

EDUCATION COMMITTEE

Wednesday 30 November 2005

Session 2

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EDUCATION COMMITTEE 22nd Meeting 2005, Session 2

CONVENER

*Iain Smith (North East Fife) (LD)

DEPUTY CONVENER

*Lord James Douglas-Hamilton (Lothians) (Con)

COMMITTEE MEMBERS

*Ms Wendy Alexander (Paisley North) (Lab)

*Ms Rosemary Byrne (South of Scotland) (SSP)

*Fiona Hyslop (Lothians) (SNP)

*Mr Adam Ingram (South of Scotland) (SNP)

*Mr Kenneth Macintosh (Eastwood) (Lab)

*Mr Frank McAveety (Glasgow Shettleston) (Lab)

*Dr Elaine Murray (Dumfries) (Lab)

COMMITTEE SUBSTITUTES

Richard Baker (North East Scotland) (Lab)

Rosie Kane (Glasgow) (SSP)

Michael Matheson (Central Scotland) (SNP)

Mr Jamie McGrigor (Highlands and Islands) (Con)

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

*attended

THE FOLLOWING GAVE EVIDENCE:

Jennifer Wallace (Scottish Consumer Council)

CLERK TO THE COMMITTEE

Eugene Windsor

SENIOR ASSISTANT CLERK

Mark Roberts

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 6

Scottish Parliament Education Committee

Wednesday 30 November 2005

[THE CONVENER *opened the meeting in private at 10:03*]

10:46

Meeting continued in public.

Subordinate Legislation

Teachers' Superannuation (Scotland) Regulations 2005 (SSI 2005/543)

The Convener (Iain Smith): We move into the public session of the 22nd meeting of the Education Committee in 2005. Our first item in public is subordinate legislation. Do members have any questions on the regulations?

Lord James Douglas-Hamilton (Lothians) (Con): I support the regulations, but it would be helpful if we monitored progress on the negotiations in the House of Commons on how the pension scheme will apply to new starts.

The Convener: That is a valid point that the Parliament will have to consider soon when it looks at public sector pension schemes. The teachers' scheme is an important one.

Should the committee say that it has nothing to report on the regulations?

Members *indicated agreement.*

Scottish Schools (Parental Involvement) Bill: Stage 1

10:48

The Convener: We come to our first oral evidence session on the Scottish Schools (Parental Involvement) Bill. This morning, we will take evidence from the Scottish Consumer Council. I am pleased to welcome Jennifer Wallace, who is the policy manager for education, housing and local government at the Scottish Consumer Council.

Good morning, Jennifer. We received your written submission on behalf of the council, but if you have any additional points that you would like to make before I open the meeting for questions, feel free to make them.

Jennifer Wallace (Scottish Consumer Council): I thank the committee for inviting me to give evidence today. As you will see from our submission, we see parents as consumers of education and therefore we support measures to encourage better involvement and representation in schools. I have no further comment at this stage.

The Convener: I will start with a general question about the consultation process for the bill. Have you any comments about the effectiveness of the Scottish Executive's consultation on the proposals in the bill?

Jennifer Wallace: The Scottish Consumer Council believes that the Executive consulted adequately on the bill, although we are aware of the criticisms that were made of it. Our initial criticism was that the traditional methods of consultation struggled to get access to the views of the 90 per cent of parents who are not members of a parent-teacher association or a school board. We took that concern to the Executive and it agreed to carry out further research, which is the basis of the evidence in our submission. That research included a MORI telephone survey of 1,000 parents and eight focus groups of parents who have not been members of school boards. We viewed the Executive's willingness to conduct extra research as a sign of effectiveness.

Fiona Hyslop (Lothians) (SNP): I am interested in the point that you made about the need for clarity about the difference between parental involvement and parental representation, which were initially confused. What did the research show about those two aspects? Is the balance right, or is parental involvement more of an issue for policy while parental representation is an issue for legislation?

Jennifer Wallace: We pointed out in the discussion paper the need to be clear about the difference between parental involvement and parental representation. We welcome the fact that section 1 makes that clear. It does not use those words, but it talks about parents' involvement in the education of individual children and then about their involvement in the education of pupils generally in the school. We called attention to that difference again in our submission because much of the evidence that is being submitted is about the impact of parental involvement but is being used to justify parental representation. We can point to the evidence that supports better parental representation, but we need to be clear about whether we are talking about involvement or representation. That will need to be teased out more in guidance in particular.

