpful question. In a sense, we already have that power under the power to advance well-being, but in my experience, the power is difficult to use. The clarity of the new power will be helpful, because it will mean that we will not always have to think how we can do it. I suspect that the strongest focus will be on breakfast clubs and services and on local authorities helping schools with healthy tuck-shops, healthy vending or the extension of the free fruit initiative. The clarity of the new power will allow authorities to act without having to consider how to get round legislation.

Dave Petrie: You said that you had breakfast clubs, which might have resource implications, given that the school would have to open early. Would authorities face any practical or staff resource difficulties in making full use of the power? I am thinking along the lines of extra staff, such as catering staff, staff flexibility, safe storage of food, volume of food and so on.

12:00

Councillor Gray: Breakfast clubs are fairly simple. They usually provide tea and toast and that kind of thing. It is remarkable that, where breakfast clubs have been launched in schools, the teaching and catering staff are tremendously enthusiastic to come in 15 to 20 minutes early to make sure that the children get what is good for them. There might be long-term resource problems if there was a dramatic increase in provision of snack-type breakfasts because local authorities would have to find the money and such provision is becoming expensive, but the picture as regards staff resources is good.

Dave Petrie: There is good will from staff.

Councillor Gray: Yes.

Michael O'Neill: The breakfast clubs initiative has been hugely successful throughout the country and the cost is minimal because what they provide is a light breakfast. In larger schools, the

staff costs are often subsumed because the staff would be there anyway, although there are some resource implications in smaller schools and rural schools, where extra staff have to be supplied. There will be resource issues in the long term.

There is a question of principle about whether schools should provide breakfast free or whether they should charge for it. There have been discussions about what the service costs, how it is provided and the role of the teachers and other staff who supervise it. I am sure members are aware that there have been difficulties with the Scottish Commission for the Regulation of Care's definition of what we do, and with whether breakfast clubs are a service that cares for children, in which case they have to comply with care legislation.

There are some practical issues and some resource issues, but they are not insurmountable. Most local authorities fund breakfast clubs through the various regeneration moneys that they receive rather than through hungry for success money. The provision is a regeneration issue and a community issue and it is funded as such.

Dave Petrie: I represent the Highlands and Islands, where we have the unusual situation of kids being picked up by bus sometimes before 8 o'clock in the morning. I do not know how practical it would be to provide breakfast when they arrive at school, just before they are taught. If the school day was extended, that would have significant implications for them. I appreciate that things are more straightforward in urban areas, but in rural areas there are difficulties with breakfast clubs.

Scott Barrie: The witnesses anticipated most of the questions that I was going to ask, but I have a specific question on COSLA's written submission, which states that the duty to promote school lunches

"must stop short of additional capital investment in the school estate."

If the bill is successful and the uptake of school lunches greatly increases, how could you handle the increased numbers without investment in the school estate?

Michael O'Neill: There are a number of aspects to the question. Every local authority in Scotland prepares a school estates management plan and submits it to the Executive. At present, the school estate is being upgraded throughout the country. If a school is scheduled for new build in 2010, that is when it will get a better dining hall or cafeteria, not sooner. The reference in our submission is to timing. If the bill stated that every school must implement the change by 2009 but a particular school was in the programme for upgrading in 2010, the work on that school would not be brought forward because it is part of a huge

multimillion-pound capital investment. Therefore, one aspect of the question is to do with the timing of the school estate refurbishment that is taking place throughout the country, which involves big money.

The second and, perhaps, more interesting aspect is the fact that some schools are being converted. Cashless systems are being put in without the schools having to change their dining areas, so the actual investment that can take place has been costed.

The third aspect is whether schools have enough space for an increase in the number of youngsters who take up school meals, whether they pay for them or not. That is a challenge for many schools. Large primary schools often have a couple of sittings and parents complain that there is nowhere for the children who have packed lunches to go. By the time the lunches have finished, there is about 30 seconds until the bell goes. A related issue is how schools can make lunch time a social occasion if the children are wheeled in and wheeled out at 30-second intervals—hence the plea for flexibility. Many schools could not cope if all the pupils stayed for lunch because there would not be enough space and time.