You asked about the evidence that we gathered. We found fairly low levels of parental involvement in schools. I make it clear that I am talking about involvement in schools rather than in education because parents are very involved in homework and so on, but about two thirds of them have no involvement with the school or with activities in school and their child's learning there. However, 45 per cent of parents want further involvement, so there is an obvious enthusiasm for involvement.

We also found that when we asked parents why they had not been involved, the reason was a combination of the opportunities provided by the school and keeping a work-life balance. The work-life balance is a wider issue than the bill can address, but many of the things that they told us—about open days or being able to drop into the school at any time—could be addressed in the bill by a strategy for parental involvement. That would be an appropriate measure for legislation.

Fiona Hyslop: Should the duty that the bill places on local authorities to encourage parental involvement, without being overly prescriptive, be the vehicle for how that is done?

Jennifer Wallace: That is the right vehicle. I agree that it is important not to be prescriptive. There are huge variations, particularly between rural and urban areas, in how one would go about ensuring parental involvement. As long as guidance is sufficient and the situation is monitored, we are comfortable with the provision.

Fiona Hyslop: There was considerable movement between the initial consultation and the recent publication of the bill. For example, school boards are being abolished, but now it appears that if one wanted, the parent council could be called a school board and it would not make much difference. What is your perception of the degree of change from the consultation stage to what has been published? How significant has that been?

Jennifer Wallace: It has been significant. The Executive has listened to the concerns, particularly about the inclusion of head teachers. Our survey found that only 1 per cent of parents did not want the head teacher to be present at meetings, which is a clear research finding.

We also welcomed the so-called two-tier system that would include a parent forum and a parent council. One of the difficulties with the original consultation was that people could not understand how a parent forum, as it was called then, would have been defined and constituted. However, a parent council seems to be defined much more clearly and that has overcome some of the concerns.

Fiona Hyslop: Finally, I ask about variability throughout the country. The merit of the school boards is that the structure has been set out in legislation and provides commonality. You indicate in your evidence that variability might be a problem because the proposed system would not result in a national representation. To what extent will variability—the fact that a body could be set up in a school that is not the same as the one in the school down the road or in another county—cause difficulties for parents who want to make their voices heard? The education authority might choose to divide and rule. Secondly, would you explore your proposal for a national body? How helpful might that be to parental involvement?

Jennifer Wallace: On the variability at local level, about 83 per cent of parents said that they wanted to be able to decide how the parent forum in their school—now called a parent council—would be organised. Our research evidence showed that parents have called for that flexibility.

Detailed guidance will be crucial to make sure that education authorities are able to implement a flexible provision that has a degree of consistency. Given the amount of flexibility in the bill, we hope that the guidance will be consulted on and we would welcome a further opportunity to comment on that later.

We have argued for many years for national representation. About 49 per cent of parents said in response to our previous survey that they did not believe that their views were well represented nationally and it concerns us that parents do not recognise a vehicle for that. More recently, we have become concerned that if the bill goes through, the abolition of school boards will mean that the Scottish School Boards Association will not have membership fees and will in effect cease to exist. That would leave a gap at national level. The Scottish Executive does not provide core funding to the Scottish School Boards Association or the Scottish Parent Teacher Council, yet it uses the representatives of those organisations in working groups and expects them to consult their

members. That is a significant gap in funding for the sector.

We hope that if a new national parent body were set up, it would be given a key role in monitoring the implementation of the bill and would be an independent voice to challenge education authorities and perhaps the Scottish Executive on its level of success. That would be quite a large job.

Ms Wendy Alexander (Paisley North) (Lab): Clearly, the SCC is broadly sympathetic to the aims and objectives of the bill, but one of your criticisms is that you are

“not convinced that the balance of rights and responsibilities in the ... Bill will provide Parent Councils with a strong enough voice to challenge service providers and professionals.”

What changes to the bill might you be looking for to meet that concern?

Jennifer Wallace: We are concerned that parent councils will have no decision-making powers and that such powers will rest solely with the head teacher and the education authority. We accept that the term “having regard to” is common in legislation and we are comfortable that most authorities and head teachers would interpret that as they should, but we would like it to be reviewed. We welcome the fact that there are provisions in the bill to allow the powers of parent councils to be extended, but we think that there needs to be a clear commitment to reviewing that and to ensuring that education authorities and head teachers have regard to what parents are saying. That part of the bill should be strengthened, so that if we find in a review that education authorities and head teachers are not having regard to what parents are saying, a school development plan or any other proposal could perhaps be vetoed.

Ms Alexander: That is helpful. The critical issue is that there should be a commitment somewhere in the bill or the accompanying documents to reviewing whether head teachers and local authorities have had regard to the views of parent councils.

Jennifer Wallace: Yes.

Lord James Douglas-Hamilton: I have two brief questions. First, what role should parents play in the appointment of the head teacher and the deputy head teacher?

Jennifer Wallace: There is a consultation out on that matter and we have not yet come to a policy decision as an organisation, although we support continued parental involvement in the appointment system. We will respond to the consultation.

Lord James Douglas-Hamilton: Secondly, we appreciate that you responded positively to the

Executive’s proposals for the draft bill, but only 13 per cent of the 1,030 responses to the consultation were in favour of outright abolition of school boards. In your view, what compromise might be made that would retain the legal structure of existing boards, which enjoy widespread support, while encouraging more parents to support their children’s learning?

Jennifer Wallace: In our research, we found support for school boards. Most parents were happy with how their views were being expressed by school boards. We need to be clear about that. School boards have not failed in their role, but it is difficult for them to engage with a wider group of parents, particularly those from more disadvantaged backgrounds. That is the difficulty that the bill is trying to rectify. The difficulty is that the School Boards (Scotland) Act 1988 is detailed and prescriptive. In order to make the kind of tweaks that we might all want to do with elections and so on, primary legislation would be required anyway. We support the flexibility in the bill and we support many parts of it.

Lord James Douglas-Hamilton: If you have any invaluable ideas, could you let us have them in the form of amendments?

Jennifer Wallace: Of course.

Mr Kenneth Macintosh (Eastwood) (Lab): Thank you for your evidence. You have already addressed some of my questions. You spoke about trying to get the balance right between the prescriptive legislation for the school boards and the very flexible approach to parent councils and you said that there should be guidance. Should there also be provision in the bill for minimum guarantees or minimum ratios of professionals to parents, for example? There is an outside possibility that a body could exist that is all parents but no professionals, although I know that the head teacher has to attend meetings. Should all that be covered in guidance? If so, what sort of guidance are you thinking of?

11.00

Jennifer Wallace: We do not think that matters such as membership should be in the bill. The provisions for the attendance of the head teacher, if all the parties agree, are sufficient to ensure that there is partnership between teachers and parents. However, in our initial consultation response, we suggested that there should be principles for what are now called parent councils—for example, parents should be independent, should be representative and should be in touch with other parents. If such principles were enshrined in the bill, education authorities and parent forums would have a framework to create a structure that is flexible enough to work

for them but that adheres to the common elements that all parent forums and councils should have.

Mr Macintosh: So the bill should say nothing about membership. You made a useful distinction between parental involvement and parental representation. Perhaps one of the failings of parental representative bodies is that the lines of accountability between the school boards and the parents are sometimes not great. Many parents do not know what is going on at the school board. Could accountability be viably inserted into the bill, or is that best left for guidance?

Jennifer Wallace: That could be in the bill, but it depends. The issue of mandatory elections and their removal is under considerable debate. We do not support them; we think that most parents find them offputting, particularly when they have to put down what amounts to a manifesto. That is not a very inclusive way of doing things. However, accountability can be ensured through consultation and the representation of parents' views through the proper procedures and so on. If the bill provided for accountability, the guidance could expand on what that would involve, which might be elections or a duty to consult.

The Convener: In your written evidence you stated:

"While a School Board cannot exist without parents, once constituted they bring parents, teachers, community groups and in some cases pupils around one table. Replacing these with parent only bodies, as Parent Councils will be, raises questions about school governance."

Should the provisions in the bill on co-option be amended to make it clear that it is good practice to include such groups as other teaching staff, community representatives and, indeed, pupils?

Jennifer Wallace: The variations among communities and schools mean that that should be included in guidance. I am not convinced that it should be in the bill, but it should certainly be in guidance. It is good practice to include community members and we support the inclusion of pupils in a parent council.

Dr Elaine Murray (Dumfries) (Lab): The convener has asked my first question, so I shall move on to the second. You support the establishment of a new national parent forum. Is there any merit in having local authority-wide regional forums that might be able to make representations on behalf of parents to local authorities?

Jennifer Wallace: In a previous discussion paper, we pointed out that there is a gap at local authority level. As good practice, many local authorities have parent representatives, but that is not enshrined in law. It is a matter of local

authority decision and practice. When we began to think more about the national parent body—we hope to have a paper on that in the near future—we thought about the importance of regional links. We considered that having a representative in each local authority area was perhaps not necessary, but we were positive about regional links to facilitate communication.

Dr Murray: Under the bill, individual parent forums could ask an inspector to inspect a school if they were unhappy. There could be an argument for an equivalent power to allow a regional parent forum to call in Her Majesty's Inspectorate of Education to inspect the local authority if it was unhappy about the education provision. Would you support that?

Jennifer Wallace: We have not considered that, but we could support it in principle.

Mr Frank McAveety (Glasgow Shettleston) (Lab): What were the barriers to participation?

Jennifer Wallace: I touched on that before. Not having enough time is one issue. We all understand the difficulties with which parents are faced when trying to juggle work and family life and involvement in school. Also, 18 per cent of parents told us that the problem was that they did not have enough opportunities to participate. Many parents said that they wanted to be asked to get involved; they said that having more activities would help them to be involved. Schools could do some relatively simple things to increase parental involvement.

Mr McAveety: Does the bill address those concerns?

Jennifer Wallace: It will be for the detail of strategies for parental involvement to do that. It is difficult to comment on those strategies, as we have not seen guidance on them. We hope that the strategies for parental involvement will be innovative and creative and will consider such things as open days when parents can drop into schools and speak to the teachers. There are many other examples of innovative practice and we hope that they will be contained in the strategies.

Mr McAveety: In the research, was there a clear difference in disadvantaged communities' participation and expectations or in the role that they felt encouraged to play?

Jennifer Wallace: There was no difference in that respect. There were differences between the levels of involvement in primary and secondary schools and in what parents thought might encourage their involvement. Parents with children in primary schools were less concerned about time; that became more of an issue for parents of children at secondary schools. Parents with

children in primary schools were less keen on elections than were parents with children in secondary schools. Those kinds of differences were apparent, but we did not find differences across social strata.

Mr McAveety: Was the research rigorous enough to tell you that?

Jennifer Wallace: I think so. We worked with MORI on different categories and we tried to address that issue. We have reported on the statistically significant relationships; where there is no discussion, we did not find anything significant.

Ms Rosemary Byrne (South of Scotland) (SSP): Your submission does not comment specifically on a number of areas. I wonder whether you have a view on those areas or whether any research will be done in those areas, which are quite important. What is your view on the appointment of head teachers and deputy head teachers? Did anything on that come through in the research?

Jennifer Wallace: That was not discussed in the research because, when we carried it out, we knew that there was going to be further consultation on the issue. We did not have the detail that would have allowed us to ask parents specific questions on that, which is why that is not in the research.

Ms Byrne: Did you get a feeling for whether that is an important area for parents?

Jennifer Wallace: It was not mentioned by anybody.

Ms Byrne: The proposal to place a duty on education authorities to provide advice and information to individual parents on request on matters relating to the education of their children is an important one for parents. It is probably one of the things about which parents feel most strongly, as they often do not get that information. Did you get any flavour of that in the research? Do you plan to do any research in that area?

Jennifer Wallace: That feeling came out in the focus groups when we asked parents about the information that they received. Some of them were unhappy about the information that they received—their unhappiness always related to information about their individual child. They wanted more information about how the child was progressing, about its attainment levels and about any additional support needs that may have arisen. They were not especially interested in receiving basic information about the schools. Parents say over and over that they are interested in the education of their individual child; only a few parents are interested in the management of the school. That must be recognised.

Ms Byrne: The duty to provide advice and

information on the child's education is important, given that under the Education (Additional Support for Learning) (Scotland) Act 2004 parents can ask for assessments. I wondered whether there had been any discussion of that.

Jennifer Wallace: Only as it came out in the focus groups, as I have said. Some parents were slightly dissatisfied with the amount of information that they received and wanted more.

Ms Byrne: Do you have plans to consider that issue in more detail?

Jennifer Wallace: We previously carried out work on advice and information services—that was before my time at the Scottish Consumer Council. At that time, parents suggested that they wanted an independent source of advice and information. The advice and information that they wanted was not about their own children's attainment; it was about what education policy should be and what standards schools ought to meet. The parents were not convinced that they would get such advice and information from an education authority in an unbiased way—that was the perception; it is not a criticism of education authorities.

Mr Adam Ingram (South of Scotland) (SNP): I want to ask about the work that you are doing on the complaints system in schools. There seems to be an anomaly in the fact that people will be able to initiate a complaint under the bill but not under, for example, the Standards in Scotland's Schools etc Act 2000. Could you give us your views on that anomaly?

Jennifer Wallace: That is one of the concerns that we have about the bill. It introduces a right to complain about parental involvement but not a general right to complain about standards and quality in education. We think that it would be a significant increase in parents' rights if there were such a consideration in this bill. As many local authorities already have satisfactory complaints systems, it would not be onerous to add that to the bill.

As I said, we are concerned about the fact that parents are not being encouraged to complain. It seems that the education profession is not aware of the benefits of having an effective complaints system. For example, if the professionals were aware of the possibility that they can get information about problems before they accelerate and become more serious, that might increase quality in the education system and deliver better outcomes for children. We would like that to be included in the bill.

I should also stress that our previous research in 2002 found that 96 per cent of parents were either very satisfied or fairly satisfied with the education of their children. We would not, therefore, expect

there to be a huge number of serious complaints. The level of complaints would not cause a problem for schools and education authorities.

Mr Ingram: However, if no complaints procedure is laid down, it will not be easy for parents to get involved in supporting their child through the system.

Jennifer Wallace: Absolutely. The system is complex. We raised the issue that you are talking about during the consultation on the Education (Additional Support for Learning) (Scotland) Act 2004, which has created several different avenues for complaints relating to additional support needs.

At this stage, we are not sure how many complaints parents might have that would not fall into that system. However, it would be helpful if there were a single complaints system that would point parents to the other sources of redress.

Mr Ingram: You say that your research shows that only a small percentage of parents make complaints. Do you think that a significant number of parents would complain if there were a well-defined procedure?

Jennifer Wallace: The research does not suggest that there is a high level of grievances that have not become formal complaints. The high level of satisfaction that we detected leads us to suspect that there are not many parents who would use the complaints system. However, as I said, we should be encouraging the use of a complaints system as a way of early intervention to stop further problems.

The other benefit of having a well-defined complaints system is that it might reassure some parents who are concerned about the repercussions on their child of complaining. Our research has shown that people can worry about what might happen to their child if they complain to the education authority about the school. That is one of the barriers to people making complaints; having a properly publicised complaints system might allay their fears somewhat.

The Convener: A number of the written submissions that we have had from the local authorities make the point that they already have complaints procedures in place and that, therefore, adding another complaints procedure to that would seem to be unnecessarily burdensome and confusing to the public. Do you think that the complaints procedures that councils have in place should be adequate to deal with the points that you have just raised? If so, do you think that they are or should they be reviewed?

Jennifer Wallace: We are just beginning to do some work on complaints in education. During the course of the bill, I hope that we will be able to provide more evidence on what local authorities' policies are and so on.

We are aware of good practice in some local authorities but we are not convinced that all local authorities have an effective complaints process for education. As a principle, we believe that there should be a single gateway through which parents can pass to access the various systems if and when they need them. We have said that it should not be up to the parent to find out what avenue they should be pursuing. There should be one entry point from which they can be guided through the complex system.

The Convener: The committee will be interested in the results of your study into those complaints procedures. I thank you for giving your evidence, which has been helpful.

That concludes the public part of today's meeting.

11:14

Meeting continued in private until 12:21.

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