The expert panel that I chaired expressed concern about schools' tendency to shorten the lunch break for discipline reasons on the basis that, the longer the lunch break, the greater the chance of trouble outside the school. Although removing the afternoon interval, making the lunch break shorter and finishing earlier might improve behaviour in the school, the downside is that if pupils have only 35 minutes in which to get in and out, the school cannot create a lunch-time atmosphere that allows pupils to have a leisurely chat with pals and watch MTV. Such complexities require the bill to be flexible to recognise that although we are all travelling in the same direction, it might take different schools in different places—I accept the rural or Highland example—different times to get there. If the bill is too prescriptive, it will be counterproductive.

Councillor McGinty: Schools have capacity issues. There could be space in schools in education authorities that have declining rolls to offer additional capacity should the need arise, but if numbers are growing and space is tight in the school estate, it is much more of a challenge. That militates against the one-size-fits-all approach; flexibility would allow for any gradual ramping-up to take place and be managed.

Tricia Marwick: COSLA says in its submission that

“anonymous systems do not tackle the underlying causes of the stigma associated with free school meals”.

If that is the case, does the bill need to provide for anonymous systems, which you seem to suggest would not work anyway?

Councillor Gray: Anonymous systems work to an extent, but it is difficult to hide the anonymity side of things. Perhaps that is what we were getting at in our submission. On the other hand, we are moving quickly towards a cashless system. Every high school in my authority has one and some large primary schools also have them. There are still difficulties, but they are not insurmountable. The social aspect might give occasional cause for concern, but it is not a serious worry.

Michael O'Neill: It would be unhelpful if the bill contained a duty to maintain anonymity. Reflecting on the comments from the EIS, I say that it would be impossible no matter what we do. The cashless system and the Young Scot card have worked well. Everyone to whom I speak says that those provisions have removed the stigma because nobody knows how the card has been topped up.

However, people who know the individual schools know. Councillor Gray represents the village of Auchinloch, which is, with 50 kids, one of our smallest primaries. No matter what we do there, people know what is happening. It is a little like going into a primary school that divides the pupils into green, blue and red groups—all the kids know that the green group is the bright group. We have to recognise that although we can technically make such systems anonymous, individuals in the school know what is happening. However, we have reached the stage of having cashless systems that do not make it obvious who has free school meals. That information is known only because people know other people and that is as good as it gets. All the evidence suggests that the decline in the uptake of free school meals in secondary schools is less to do with stigma and more to do with the nature of lunch-time activities.

Frances Curran: I have two brief questions. When I walked through the station today, I saw a banner headline in the children's newspaper *First News*, perhaps you have seen it. It said, “Kids say no to Jamie O”. The article referred to children in England, but I bought and read it anyway. That is where the debate is at. Fergus Chambers, who gave evidence recently to the Finance Committee, raised serious concerns about the drop-off and uptake levels in school meals as hungry for success is adopted in secondary schools. I acknowledge that there is a difference between what happens in primary and secondary schools.

Have you examined the experience in Hull? Although it suffered some bad publicity, it introduced free school meals, which had an amazing result in terms of take-up.

Michael O'Neill: Perhaps the Scottish reaction is that we should be listening to Gordon Ramsay, rather than to Jamie Oliver, although there might be too much use of the F-word. In the west of Scotland, where I come from, that might be okay.

I am not particularly knowledgeable about the Hull example, although I am aware of it. Perhaps some of the success there related to activities other than free school meals alone. I like the idea of having a target for eating well and doing well. "Hungry for Success" is a great title.

The expert panel on free school meals, which was made up of trade unions, academics, Fergus Chambers, Children in Scotland, voluntary groups, dieticians from across the country and so on, debated the matter for a long time when the previous bill on school meals was before Parliament. At the end of the day, the group agreed, with only one dissenting voice, that the targeted approach is the best way to try to increase uptake of free school meals. It recognised—the Executive has accepted this—that the criteria might need to be expanded to enable more young people to access free school meals. At the time, I did some work in North Lanarkshire that suggested that providing free school meals for all the pupils in that area would cost £20 million, which would have otherwise been able to pay for 400 teachers and 800 special-needs assistants. The question that I always asked was, "Would you rather have all of those members of staff or free school meals for middle-class kids?" Of course, the response was that it would be more useful to spend the money on the staff and that was the outcome of the debate that took place at that time.

The hungry for success programme has targeted youngsters who need free school meals. The breakfast service is similarly targeted. Efforts have been made to anonymise uptake in order to encourage it and to ensure that there is a culture in the school that everyone should eat healthily. In practice, eating healthily is no different from what is involved in preparing meals for children who are vegetarians or who eat only halal meat.

At the moment, the decrease in uptake is a matter for concern and suggests that we need to have a debate that we have perhaps not yet had. The issue is historical—I taught history for years, so you can forgive me for saying so. We have a school meals service that goes back to the 1980s and 1990s, when we had compulsory competitive tendering, which meant that many councils outsourced the provision to private contractors while others continued to produce food in-house but set income generation targets. We now live in a different world.

If Fergus Chambers and the private contractors do not hit their income targets or break even, they

have a problem. The time is now right for us to ask whether we should debate separating the school meals service from other catering operations and start regarding it as a public good and a public service. In my view, the purpose of the school meals service is to provide healthy meals and be part of a healthy lifestyle rather than to generate profit. Why should the service not make a loss over a number of years? Councils make a loss on a range of other services. However, at the moment, there are financial, technical and legal constraints on our doing so in relation to school meals.

Frances Curran: I understand why local authorities are reluctant to support free healthy school meals across the board if they are asked to find the money for that. However, if the Executive were funding that, would that alter your view?

Michael O'Neill: I think that I would rather have the 400 teachers and 800 special needs auxiliaries to target young people who really need that help.

Cathie Craigie: The measures in the bill will apply to local authorities and grant-aided schools. You said that it is important to set standards when young people are at nursery—to educate their palates, if I can put words in your mouth. Private schools and nurseries are excluded from the legislation. Should we include them?

Michael O'Neill: If that is a political question, perhaps we should let the politicians answer it.

Councillor Gray: The simple answer is that it should be extended to them.

Robert Nicol: In our original consultation submission, we suggested that the standards should be extended to independent schools.

Councillor McGinty: Clearly, the intention of the legislation is to provide a baseline of minimum standards for young people in Scotland—that should be applied regardless of where that child happens to be educated.

The Convener: That concludes the committee's questions. If you have any further points to raise, you can write to us.

Councillor Gray: We will make that part of our homework.

The Convener: I thank you for your attendance.

12:15

Meeting continued in private until 12:31.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, Scottish Parliament, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Tuesday 28 November 2006

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

Single copies: £5.00

Meetings of the Parliament annual subscriptions: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at Document Supply.

Published in Edinburgh by Astron and available from:

Blackwell's Bookshop

**53 South Bridge
Edinburgh EH1 1YS
0131 622 8222**

Blackwell's Bookshops:
243-244 High Holborn
London WC1 7DZ
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh.

Blackwell's Scottish Parliament Documentation
Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

Telephone orders and inquiries
0131 622 8283 or
0131 622 8258

Fax orders
0131 557 8149

E-mail orders
business.edinburgh@blackwell.co.uk

Subscriptions & Standing Orders
business.edinburgh@blackwell.co.uk

Scottish Parliament

RNID Typetalk calls welcome on
18001 0131 348 5000
Textphone 0845 270 0152

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers