

# **EDUCATION COMMITTEE**

Wednesday 24 January 2007

Session 2

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## EDUCATION COMMITTEE

### 2<sup>nd</sup> Meeting 2007, Session 2

#### CONVENER

\*Iain Smith (North East Fife) (LD)

#### DEPUTY CONVENER

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

#### COMMITTEE MEMBERS

\*Ms Rosemary Byrne (South of Scotland) (Sol)

\*Fiona Hyslop (Lothians) (SNP)

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

\*Marilyn Livingstone (Kirkcaldy) (Lab)

\*Mr Kenneth Macintosh (Eastwood) (Lab)

\*Mr Frank McAveety (Glasgow Shettleston) (Lab)

\*Dr Elaine Murray (Dumfries) (Lab)

#### COMMITTEE SUBSTITUTES

Richard Baker (North East Scotland) (Lab)

Mr Jamie McGrigor (Highlands and Islands) (Con)

Tommy Sheridan (Glasgow) (Sol)

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

Mr Andrew Welsh (Angus) (SNP)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Mr Robert Black (Auditor General for Scotland)

Tom Burnett (Association of Headteachers and Deputies in Scotland)

Antony Clark (Audit Scotland)

Bill Cook (National Association of Schoolmasters Union of Women Teachers)

Greg Dempster (Association of Headteachers and Deputies in Scotland)

David Eaglesham (Scottish Secondary Teachers' Association)

Donald Henderson (Scottish Executive Education Department)

Hugh Henry (Minister for Education and Young People)

Susan Leslie (Professional Association of Teachers)

Liz Lewis (Scottish Executive Education Department)

George MacBride (Educational Institute of Scotland)

Charles McAteer (Headteachers Association of Scotland)

Jim O'Neill (Professional Association of Teachers)

Jane Peckham (National Association of Schoolmasters Union of Women Teachers)

Lindsay Roy (Headteachers Association of Scotland)

Ronnie Smith (Educational Institute of Scotland)

#### CLERK TO THE COMMITTEE

Eugene Windsor

#### SENIOR ASSISTANT CLERK

Mark Roberts

#### ASSISTANT CLERK

Ian Cowan

#### LOCATION

Committee Room 1



# Scottish Parliament

## Education Committee

*Wednesday 24 January 2007*

[THE CONVENER *opened the meeting at 10:01*]

### Implementation of Teachers Agreement

**The Convener (Iain Smith):** Good morning, colleagues, and welcome to the second meeting in 2007 of the Education Committee.

The first item on our agenda is the continuation of our inquiry into the implementation of the teachers agreement, which is commonly known as the McCrone agreement. Our first session this morning is a round-table discussion with representatives from various teachers unions. I welcome all the representatives to the meeting.

As we are all aware, there are two recent reports on the implementation of the McCrone agreement, one by Her Majesty's Inspectorate of Education, which was published earlier this month, and one by Audit Scotland, which was also the subject of a report by the Parliament's Audit Committee. In this morning's session, we aim to gain views on the implementation of the teachers agreement from teachers unions and head teachers' representatives.

In order to save time, I do not intend to go round the table and say who everyone is, so I ask you to say who you are and which organisation you represent when you first speak. That goes for members of the Scottish Parliament as well. Most of us know each other, but there might be a few people whom we do not know. I cannot see all the name plates from where I am, which is another reason for my asking you to introduce yourselves.

I ask members and witnesses to keep their comments brief so that we can get through as much as possible in the time that is available. We will allow just over an hour for the session, so we should get a fair coverage of the views of the teachers unions.

I open the meeting to anyone who wishes to comment. I do not want long opening statements. Does any member have a question that they wish to put to get the questioning going, or does any member of the panel wish to make a brief statement?

We are all very shy because it is a Wednesday morning and nobody wants to speak. We are not

in a school setting, so you do not have to put your hand up.

**Ronnie Smith (Educational Institute of Scotland):** I am the general secretary of the Educational Institute of Scotland.

The teachers agreement is a complex and multifaceted agreement that was supported by all the parties—all six teachers organisations; COSLA, on behalf of the 32 local authorities; and the Scottish Executive. It was the product of a process of free collective bargaining. It was not a question of simply lifting the McCrone report and implementing it. The report informed and assisted the negotiations but it did not determine the outcomes.

The parties to the agreement had a shared understanding of what the outcome and product of the agreement should be, but they had their own plus points and minus points and there were compromises. If any of the parties had been given a blank sheet of paper and a pen and asked to write the script, the agreement would have been different from what we have. It is the product of compromise.

I suggest that we should not have too high an expectation that the agreement is the panacea—the silver bullet—that will solve all the problems in Scottish education. It can make a contribution, but many other issues have still to be addressed. We also need to recognise that it was something of a framework agreement that enabled things to happen at local authority and school levels. It did not prescribe or define everything in minute detail.

We are in no doubt that the overwhelming impact of the agreement has been positive. The main test that we use is that we recall how awful the atmosphere and climate were throughout the 1990s—they worsened as that decade proceeded. We are clear that, had the agreement not been reached, Scottish education would be in deep trouble today. The agreement has changed the atmosphere and climate of the relationships nationally through the Scottish negotiating committee for teachers, at local authority level through the development of local negotiating committees for teachers and at school level.

However, the process is long and is not complete. It is about changing the ethos, the mood and how we work. That process needs to continue. I am anxious that all the people who were party to the agreement retain the commitment that was around in 2001 to the fundamental change to which we all aspire.

**Mr Kenneth Macintosh (Eastwood) (Lab):** I was struck by the comments that many submissions share on the agreement's stability and flexibility. I will go off on a tangent—or rather, I will ask about a specific point. Several

submissions talked about the impact that the agreement has had on head teachers and the fact that head teachers have had to take assemblies and classes to make up for the lack of class teaching time. Is that phenomenon temporary? Another problem is the lack of applicants to be head teachers. I want to hear a little more about that, which seems to be a side-effect of McCrone.

**The Convener:** It is not like Ken Macintosh to go off on a tangent.

**Lindsay Roy (Headteachers Association of Scotland):** I am the HAS past president.

I echo what Ronnie Smith said. Overall, we feel that the agreement has been a success story, in that most aspects have been implemented, albeit not fully. We set out those aspects in our submission. The workload of senior managers has been an issue. In part, that has been because of the dearth in the supply pool as the number in the profession expands and because of the reduction to 22 hours of class contact time that is built into the agreement for teaching staff. In some cases, we have not had full funding to implement that reduction. Leaders in schools have increasingly had to take additional classes. That sits uncomfortably with us.

One question in the HMIE report was whether just teething troubles or fundamental problems exist. We do not have just teething troubles, because there is some unfinished business, but we do not think that any fundamental problems exist. Issues can be overcome.

All the documentation that we have about school improvement refers to a collegiate culture. We believe that that is beginning to develop, and a changing culture is always difficult. Fundamental to the success of school improvement is the quality of leadership and the time that leaders have to work with their staff to develop matters. Whether or not it is temporary, significant encroachment has occurred.

All of us in our association are fully committed to delivering the national priorities and the curriculum for excellence. We want the dividends to be delivered in full and we would like further support to ensure that the time for strategic management and to deliver operational priorities is in the system. That is patchy throughout the country at present.

**Greg Dempster (Association of Headteachers and Deputies in Scotland):** I am the general secretary of the AHDS. I echo the comments made by Ronnie Smith and Lindsay Roy.

Whether the coverage of the reduction in class contact time by head teachers will be a long-term problem depends on whether appropriate resources are put in place to allow head teachers

to be released so that they can carry out their core duties. As we mention in our submission, we are hearing from our members that, throughout the country, it is becoming the norm for large numbers of head teachers and senior management team members to be in class or taking whole-school assemblies so that the reduction in class contact time is delivered. That is happening to such an extent that I am now hearing fewer complaints about it from members; unfortunately, many people have accepted it.

As a result, head teachers have less time for the kind of duties that Lindsay Roy mentioned, such as strategic development and leadership within schools. That element of education is currently the focus of much attention on the part of both the Scottish Executive and the inspectorate in its school assessments. We are calling for management time to be protected in some way to allow school leaders the necessary time and space to provide that leadership.

**George MacBride (Educational Institute of Scotland):** Ken Macintosh's question raises an interesting point. As Lindsay Roy mentioned, it is difficult to look at "A Teaching Profession for the 21<sup>st</sup> Century: Agreement reached following recommendations made in the McCrone Report" in isolation because the demands on head teachers, both primary and secondary, seem to arise not simply from the teething difficulties of implementation or a lack of resources for schools to support the agreement, but from the fact that the roles of head teacher and other senior staff are changing. Some of those changes, such as the emphasis on leadership and strategic management, are positive but it also seems likely that education authorities will devolve ever more prescriptive and detailed duties—for example, dealing with the complexities of health and safety legislation—on to head teachers. We know that the McCrone agreement provided additional funding so that schools could employ bursars or financial managers but, nevertheless, it seems that head teachers are all too often diverted from their core task of strategic leadership into dealing with minor administrative tasks. That illustrates the difficulty of looking at the agreement in isolation from other developments.

**Susan Leslie (Professional Association of Teachers):** I am Susan Leslie of the Professional Association of Teachers.

Although I do not disagree with anything that has been said, an interesting point is that the original agreement was designed to cover all teachers. No attempt was made to hive off senior managers as if they were different from other teachers. That was an important and positive part of the agreement, but little detail was given about the knock-on effect for head teachers as the

changes started to come through. We are now starting to see that the role of head teachers needs to be considered in more detail. However, our position is that we do not want to hive off head teachers from the general profession. Having a separate agreement for head teachers would defeat the aim of having a cohesive and collegiate profession, which is what McCrone was all about.

Moving on to a slightly different issue, I want to highlight the point that we make in our submission about measures and indicators. It is very difficult to measure the impact of the teachers agreement in isolation. We are clear that the agreement should be seen as part of a much bigger piece of work that involves many different policies, initiatives and funding streams. Therefore, the use of measures and indicators is very difficult. However, those that we refer to relate to the national priorities which, given that they have a statutory basis, I presume the parliamentarians around the table will have a specific interest in. Perhaps the national priorities in education are the measures that deserve attention when we look at the agreement along with all the other developments.

**Charles McAteer (Headteachers Association of Scotland):** I am the president of the HAS.

Let me take up the point about recruitment to head teacher posts. There is a crisis. We are facing a situation in which posts that are attractive in terms of their location and the nature of the school are not being filled. For example, the post at Linlithgow academy had to be advertised three times. That is an issue. Also, our demographic profile is such that we will need to replace 170 secondary head teachers in the next five years and 330 in the next 10 years. The figures for primary schools are, of course, proportionately higher. Over the next 10 years, we will need to replace something like one head teacher per working school day in primary and secondary schools because of the age profile of the profession.

10:15

That is worrying, given the fact that posts are not attractive at present and the fact that—as you will see in the HMIE report—there has been a reduction in the number of depute posts, which means that the pool is diminishing. Because of restructuring in some areas, there will also be a reduction in the number of principal teachers, so there will be fewer principal teachers to become deputies, fewer deputies to become head teachers, and a demand, over the next 10 years, for around one head teacher a day to be replaced. There is a crisis.

It must also be said that the post of head teacher is becoming less attractive because of the

many additional duties that are coming to that post, a lot of which are subsequent to McCrone. The HMIE report acknowledges that the teaching profession has taken on a whole host of things since McCrone—health, enterprise and citizenship education—for which due recognition is not necessarily given. There has been a relentless ratcheting up of demand on schools and school leaders without the appropriate resourcing. There is an issue; there is a crisis.

**Fiona Hyslop (Lothians) (SNP):** I would like some general reflections on whether there is a danger that, because all parties—certainly in education, but also political parties—approved the McCrone agreement, there has been less constructive criticism of its implementation. To what extent has it been more difficult to have a national strategic overview of the agreement because there has been local implementation of it? That is perhaps a broader question for later.

As the mother of a child who is about to start at Linlithgow academy, I am appalled by the situation there; nevertheless, it is a great school. I think that that epitomises why there is such a problem there. There are issues about head teachers' responsibilities and job sizing and about how we can grow the leadership potential for the future. I am especially concerned about the HMIE report's findings on the amount of time that head teachers have to spend covering classes, assemblies and teaching; yet, the reduction in class contact time is recognised as one of the big pluses of the agreement. There are also concerns about head teachers being unable to support teachers' continuing professional development and probationers. The report makes it clear that probationers—also recognised as a big plus—are being used to cover some of the class contact time in the implementation of the agreement. Without a steady supply of probationers coming through, there will be even more pressure on delivering the reduction in class contact time in the future.

There are issues around the maintenance of teacher numbers and the recruitment of new teachers to help with that. Also, if the reduction in class contact time is so crucial, how can we grow the head teachers and leadership potential in future while, at the same time, ensuring that we keep the reduction in class contact time? There is also potential for the push for probationary teachers to dry up unless there is a commitment to teacher numbers.

**George MacBride:** I will deal with the probationer issue first. There is no crisis in recruitment at the commencement of the teaching profession, where the recruitment figures remain healthy. There is no evidence or suggestion that standards are being lowered as people are recruited into the profession. I understand—

although I would not swear to this figure—that, by the end of this or the next session, approximately a quarter of the teaching force in Scotland will have been recruited through the new, much-improved probationer system. That is a significant rejuvenation of the teaching force—a professional rejuvenation as well as a rejuvenation in terms of the profession's age profile.

It is important not to misread the HMIE report. Although, in some cases, authorities are using probationers as a means of ensuring reduced class contact time, that is not an abuse of probationer time. The probationers' working week is carefully protected within the agreement, in which all three parties—the Executive, the education authorities and the teacher organisations—are partners. There is on-going professional discussion and monitoring of the ways in which probationers are supported.

Therefore, I do not share the concern that probationer time is being misused in that way. HMIE has perhaps picked up one or two specific issues about how probationers are appointed to schools, but one of the most cheering aspects of the agreement has been the probationary system and the great improvement that it has afforded to young teachers as they start their career.

**David Eaglesham (Scottish Secondary Teachers' Association):** I think that we need to go back even further than the beginning of the current process to see where we are. Although the process dates back to 2000-01, it reflects on how we used to do things before the Parliament was in existence. Some of my colleagues will recall that the pattern then was that there would be strikes and marches, part-time education and chaos in the streets, then some body of august people would be set up under some person. They would produce a report that contained a whole lot of statistical analysis, which would be taken by the party of Government and partially implemented at its whim. We would then all get on with whatever it was thereafter. The Houghton, Clegg and Main reviews repeated that pattern.

McCrone broke that tradition, not so much because of the McCrone report itself—although it is an excellent, well-written, thoughtful and challenging report—but because of the different approach that is outlined in the first paragraph on the background to the agreement in "A Teaching Profession for the 21st Century". It states:

"In May 2000, the report of the McCrone Inquiry into professional conditions of service for teachers was published. In September, following a series of meetings with teacher organisations and with COSLA, Ministers established an Implementation Group with the following remit."

In other words, the body politic said, "This is now how we are going to handle this. We know roughly

the issues that are here and we know the recommendations that have been made. We will now go ahead and set up a tripartite body"—exactly the point that Fiona Hyslop made—"involving all the stakeholders who have the responsibility for delivering this. We will stick them all in a room and lock the door until they come out with the correct findings that will allow us to progress."

That was a massive sea change. We did not have the marches in the streets, the part-time education and the strike action. We ended up with an agreed package of reforms. As Ronnie Smith hinted, none of the three parties got exactly what they wanted. It was not open season for one particular group to dominate the conversation. A series of compromises were made, some of which have come back to haunt various parties to the agreement. They have said that they always thought that that would be a problem. Those problems have been evident and some of them have been mentioned, but we must be clear that the agreement is a remarkable development.

If we are hearing from Audit Scotland or HMIE that there are ways in which that dramatic improvement could have been made better in the first instance, that is excellent because we can learn from it. The next time that there is an agreement with whatever group of workers and whatever section of society that we are going to do something, and it is the settled will of people in Scotland to do it, we should build in from the beginning the measures that are suggested. However, I would very much counsel against trying to build measures into a process retrospectively when the measures were never agreed in the first place. You simply cannot make retrospective post hoc rationalisation of situations when the agreement was never designed to deal with those matters in the first place. The purposes that were there were very clear and were, to a very large extent, delivered. As long as we understand the sequence of events and the context in which we see this, it represents a major achievement for all those who were involved. It also vindicates the existence of this Parliament, to some extent at least, in the sense that it has delivered for the young people of Scotland something that otherwise would probably not have existed.

**Lindsay Roy:** First, I endorse what Susan Leslie said about a unified profession. That is of fundamental importance. Secondly, a survey that we did with our colleagues on the life-work balance shows that head teachers are usually working around a 60-hour week. That is a strong indicator of our commitment. It is not just about the commitment of head teachers. A national survey has indicated that teaching staff in general,



although we are committed to a 35-hour working week, are voluntarily working beyond that.

The Headteachers Association of Scotland's key objective over the next year is to try to ensure that we develop sustainable leadership. It is not only about leadership at head teacher level; we are trying to encourage leadership capacity at every level within our organisation. We want classroom leaders and so on. That is why we are encouraged by the fact that the minister will review the chartered teacher arrangement.

Finally, I think that it was Einstein who said that not everything that counts can be counted. I see a lot of improvement and achievement. George MacBride mentioned things such as health promotion, values and citizenship, and engagement in eco-schools and environmental issues. Ultimately, we will see dividends in attainment, but there is a lot going on in schools that is positive. I accept that we should not be looking at the situation post hoc, but there have been dramatic improvements in Scottish schools that we can all refer to. They may be patchy, but they are developments that we can take forward.

**Susan Leslie:** I want to pick up on the point about probationers and intake into the profession—and I should perhaps declare an interest, in that I now work for one of the teacher-training universities.

I do not think that we can underestimate the contribution that universities have made to various aspects of the agreement's implementation. They were not round the table, and they are not part of these discussions, but they have made a significant contribution—and not just in training thousands of new teachers at very short notice. I joined my university reasonably recently and I have been pleasantly surprised by the standards that are maintained in the intake, training and the rigorous decisions on those who pass and fail. Those standards are every bit as high as, if not higher than, five or 10 years ago.

The universities are also making a huge contribution to chartered teachers and the leadership agenda, all at a time that has been particularly difficult for the universities. We should not forget about the huge and positive contribution that bodies that have not been part of the discussions have made to parts of the agreement.

**The Convener:** We can have another two brief contributions from the teachers unions, and then we will move on.

**Ronnie Smith:** I want to pick up on leadership. It needs to be said that no part of the agreement, either expressed or implied, provided that head teachers should end up teaching more classes as a consequence. That was not foreseen or

intended, though I accept that it appears to have happened.

Part of the agreement was to introduce 3,500 additional support staff in order—it was phrased—to free up teachers to do that which they do best, which is to teach. Equally, it is important that head teachers and school leaders can do what they are employed to do, which is to lead, rather than act as high-cost substitute teachers.

There is ample demand, particularly in primary schools, for specialist expertise to be brought in, not only in the traditional areas of music, art, physical education and home economics, but in information and communication technology, enterprise and so on. The HMIE report is helpful in pointing out what we might call better practice, which schools could follow—provided, of course, that they have the resources so to do.

When we consider the question of the attractiveness or otherwise of headship, we need to recognise that the issue is bigger than just the 21<sup>st</sup> century agreement. It is an international concern, and I know that it is troubling people in Ireland, which does not have a McCrone agreement to blame. It is a big, complex issue that has much to do with the doability of the job. There is an enthusiasm to devolve as much as can be devolved to the level of the school, but I am not certain that we have put in place the infrastructure to manage that scale of devolution. We need to reflect on whether we should devolve only to the level that the work is best done rather than regard everything as having to be devolved to the school level.

A lot more work needs to be done, including getting hard information about, for example, the number of applicants for headships and the difficulties that exist. We all have anecdotes, but I am not sure whether any substantial research has been done. We need to recognise that it is a big and complex issue that we need to get to grips with.

10:30

**Greg Dempster:** I have two points. The first relates to what Ronnie Smith was just saying and what other people have commented on already—what Charlie McAteer referred to as the crisis in recruitment. I accept that lots of factors impinge on that and that the situation is seen in other parts of the world as well. However, unless there are financial incentives for people to take on the top job, it does not matter what else is done to make it more appealing.

In-built problems with job sizing mean that there is not a recognisable career structure, certainly in primary, to follow different management and leadership roles. In particular, there is no incentive

for deposes to take on the top job, as we said in our submission.

In last week's edition of *The Times Educational Supplement*, two head teacher posts were advertised, both being paid £43,635. One had 277 pupils and the other had 123 pupils, so the same money was being offered for very differently sized schools and it is difficult to see the logic in that. A depute head in another primary school was being paid £42,226, so there is very little financial incentive for them to go on to headship and I presume that, if they did, they would want to go for the smaller school rather than the larger one. Where is the career structure in that? It is a big problem, and job sizing needs to be considered first to remove the financial disincentive for going on to school leadership roles.

The second point relates to involvement in the negotiations about the implementation of the agreement. Our colleagues from the EIS were talking about everybody being signed up all along the way, but it is important not to kid ourselves about the SNCT negotiating machinery. In effect, head teacher unions have been frozen out of the negotiations. Class teacher unions, by their nature, do not focus on issues that will affect school leaders because the bulk of their membership is classroom teachers and their numbers mean that head teacher unions have a much smaller voice in the negotiations. Therefore, the Association of Headteachers and Deposes in Scotland and HAS have not been part of the continuing discussion about implementation right through the process.

**The Convener:** We will note that point and might come back to it.

**Mr Adam Ingram (South of Scotland) (SNP):** I do not want to get into whether or not the agreement should have been linked to educational outcomes—I broadly agree with what David Eaglesham said on that—but will it lead to better learning and teaching outcomes and how does it fit with the improvement agenda in our schools? For example, the AHDS indicates in its submission that there is a

“conflict between delivery of RCCT”—

that is, reduced class contact time—

“and the principles of A Curriculum of Excellence.”

I would like some reflections on that.

HAS indicated in its submission that there is a need to develop collegiality within schools and that the job-sizing exercise might not have helped in that. I would like reflections from the witnesses on collegiality or flexibility of staff in taking responsibility for pushing the school forward.

**Charles McAteer:** Collegiality is a big issue for us in secondary and, I suspect, primary schools because we have not achieved it. The Audit Scotland report is a mid-term report, and the HMIE report indicates that we have a work in progress, so we have undergone only part of a process of implementation. The McCrone agreement is not fully implemented and we have a great tendency to beat ourselves up about the shortcomings of implementation, whereas there are many positives. Overall, implementation has been positive and the improvements are tangible.

In March last year, the SNCT did a number of roadshows on collegiality. The teachers agreement communications team also did some workshops and roadshows in May and June last year. Out of those roadshows and workshops came a feeling that collegiality has not yet been achieved and has perhaps not been as well defined or described as it might have been. The LNCT review group produced a statement on collegiality in June 2005 and is working towards producing a code of practice on it.

If properly delivered, collegiality will make our schools far more flexible. As professionals, teachers will be far more mutually supportive and take on more leadership roles as a matter of course, with more confidence in doing so. However, we are not there as yet. The member's point was fair: collegiality is at the nub of McCrone implementation—at the nub of “A Teaching Profession for the 21<sup>st</sup> Century”. If we can crack that problem, we will move a long way towards even greater professionalisation of the profession.

**George MacBride:** This is not about the principle of collegiality, or collegiality as a concept, but about a number of practical steps in the agreement that take us in that direction. I referred earlier to the new probation system, which has benefits not only for the young teachers who are entering the profession but for those who are taking on a mentoring role—who may or may not be in promoted posts. It causes them to reflect on their professionalism and on the ways in which they work.

The extent to which initiatives have been showered on schools has also led, as a by-product, to people thinking about issues such as health education and citizenship education and how they can take them forward. A much bigger issue is continuing professional development and the issue of professional review, which leads into CPD. One of the positive aspects that HMIE noted was the great improvement not only in the quality of CPD but in the processes by which people select the CPD that is most appropriate for them and their recognition that CPD is not simply about attending courses and going out of school, but about working with colleagues in school, or in

other schools through networks, to improve and challenge practice. Those are the markers, so to speak, of a collegiate profession.

There is on-going work on developing models of coaching and mentoring. Again, they take us away from the hierarchical management systems that were in place for good reason and purpose and allow new relationships to develop between teachers. As part of the development of a new climate and new ways of working, we should not neglect that agenda.

If one takes a fairly narrow focus, all that does not necessarily lead to immediate changes in attainment. However, as my HAS colleagues have pointed out, there are a whole range of ways in which schools are giving young people a much richer experience. I challenge the idea that reducing class contact time makes the curriculum for excellence difficult to manage or introduce. I would have thought that reducing class contact time and encouraging teachers to reflect on their professionalism was a key aspect of introducing that policy.

**Jane Peckham (National Association of Schoolmasters Union of Women Teachers):** I return to the attainment side of things, which we had quite a lot concern about in terms of the HMIE report. Raising pupil attainment was never the intended outcome of McCrone. The intention was to sort out the big mess that was going on with teachers in Scotland. I would go so far as to suggest that, if McCrone had not been introduced, instead of the standard of pupil attainment remaining at a static or rising level, it would be dropping. It would be foolish to use "A Teaching Profession for the 21<sup>st</sup> Century" as a gauge for pupil attainment.

In the main, in terms of the agreement and the people involved, the focus was to look at what was happening for teachers, head teachers and others in education, raise their level of professionalism and give them recognition. Although it is natural that doing that successfully will result in a rise in attainment, we have concerns about McCrone being used as an assessment of pupil attainment.

**Greg Dempster:** I return to the issue that we raised on reduced class contact time and its fit with the curriculum for excellence. I agree with George MacBride that that gives teachers more time to implement more effectively the curriculum for excellence. However, we want to look at the side of the equation where reduced class contact time forces head teachers to split off parts of the curriculum to be delivered in blocks by the people who are coming in to provide relief for reduced class contact time. The point that we raised is that, if that is not managed properly, there is the potential for conflict.

**Charles McAteer:** If we look closely at the HMIE report, we see that it suggests that attainment in early primary education has improved. However, it has not been sustained in later primary. In S1 and S2, attainment in the five-to-14 curriculum has steadily improved. Attainment in standard grades has been static and there has been a slight improvement in attainment in highers. Given the fact that major change has been taking place in Scottish education, we should feel fairly happy that attainment has improved or remained static. Furthermore, we perform highly in the programme for international student assessment comparisons.

We have maintained a high level of performance or achieved a slight improvement. The media have picked it up differently and made it sound as if things have gone badly, but they have not. We should not be hypercritical of an agreement that is a success story.

**Dr Elaine Murray (Dumfries) (Lab):** I will defend HMIE, which did not seem to be trying to imply that the McCrone agreement had not been successful. That is the way in which the media interpreted its report, but it is not the message that we got last week from HMIE.

Are the problems in the recruitment of head teachers an effect of the agreement or more a reflection of the problems that existed prior to it? Before the agreement, teaching was an unattractive profession to join, which meant that we had an older generation of teachers who had entered the profession earlier and that there were difficulties in recruitment, with not as many teachers coming in. However, a younger cohort is now coming into the profession as probationers.

The HAS submission refers to the need for CPD in leadership. HMIE says that CPD is a lot better than it was before, but does it need to be developed further?

In the past, there was a significant problem in recruiting female secondary head teachers to such an extent that, at one point, it was likely that sex discrimination cases would be pursued against various local authorities because they had no female secondary head teachers. Has that problem been addressed, or does further work still need to be done to encourage women in secondary teaching to go as far as they possibly can?

**Greg Dempster:** You referred to the profession not drawing people in for a certain period. That might need to be examined, but I refer to what I said earlier about financial incentives. Those would still be necessary to draw people through anyway, and the AHDS feels that job sizing is the first thing that needs to be considered.

Your point about gender balance was directed at secondary schools, but the opposite is true in primary schools. That equally needs to be examined.

**Ronnie Smith:** I will pick up a couple of points that Greg Dempster made. There is little or nothing in the agreement that makes the job of head teacher more or less attractive. I challenge the contention that job sizing, which is merely a method for determining the salary payable, had the effect of depressing the general levels of salary that head teachers are able to earn. However, it fundamentally changed the methodology for calculating them.

The example that Greg Dempster cited earlier betrays a failure to move on from the old method, which was to rely on the school roll as the single determinant of a promoted post holder's salary level. We consciously moved away from that to a more complex and sophisticated methodology that took into account a number of other factors. It is inevitable that, when we do that, the results will look rather different from the position if we relied solely on the school roll.

Determining the salary of a head teacher is a complex matter. Much more detailed examination is needed to establish the true number of applicants for posts—we do not really know that—and to try to excavate the reason why it is what it is. Some of the points that Charlie McAteer made earlier may be true.

By the way, it was no part of the agreement that we should reduce the number of senior management posts. We conflated the grades of depute and assistant head teacher, but the agreement says nothing about how many senior management posts there ought to be. Authorities have chosen to reduce the management capacity. As an aside, I must say that I am mildly surprised to read in the HMIE report a judgment that authorities are providing sufficient management capacity, as that is rather contradicted by the statements we have heard that many senior managers spend a lot of time dealing with the arrangements on non-class-contact time. Those two views do not sit comfortably together. Issues may exist about the contraction in the number of posts reducing the opportunities for people to progress toward headship. However, I repeat that the issue merits considerable examination, because it is critical that we have a sufficient number of well-qualified and suitable school leaders.

10:45

**Greg Dempster:** Head teachers' salaries were certainly not depressed by the agreement; in fact, they generally increased significantly. We could

talk about the good and bad bits of job sizing all day. However, my specific point about recruitment, which I tried to highlight by mentioning particular job advertisements, was about the lack of differential between salaries for deposes and for heads. Deposes are the natural crop from which new head teachers will come, but if there is not enough financial incentive for them to take on the role, that creates a problem.

**Ms Rosemary Byrne (South of Scotland) (Sol):** I want to raise a side issue that relates to the discussion on senior management posts, particularly head teachers. Is it the case that, because the local authorities have made decisions about the make-up of senior management teams, differences exist throughout the country in standards, effectiveness and the provision of good-quality education at higher and standard grade levels? Is the provision patchy or has the agreement made an impact, significant or otherwise? Has the workload increased significantly for senior management team members and principal teachers, who may be covering more than one department, unlike in the past? If so, what impact has that had on the ability to offer good-quality cover for classes to provide for non-contact time? Is the cover good quality or is it often simply a case of cramming everybody in for an assembly? If so, that would have an impact on the delivery of the curriculum for excellence.

**George MacBride:** I will pick up some of those issues, although perhaps not all of them. If one uses as a measure of attainment the number of youngsters who get standard grades, intermediate 2, highers or advanced highers, it is clear that, at S4, the situation has been fairly static. However, it is also clear—although HMIE does not point this out as clearly as I hoped it would—that there has been an improvement in S5 and S6: a slight improvement in highers and advanced highers and a notable improvement in Scottish credit and qualifications framework level 5, which is intermediate 2. The introduction of higher still, however difficult it was, has led to improved attainment. As has been pointed out, HMIE notes improved attainment in the earlier years of primary school and in some years of secondary school.

It is worth reiterating that Scotland is a high-attaining country and that to improve attainment continuously becomes ever more difficult. I presume that it is relatively easy to improve from an eight-minute mile to a seven-minute mile, but to improve from a four-minute mile to a three-and-a-half-minute mile is probably impossible, certainly for me. We must question the model of continuous improvement, although not negatively—we must at least discuss the assumptions that underpin it.

A more important issue is that, when HMIE goes into schools, it now looks not solely for

improvements in attainment, but for achievement more broadly. That is a relatively recent innovation, so it is difficult to track back several years to consider whether achievement, as more broadly defined, has improved.

There are areas in which we have a great deal of work to do. Looked-after and accommodated children are failed by our school system, but not in every authority area. It would be interesting to ask why some authorities have been able to deal with that issue and to find out what investment they have put in, what CPD they have provided and what tracking methodologies they have developed.

A similar comment could be made about young people who are not in education, employment or training. Although it is sad whenever a youngster leaves school and does not have a positive destination, we know that there are good innovations and that some schools are achieving more than others. That is to be expected in a complex organisation. We must develop the means to learn from each other and to build on good practice, instead of being berated for failing to adopt it. I am not sure whether that addresses all Rosemary Byrne's points.

**Ms Byrne:** Have the reduction in the number of principal teachers and the changes in structure had an impact on the provision of good-quality guidance in our schools and on the young people whom we feel we are failing in this country—those who are in the NEET category? Are we doing enough for them and are we doing enough to support staff with discipline, given that there have been changes in structure and that arrangements differ throughout the country?

**The Convener:** We are in danger of having a discussion about the whole of the education system rather than about the impact of the McCrone agreement. Does anyone want to respond to Rosemary Byrne's questions in light of the impact that McCrone has had on those issues?

**David Eaglesham:** I want to take us back to "A Teaching Profession for the 21<sup>st</sup> Century", which is what we are analysing. The background is explained on the second page of the document, where it says that the members of the implementation group were undertaking

"a shared agreement on a number of critical areas."

Some of the document refers specifically to teachers, for whom we have agreed that, by and large, the outcomes have been delivered in one way or another. On young people, the document says that we need

"to develop and realise the potential of every child"

and

"to secure achievement and the promotion of confidence and ambition in all our young people".

That is what George MacBride was referring to. We cannot measure that through exam statistics alone; we must look at what the whole system is delivering. My contention is that since the agreement came into place, we have secured those ideas. We have recognised that children have much more potential and that they need the opportunity to develop their confidence and their ability. That has been achieved in a variety of ways and in a range of areas and it cannot be measured by exam certificates or anything else.

Rosemary Byrne asked what was happening about faculty PTs and the delivery of the guidance system. Neither of those areas was dealt with by the McCrone agreement. The developments that took place happened afterwards and might well have happened regardless of whether the McCrone agreement had existed. To an extent, they were mandated because if a PT curriculum post was established, the job-sizing toolkit was used to do that and the outcomes that Greg Dempster mentioned are the ones that job sizing has delivered. Whether we like them or not, those are the outcomes that are there.

A range of developments is taking place that could be beneficial or detrimental to the education system. Our contention is that the PT curriculum concept is detrimental to what we are trying to achieve with young people. We are not giving them as much opportunity to expand their potential because the middle management structure is limiting our ability to deliver that. That issue needs to be investigated, along with the developing curriculum for excellence and issues of enterprise education, so that we can take an holistic view of the range of measures that have been adopted in schools.

As I said earlier, we are in a unique situation in that for the first time in history a parliamentary body is analysing, to the extent that it can, what we did six or seven years ago. That did not happen following the Houghton, Clegg or Main reports, when there was no post-match analysis. As a result of the committee's inquiry, we may discover that there are imperfections in the McCrone agreement. Indeed, everyone agrees that some issues have not been dealt with completely or are not as we would have wanted, but the committee is analysing what has happened and discussing matters with other colleagues. We are in a situation in which we do not face the imminent prospect of people with banners marching down the royal mile or taking industrial action, which was the classic pattern in the past. By now, there would have been rumblings about the successor to McCrone and we would have had to go through the same process again, but there

are no such rumblings. We have moved on hugely. That is a great compliment to everyone who has been involved. If there are any deficiencies, they must be seen in the context of the bigger picture.

**Lindsay Roy:** There has been a helpful redefinition of the curriculum in the curriculum for excellence. It is about not just courses and programmes but values—like those written on the mace in the Parliament—relating to the quality of learning and teaching and the care and welfare of our youngsters. There is an holistic view of the curriculum. It is ironic that, through the job-sizing process, principal teachers of curriculum—the subject course programme co-ordinators—tend to be paid considerably more than principal teachers of guidance or pupil support. We need to address that, because we are very much into personalising and individualising education.

On what Ronnie Smith said, I believe strongly that we need to consider management capacity. There was an assumption that bringing in business managers and pupil services managers would address that. Our anecdotal evidence is that one of the reasons why people are not going for head teacher jobs is that people cannot give of their best if they are working 60 hours a week. There are issues about their quality of life and how they can sustain the drive for improvement.

**Charles McAteer:** We need to consider the impact of the structures not on the basis of anecdotes but on the basis of research. As a direct result of “A Teaching Profession for the 21<sup>st</sup> Century”, the posts of assistant principal teacher, senior teacher and assistant head teacher all went. Subsequently, there have been restructurings by local authorities, which have varied in their nature and complexity according to the number of posts and nature of responsibilities involved. Work has to be done to consider both the simple outcome of “A Teaching Profession for the 21<sup>st</sup> Century”, such as the reduction in certain posts, and the other models that have come to pass, which might or might not be delivering well for pupils and teachers. I offer no opinion on that because I am not sure what the outcome has been. Some things are better and some are not. A much more rigorous investigation has to be carried out.

**Lord James Douglas-Hamilton (Lothians) (Con):** My first question, which is probably for Mr George MacBride and Mr David Eaglesham, is on the new probationer set-up. It has been suggested that the new set-up of a guaranteed place for the probationary year has had some spin-off disadvantages. How common is it for more experienced teachers to struggle to secure a job because of the need to employ all new graduates?

**George MacBride:** There is practically no evidence to sustain that position. I do not doubt that there are cases of that, but in some places there is a shortage of teachers and it is difficult to recruit teachers into supply pools to provide cover. I do not think that we are in the situation of 10 years ago, when people were employed for two days here, three days there and a couple of weeks there. The number of such cases has decreased significantly, although that still occurs on occasion. I do not share the concern to which you referred.

**David Eaglesham:** George MacBride is absolutely right that the situation for probationers is infinitely better than it was before—we need to bear that in mind. There are particular problems with people being able to obtain full-time permanent posts at the turn of the school session, given the bedding-in process. There was a glitch in the August-September period, when people were not able to obtain employment post-probation. The indication that we have is that come October-November, that had been resolved. We would prefer to have a seamless transition but, by and large, we are getting to the position where there is space for everyone. However, as George MacBride said, there is the danger of longer-term shortages occurring in all posts, not simply in head teacher posts.

11:00

**Lord James Douglas-Hamilton:** That is certainly encouraging. What do Mr Charlie McAteer and Mr Lindsay Roy think can be done to improve the benefit that is gained from continuing professional development for the minority of teachers who are not particularly enthusiastic about giving time to it? How can continuing professional development be better used to provide new challenges for already competent and completely committed staff?

**Charles McAteer:** I see my microphone light has come on—how did Lindsay do that?

That is a difficult question. The assumption, which I would agree with, is that there are only a few teachers who are not so keen on CPD. CPD is not just an option; it is part of the contractual requirement on teachers. We have to point out the benefits of CPD and help people to identify their needs and access the appropriate CPD for them. To be fair, it is not always as readily available as one would like it to be.

Speaking more personally, I believe that we should have a more systematic CPD programme, as professions such as lawyers and doctors do. People could take certain courses or get involved in certain activities that would carry their professionalism beyond the standard for full registration, which people achieve after their

probationary period. They would systematically take on, for example, training in child protection and gaining awareness of how to deal with issues to do with that. People can undertake a whole host of different things.

I believe that the more experienced teachers are well motivated anyway and that they will be seeking new challenges. The opportunity to take on more responsibility will encourage them to increase their expertise. I am fairly confident about that. The changes that have been taking place in CPD have been excellent.

**Lindsay Roy:** As part of the entitlement to professional review and development, each teacher is strongly encouraged to identify their own continuing professional development needs. We need to ensure rigour in monitoring. In other words, we should facilitate CPD so that teachers can access things that they feel to be important as they progress. That is not unaligned with the school improvement plan. We are trying to ensure targeting towards meeting the key objectives and the national priorities. Where there are shortfalls, there are ways in which we, as managers in schools, can deal with them.

**Lord James Douglas-Hamilton:** How does Mr Greg Dempster think that a system for providing additional preparation time for teachers outside the hours when pupils are in school should operate?

**Greg Dempster:** I do not have an answer for that. There have been some short discussions within our organisation about reduced class contact time and how the additional preparation and planning time outwith the pupil day could be offered to teachers in some other way. However, we have not yet come to any useful conclusions about that.

**Lord James Douglas-Hamilton:** This question is for Susan Leslie. The Professional Association of Teachers has suggested that the agreement has had benefits for pupils but that exam results cannot be expected to improve, given the other factors involved. Could you outline what you regard as being the main benefits for pupils?

**Susan Leslie:** This has already been covered in much of the evidence to the committee. The main benefit has been stability. Stability of staffing, the influx of new teachers, the flexibility that has allowed for non-contact time and the bringing in of specialists—there has been a raft of benefits to pupils. If we wish to analyse the specific improvements that have been made, we need to see them as part of the bigger picture and within the structure of the national priorities. That is the method that local authorities have used—they refer either to the national priorities or to the outcomes for children—to structure their

improvement plans and their quality and standards reports, and that is where their strategy obligations come in. It is possible to find out some specific points and obtain statistics. As a generality, however, young people in our classrooms have benefited from increased flexibility and stability.

**Lord James Douglas-Hamilton:** My next question is for Mr Bill Cook and is on workload. I repeatedly receive complaints from teachers—in particular, primary school teachers—that their workload and bureaucracy are too great. Does Mr Cook have any strong views on how, in the best interests of teachers, excessive workload might be reduced? As that is a general question, perhaps the other union representatives could answer it as well.

**Bill Cook (National Association of Schoolmasters Union of Women Teachers):** I certainly have strong views on that issue. Having listened a great deal to the comments of my headmaster colleagues, I think that they sometimes forget that teachers need to teach for 22 hours a week—which headmasters do not—and prepare for those 22 hours as well as engage in CPD. In my opinion, CPD is extremely patchy and is not always totally relevant to the needs of teachers.

On how the workload might be reduced, I think that some curriculum decluttering is needed. In implementing the curriculum for excellence, that should be a prime factor. Certainly, closer regard must be given to the needs of teachers, especially given the demands that are made on them outwith their core duty of teaching children. To be frank, that is largely forgotten by all and sundry, including Parliament, HMIE, local authorities and school management.

**Lord James Douglas-Hamilton:** Perhaps I should have phrased that question a bit better. The complaints that I receive repeatedly relate not just to workload but to paperwork and bureaucracy. Is there a general feeling that there is too much paperwork?

**Bill Cook:** That feeling is universal among practising classroom teachers. It is also certainly felt among principal teachers of the subject that I am familiar with.

**Lord James Douglas-Hamilton:** Would teachers welcome any moves that would reduce the amount of paperwork, provided that those were well thought out?

**Bill Cook:** Indeed, they would.

**Lord James Douglas-Hamilton:** My final question is for Mr Charlie McAteer and Mr Lindsay Roy and is on devolved school management. Last week, we heard the suggestion that virtually all local authorities have devolved 90 per cent of

school budgets to school management. Has that happened or is that an exaggeration?

**Lindsay Roy:** The picture varies across the country. There are tensions within some local authorities in the sense that, on the one hand, empowerment and flexibility are offered to head teachers but, on the other hand, they are still subject to a command-and-control economy. Certainly, more and more is being devolved to head teachers. However, as Ronnie Smith pointed out, if budgets are being decentralised, we need to have the management capacity to deliver on those.

On a partially related issue—which I think it would be remiss of me not to highlight—although we commend and applaud the Executive's commitment in funding the delivery of the key outcomes of the national teachers agreement and although we recognise that local authorities are democratic organisations, we believe that there is an issue with the variation in the distribution of funding to schools. The extent to which investment has reached grass-roots level is patchy. We refer to that as the need for a Heineken factor.

**Marilyn Livingstone (Kirkcaldy) (Lab):** I declare that I am a member of the EIS.

**Mr Frank McAveety (Glasgow Shettleston) (Lab):** Is that a confession?

**Marilyn Livingstone:** Yes.

I want to continue on the theme of support for the profession, which Lord James raised. As someone who worked for many years in further and higher education, I know the benefits of good support staff. It is interesting that the reports from both Audit Scotland and HMIE found that some teachers said—this is the Heineken factor again—that they were not yet feeling the benefits of having more support staff. How is the support staff issue progressing?

Audit Scotland said that inadequate opportunities for career progression for support staff were affecting retention. A key to many of the issues is having good support staff for the profession. I would like to hear people's views on whether teachers are feeling the benefit of having more support staff and on the career structure for support staff.

**Jane Peckham:** Our evidence shows that the suggested employment of support staff has happened. For many teachers, the issue is that the lines are greatly blurred on what support staff are there to do, which varies not only from authority to authority but from school to school. Other investigations that are going on into classroom assistants' position and support for learning may have an impact on that, but our findings are that many teachers are not entirely

sure what support staff are there to support them with and that teachers still feel compelled to have an input into the remit of support staff. The situation has been a mess from school to school—no lines have been drawn. A person might do a job in supporting in one school that is entirely different from the job that is done in another school. That is where the confusion has arisen.

**Jim O'Neill (Professional Association of Teachers):** I agree with much of what Jane Peckham said. The PAT is unique in having classroom assistants as members, so we can speak on behalf of them and of support staff in general. I agree with Jane Peckham that there is a grey area and a mist, because the role of support staff does not seem to be understood everywhere to the same extent.

We are involved in the Equal Opportunities Commission's continuing inquiry into the status of support assistants—classroom assistants—throughout Scotland. When that report is issued, it will show tremendous discrepancies and differences in career structure—some authorities do not seem to have one whereas others have a well-defined one. Staff do not seem to know exactly what their role is. If we are honest about it, many teachers do not seem to know what the role of support staff is supposed to be—that has not been made particularly clear.

As has been said in relation to other matters, we must admit that quite a change in ethos followed the McCrone agreement. Until then, teachers taught in their classrooms in a sort of splendid isolation—not entirely, but that was generally the picture. Teachers must now have working alongside them another adult, whose role is not entirely clear to them. This is not the place to go into it, but we have shocking examples of classroom assistants and support staff being used in illegal ways. We must bear it in mind that although teachers expect support from such people, they are not totally aware of the support that they should receive. What is provided varies considerably according to the school and the authority.

**The Convener:** I call George MacBride.

**George MacBride:** My points have been made.

**David Eaglesham:** I echo what Jane Peckham and Jim O'Neill said. The EOC will shortly produce its research, which will interest the committee. Huge discrepancies exist between authorities. Implementation of the support-staff part of the agreement has been one of the least satisfactory elements in terms of numbers, timing and the parameters that have applied universally. It has been difficult to do anything on that.

There is anecdotal evidence that some support staff are being left in charge of classes when



teachers are not there. In no shape or form did the agreement say that that should happen, and parents, schools, pupils and the committee do not want that. If that is happening, it is clearly an abuse of the staff that needs to be stopped. Several issues exist and that is one matter that needs further examination, which I have no doubt will happen in the coming months.

**Lindsay Roy:** This issue is unfinished business, and questions arise to do with career progression. In our experience, support staff with a well-defined remit are worth their weight in gold. Indeed, there have been good examples of collegiate working.

In some local authorities, the issue has been caught up in the single-status review, and one or two authorities have had temporary recruitment freezes. We will have to continue to pursue the issue and ensure that it is delivered in full over the next couple of years.

11:15

**Fiona Hyslop:** The Auditor General's report said that 45 per cent of teachers felt that the benefits of appointing support staff had yet to be delivered. If we want to get value out of this discussion, we have to accept that the things that are work in progress are the things that have a direct impact on children. I am thinking about the cuts in the workload of paperwork, and the potential conflict with the curriculum for excellence. Children are getting lots of music, art and sport—which parents have wanted them to get—but that is not necessarily seen in measures of attainment. Issues to do with head teachers also arise.

We have to reflect on the things that have not been achieved as well as others—and they are the things that have a direct impact on children in the here and now. Addressing those kinds of issues very quickly would be the most useful way of serving the children of Scotland.

**The Convener:** That was more a comment than a question—not that there is anything wrong with that.

**Fiona Hyslop:** The question is, what are we going to do about it?

**Mr McAveety:** I too am a member of the EIS, and my family still speak to me.

Three or four big issues have arisen. Last week, we talked about a “spectrum” of implementation and about obstacles. It was felt that achievement was in the middle to upper range but that, in some parts of Scotland, some factors—including the approach of local authorities—had been detrimental. Where big obstacles have arisen, what were they and how can they be overcome?

I take David Eaglesham's point about the period of stability that I think we are in. I touch wood carefully, because that stability is unusual in the history of Scottish education. What is the post-McCrone vision? What will the dynamics be?

Our discussion has touched on classroom assistants. Certainly in the area that I represent, classroom assistants offer the potential to intervene in the early educational experience of children. Gaining different perspectives through recruitment from local communities and neighbourhoods would be very useful for young children, and the people recruited could then progress into teaching itself. There have been examples of that happening, but I do not think that there has been a systematic approach to realising that potential. How do the people round the table feel that such issues can be built into the debate—especially for our discussions with education ministers on the spending round?

**George MacBride:** I will answer Frank McAveety's first point first. Lindsay Roy referred earlier to areas that had devolution of management and areas that had a command-and-control ethos. My concern is that in some areas, although we hear the rhetoric of empowerment and devolution, the reality is command and control. That is happening because people—including senior managers in education authorities—are being asked to move out of their comfort zone. Those people merit support as they move from one model of management to another. We have to acknowledge just how big a change we are talking about. That change will take time. We have to move away from the command-and-control model, not only in rhetoric but in reality. That will be difficult.

Frank McAveety made an important point about classroom assistants. Local employment and recruitment of people as classroom assistants will be crucial in providing a role model to young children. It will also provide a role model to older children in secondary school, and it will provide people with routes into other employment and professions.

The evidence is that many classroom assistants and other support assistants are paid appallingly low wages—often just above the minimum wage, if not the minimum wage itself. That is a serious issue and needs to be addressed. Because of the nature of the pupil week and holiday arrangements, classroom assistants' hours are often not long, so their annual income is often low. It is also important to bear in mind that, even if classroom assistants do not desire to progress, their presence in schools as representatives of the local communities is an important support for youngsters.

We have a major task to do. I hope that the post-McCrone period will recognise that a dialogue between the pupil, the teacher and the other adults concerned is central to all education. That is one way of embodying the culture that Lindsay Roy spoke about in the curriculum for excellence.

**Bill Cook:** The biggest failure that we have so far is the workload and the number of hours that teachers are working. That is strongly linked to the availability of classroom assistants. We have always been extremely impressed by whatever experience we have had of classroom assistants, but that experience is far too limited. I do not want to be anecdotal, but I do not think that, in three years, I have had a single classroom-assistant hour dedicated to me. The provision is clearly patchy throughout Scotland, which brings us back to the point that our headmaster colleagues made earlier that the amount of money that is put into providing classroom assistants varies significantly from area to area. In South Ayrshire, classroom assistants are thin on the ground in secondary schools. They would undoubtedly help to cut the workload were they to undertake the duties that I am no longer supposed to undertake but routinely still have to do.

**Greg Dempster:** In meetings with my nursery members, the point came up that administrative support workers are often paid lower hourly rates in nurseries than they are in primary schools. Some of them work in primary schools and then, later in the week, work in nurseries, but they get separate hourly rates for the two, which I find appalling.

**Charlie McAteer:** There is a problem with the recruitment of classroom assistants, particularly in secondary schools. My school has advertised several times and has not been able to get classroom assistants, although it can get clerical assistants, who might give support to teachers in classes or with their administrative work. However, the job of classroom assistant in a secondary school does not seem to be attractive.

It is interesting that the HMIE report said that out-of-school activities had either remained at about the same level or increased. It is an interesting insight into the teacher psyche that teachers do additional voluntary work over and above their 35 hours. Therefore, although some of the workload is about the bureaucracy—sometimes unnecessary bureaucracy—that we have to go through, teachers, head teachers and senior managers are sometimes their own worst enemies in as much as they take on more than they can carry at times.

**Lindsay Roy:** The Headteachers Association of Scotland is not against diversity in management structures, but we are looking for fitness for purpose. Our acid test is whether the management

structure meets the pupils' needs. If we have felt that that has not been the case, we have taken it up with local authorities. In one local authority, a secondary school had a head teacher and three deputies regardless of whether it had 700 or 1,800 pupils, but that has changed. We have engaged in dialogue with our colleagues if we have felt that the prime criteria have not been met.

**David Eaglesham:** The biggest problem with assistants is the plethora of duties, titles and functions that they have at the moment. A huge range of things is happening and the picture is not consistent from place to place or school to school. Even within one school, there are differences. That makes it a major problem for our support staff colleagues to know what is right. The idea of their being paid different rates for different work at different times is utterly confusing.

Support staff need a career structure that will allow them to develop. That said, if this becomes simply a stepping stone to teaching, we will end up with a conveyor belt of people going in one end and coming out the other, with no consistency whatever. If classroom assistants find that they want to become teachers, that is wonderful; they should certainly consider such a move if they have the qualifications and aptitude for the job. However, we need something within the operational set to assure these people that their role is neither minor nor subsidiary but will develop over the years. After all, where the system works, it works extremely well.

On the issue of succession in the agreement, I will need to take you back even further than I took you earlier to the millennium inquiry—hands up all those who remember that. Although it eventually ran into the sand, the inquiry looked at how the SNCT or any successor body that might be established might be able to bring in and link up all education issues. The problem is that the SNCT, which has followed on from the old Scottish joint negotiating committee, deals with issues appertaining to teachers' conditions and some of the things that we are discussing, including the career development of support staff, do not fall within the SNCT's bailiwick. The danger is that education issues will be dealt with in two different contexts with no means of taking an holistic approach to them.

Of course, because they can examine any issue, the committee and the Parliament can take that kind of approach. However, Scotland seriously needs some joined-up thinking on this matter. Indeed, one of the ambitions of the millennium inquiry was to develop a better education system by taking a more joined-up, holistic approach and bringing together issues relating to teachers' conditions and other matters. The challenge is how we take that work forward to ensure that no

extraneous issues—I do not mean that in a pejorative sense—are left in isolation, unable to be dealt with by the bodies that are supposed to address them.

**Ronnie Smith:** In response to Frank McAveety's point, I am not sure whether I have a post-McCrone vision, but I certainly have a post-McCrone concern about the stability of the process that began in 2001. I am anxious that we do not become complacent that, just because all this money has been invested, the teacher education issue has been sorted and the show can move on. For example, the McCrone agreement provided a major correction in salary values that made possible subsequently a quite unprecedented four-year pay agreement, now in its last quarter. However, that agreement will expire in March 2008, and I would be very sad if we were to repeat the cycle of correction and decline that I have experienced ever since I entered teaching in the early 1970s.

Furthermore, the agreement foresaw the introduction of 3,500 additional support staff, but that has not been guaranteed or enshrined in future budgetary exercises.

As far as the chartered teacher scheme is concerned, I am optimistic that, over time, it will become pretty much the natural route that almost every teacher will follow. However, Audit Scotland's report noted that, because of the salary premium associated with the scheme, it will have cost implications. I want to warn against the views that I have begun to hear that access to the scheme should be subject to gatekeeping, regulation or rationing. The scheme will have a high maintenance cost, and I hope that everyone responsible for or with influence on these matters will recognise that fact in the decisions that they take in years to come.

**The Convener:** I am afraid that time is against us, but I want to touch on the chartered teacher scheme which Ronnie Smith has just brought up. For one thing, its take-up rate has been relatively low; moreover, several submissions that we have received express concern that because the scheme is based on self-selection, schools and head teachers in particular have no role in determining who should enter it. To be blunt, we have heard that the best teachers might not be entering the scheme. Does the panel have any very brief comments on those two points?

11:30

**Jane Peckham:** I share Ronnie Smith's concern that access to the scheme might be limited because of budgetary considerations. We were delighted that the scheme was to be reviewed because we have been shocked by the lack of

uptake. The main reason for the lack of uptake seems to have been the financial burden that the scheme places on teachers themselves. Some of our members are getting through the programme by using their credit cards, which is unacceptable. Every teacher should be allowed access to higher gains for their experience.

We urge caution. The HMIE report referred to leadership roles for chartered teachers. My concept of a chartered teacher is someone who stays in the classroom but is rewarded for their experience and expertise; I do not see a chartered teacher as a stepping stone to management, as senior teacher posts became. I am concerned about that happening. We will get people to take the route in question only by considering ways of reducing the huge amount of time and costs that is involved.

**George MacBride:** Reviews of any educational provision always mean progress, but it is important to bear in mind that chartered teachers came into being as part of a tripartite agreement and that no one party—the Executive, teachers organisations or COSLA—can change that agreement by itself. Discussion, negotiation and agreement would be required to change it.

I challenge the idea that the scheme is based on self-selection. A teacher must put himself or herself forward for the chartered teacher course, but a rigorous form of selection is used by the higher education partnerships that provide the courses and ultimately by the General Teaching Council for Scotland for those who want to pursue the alternative route and as part of its role in accrediting courses in university partnerships. There are rigorous selection processes initially and as a person progresses through the course. People who come off the course may be affected by cost implications or they may realise that they are not quite ready to progress.

Leadership is an important issue. Slight confusion sometimes arises in the discussion—oddly, it arises in the HMIE report, which refers to the post of chartered teacher. Such confusion is unusual in an HMIE document. A chartered teacher is not a promoted post, as principal teacher, depute head or head posts are. However, chartered teachers can provide leadership, and some education authorities have begun to think about ways in which they can encourage them to display leadership without their conditions of service being affected. The HMIE report provides several examples of that.

**David Eaglesham:** Cost is probably the biggest single factor in deterring people from participating in the chartered teacher programme. Sadly, costs were one of the i's that were not dotted or t's that were not crossed in the original discussions. Those of us on the teachers' side of the discussions largely assumed that funding for the

programme would mirror that for the Scottish qualification for headship rather than that funding would have to be provided by the individual, but there was a dramatic change. A deficit model exists. People must put money up front before they can get money back, and they usually have to do so at a point in their career at which they are financially least able to do that.

George MacBride was right. We are not talking about a post but about enabling teachers to be the best possible teachers that they can be. One of the saddest things about the scheme is that it militates against one group in particular—people on career breaks, the vast majority of whom are women. The scheme gave women who were out of service the opportunity to participate in high-quality in-service training that would have given them a running start when they returned to the profession and that would perhaps have enhanced their promotion prospects in other contexts. Sadly, the least likely time for a woman to participate in such a scheme will be when no salary is coming in and she must find money. An opportunity has been totally missed—it has simply gone by the board—and I do not think that it will be recovered. We must seriously consider how the course is funded and show people who want to participate in it for the benefit of the system that the system is prepared to assist them in some way. I am afraid that a lack of imagination has been shown in assisting teachers to participate in it.

**Lindsay Roy:** I take the view that all teachers are leaders of learning. When people's practice is identified as exemplary and they go through the chartered teacher route, they should share their expertise and contribute to the continuing professional development of others. That is fundamental to strengthening the collegiate culture. Their role is not a management or leadership role in the narrow sense but involves sharing their practice and expertise. That will bring a richness to the schools and classrooms in our country.

**Tom Burnett (Association of Headteachers and Deputies in Scotland):** Lindsay Roy covered many of the points that I was going to make, but I have an anecdotal observation. At the beginning of the current session, I received as a transfer a lady who was about to complete her chartered teacher course. During our initial discussion about how she could fit in with the school, she said that she felt that she should not restrict herself solely to her classroom. She had not taken time out of her classroom to complete the chartered teacher course. She had invested time and money and she felt that she had a lot to contribute to the school as a whole. She is not part of the management team but, because of the knowledge that she has built up, she has a massive amount to contribute to the school.

This is a significant time for schools and for the role of head teachers. Under the curriculum for excellence, we have to monitor the wider picture of attainment and achievement. When staff complete courses such as the chartered teacher course, it is a wonderful opportunity for them and many of them are willing to share good practice and encourage other teachers to progress to the next level.

**The Convener:** I am afraid that time is against us, so I have to bring the session to a close. It has been very interesting and I thank every member of the panel for their contributions. I hope that you found the format useful and that it helped you to get your points across.

11:37

*Meeting suspended.*

11:48

*On resuming—*

**The Convener:** We have two further panels of witnesses from whom to take evidence on the implementation of the teachers agreement. The first panel is from Audit Scotland. My convener's brief says, "Welcome the Bob Black," so I welcome the Bob Black, the Auditor General for Scotland. He is accompanied by Antony Clark, who is the assistant director of the public reporting group at Audit Scotland. I remind members that the Audit Committee has already reported on Audit Scotland's report "A mid-term report: A first stage review of the cost and implementation of the teachers' agreement *A Teaching Profession for the 21<sup>st</sup> Century*" and a copy of the committee's report is included in their papers. I invite Bob Black to make some opening remarks, after which members may ask questions.

**Mr Robert Black (Auditor General for Scotland):** Thank you very much, convener. You have had a long morning and have listened to a lot of people talking, so I will be extremely brief.

Our report was deliberately called a mid-term report. We recognised that the agreement was a major project for the Scottish Government and the education profession and that it would run over many years, but we nevertheless felt that it would be appropriate to produce this first-stage report, which considers the level of expenditure involved—the Audit Committee has considered that in detail—and the impact on the teaching profession and the support staff in schools.

The report also looks at local authorities' achievement of the seven milestones. By and large, it paints a pretty positive picture of that. As the auditors, we had to think about whether we could demonstrate that value for money is being

achieved in the agreement. Rather than go into any detail on the report—you have used evidence from it already this morning—I will touch on one or two things just to reinforce points that have been made.

You will be aware of our finding that the agreement has benefited classroom teachers, which is consistent with the evidence that you have seen. It has also improved the induction of and support for new teachers, given classroom teachers more time to teach and provided much better access to high-quality training and development. Nonetheless, in some areas, the outcome has been mixed. Our evidence base confirms that, and that is consistent with the evidence that the committee has taken. For example, the chartered teachers scheme is still in development, and there are issues with the introduction of the new career structure and the reduction in class contact time in terms of the impact on head teachers' workload. That has featured in this morning's discussion.

We also suggest in the report that the Executive needs to do more to ensure the adoption of good practice across all education authorities. That has not featured so far in this morning's debate. Now that the project is well through its early years, there are examples of good practice that could be shared and extended.

The key question for the auditors is whether the £2.15 billion has delivered value for money. It is difficult to assess the extent to which value for money has been achieved through the additional spending, as clear outcome measures defining what the agreement was intended to achieve were not included and have not yet been put in place. I would be the first to acknowledge how difficult that would be to do. I also acknowledge what others have said along the lines that the agreement was never intended to have a direct and immediate impact on learning outcomes but was intended, first and foremost, to improve the pay and morale of the teaching profession as a necessary condition for future change, innovation and improvement. I think that that is certainly what has happened.

At this stage in this large project, when the Executive is working with local authorities and the teaching profession, it needs to continue to consider what measures can be devised against which the cost and value for money of the agreement can be assessed in the future. We have suggested a few measures in the report, such as improvements in classroom practice; the quality of leadership in education, which everyone recognises is vital; issues around improved workloads and skills mix; sustained improvements in workforce morale, recruitment and retention;

and, last but by no means least, the impact on young people.

Members of the committee and witnesses have this morning talked about the importance of delivering the curriculum for excellence, the outcomes for children and the commitment to deliver on health, education and citizenship. I also think that somewhere in there is the impact on educational attainment over time, although I would be the first to say that there is not a linear relationship between investing more money and getting better educational outcomes.

Those are the sorts of things that I encourage the Executive and the Parliament to think about. In our future discussions with HMIE about future reporting on the agreement, which we will undertake in partnership, I think that they are some of the areas that we should address.

Antony Clark and I would be happy to answer any questions, although we are clearly restricted to commenting on the evidence base in the report.

**Fiona Hyslop:** I want to ask about your assessment of local implementation. We had the McCrone report and then the agreement, followed by high-level recommendations and implementation at the national level, but much was left to local implementation. In the context of learning lessons in retrospect, do you think that some national monitoring of the implementation that was taking place locally might have helped to identify some of the issues that are now coming up as potential areas of concern that require to be addressed?

**Mr Black:** Some positive messages came out of the evidence that we gathered. We took information on spending programmes from all local authorities in Scotland. The Audit Committee has analysed that information in some detail. We also took information on the implementation of the milestones from all education authorities. We have found that, by and large, the key milestones, which were the essential building blocks of the agreement, were implemented in full—with perhaps one exception. Beyond that, the audit and research work that we did tended to be at a more general level. It examined how teachers found the new agreement was being implemented. It took the views of support staff. I invite Antony Clark, who was in charge of the project, to give you a greater flavour of what we found at the local level.

**Antony Clark (Audit Scotland):** The terms of reference for our work were to assess the extent to which the milestones had been met and the cost associated with implementation of the agreement. As Bob Black said, our interest was at the national level, but we gathered information from all 32 local authorities and did survey work with classroom teachers, head teachers and

support staff. It is difficult to form judgments on the relative performance of individual authorities because they all started from different places. Some authorities had well developed continuing professional development schemes and some had well developed induction schemes, but others did not. In a sense, there was not very good baseline information for each of the 32 authorities before and after the agreement to enable us to make judgments on their relative progress.

**Fiona Hyslop:** It seems to me that the mid-term report that you have produced would have been helpful if it had been conducted nationally as the agreement was being rolled out. If we are looking for lessons, whether it is for this national agreement or for future national agreements, one is that an assessment of progress as the agreement is being rolled out would be helpful—rather than have Audit Scotland come in some time after the event.

**Mr Black:** I suggest—the various stakeholders that we interact with have confirmed this—that the information in the report is proving to be a useful evidence base for everyone who is involved in implementing the agreement. We have reasonably successfully identified a set of issues that each and every education authority, working with the Executive, must take on board. Certainly we will come back to the matter with HMIE in a couple of years' time. At that stage, we will be more focused on what is being delivered locally. It is early days yet; we have not got into that level of discussion with HMIE.

**Fiona Hyslop:** Looking forward, you suggest some more qualitative indicators—the accusation is sometimes made that it is all about bean counting and numbers. It is always difficult in education to ensure that the indicators we use for value for money are meaningful.

Given some of the comments that we heard earlier about the curriculum for excellence, which is a huge project, I would hate to have an Audit Scotland report into the curriculum for excellence in four or five years' time that raises some of the same issues about investment in it and how it has progressed. Perhaps there is an opportunity now to take the indicators suggested by Audit Scotland on the McCrone agreement and say that if we are trying to measure improvement in education meaningfully, we should flag up some of those in parallel with the roll-out of the curriculum for excellence so that we can have a meaningful dialogue about what has improved in education. The assessment should be more about indicators than output in crude terms through attainment levels in exams.

**Mr Black:** I agree with your comments. Would Antony Clark like to say more about how we will work with HMIE?

**Antony Clark:** I will make two points. First, you make the point about identifying good practice in respect of how the agreement was implemented over time. The HMIE report is interesting in that HMIE was involved in monitoring implementation over several years of the agreement. Quite a few examples of good practice are given in its report, which gives us some good signals about how the process might be managed better if it is repeated.

The point has been made quite well several times today that the McCrone agreement cannot be seen in isolation from other policy developments in Scottish education. The work that we propose to do with HMIE will have to consider the McCrone agreement in light of developments such as the curriculum for excellence and other policy developments to do with behaviour in schools and so forth.

We have not yet had detailed discussions with HMIE, but we want to work hard with it, given the permanent presence of its inspectors in all 32 education authorities, to measure progress over time and to identify longer-term judgments, based on the qualitative measures on which we touched earlier. We want the process to be part of an integrated agenda for education; it should not be just a post-McCrone process.

12:00

**Ms Byrne:** I want to ask about a similar subject. The previous panel of witnesses said that research into the restructuring of management teams is required, particularly into how that process has differed between local authorities, and the impact it has had. Do you think that research in that area is needed, to enable us to identify the best practice that Fiona Hyslop talked about? Did you come across huge differences in the structure of management teams that had an effect on learning and teaching?

**Mr Black:** Our analysis confirms that local authorities in Scotland started from different places. There is an enormous variety in what we might call the starting position of each authority. Our report, together with that of HMIE, contains some interesting examples of good practice. We need to find a more structured way of capturing and reporting those in the future. We must find ways of sharing best practice across the whole education system.

**Antony Clark:** Both our report and HMIE's report raise interesting questions about morale in the secondary sector, the impact of faculty structures, leadership capacity and the impact of the new career structure on head teachers. Those are important issues that we need to take forward together in our next-stage work.

Rosemary Byrne's question was about faculty structures, which are not part of the teachers agreement. Professor Gavin McCrone may talk about them in his report, but they do not feature in the agreement proper. The differences between faculty structures in different local authorities appear to have arisen as a logical consequence of the introduction of the new career structure. Some authorities have taken the opportunity to look radically at how they construct their management and leadership models in schools and education authorities. We did not carry out a detailed investigation of case studies of how effective or ineffective particular faculty models are, but we are aware that there is an agenda. We are not in a position to make a judgment on good or poor practice, or on what an effective faculty model might look like. I expect that to form part of the work that we intend to do with HMIE.

**Lord James Douglas-Hamilton:** What shape do you think any measures of how effective the agreement is should take? How could the Executive go about introducing such measures at this late stage or in the next session? How can we ensure that the introduction of such measures is not disruptive? I ask those questions because monitoring of the McCrone agreement will be a continuing issue in future years—it may be relevant for us to include it in our legacy paper. Are you able to consider the issue and to provide us with a short paper outlining your ideas on it?

**Mr Black:** I am sure that we can provide the committee with a paper on the issue. In my opening remarks, I gave a general indication of some of the areas that could be looked at. It is primarily the responsibility of the Education Department, working with local authorities, to identify such measures. We would have to prepare any paper that we submitted to the committee with that in mind; it would be an offering, rather than a mandate on the department and local education authorities.

As I emphasised earlier, many of the issues are difficult to measure in quantifiable terms. However, there are ways in which we can capture information about what is happening within the totality of the change that is taking place in education in Scotland. A lot of that—such as improvements in classroom practice; the quality of educational leadership; issues of workload, skill mix and workforce morale; and recruitment and retention—would be more effectively delivered by way of evaluation by HMIE than by Audit Scotland. There are also the softer but vital issues that we have already touched on, such as delivering the equivalent in education of the agenda for change through the curriculum for excellence and the outcomes for children, and the related matter of long-term educational attainment. That would be my personal list of areas that should be addressed

in future to see whether there has been any impact. We can capture them in a note for the committee if it would find that useful.

**Lord James Douglas-Hamilton:** With regard to administrative support for teachers in connection with the McCrone agreement, did you by any chance consider devolved school management? We heard from the previous witnesses that there may be some variation between local authorities. We wondered whether you had formed any view on that. Perhaps you did not focus on it.

**Mr Black:** We considered in some detail the costs associated with support staff. We have some numbers in the report, which Antony Clark could share with you.

**Antony Clark:** We did not, as part of the study, look at devolved school management in any detail, but it was clear to us from the evidence we received from the 32 local authorities that there is wide variation in how they have approached the appointment of support staff. There does not appear to be a strong correlation between the size of the authority, the number of schools and the number and type of support staff.

**The Convener:** When your report was published, the media fairly inevitably picked up on the issue about value for money and ignored the rest, which paints a different picture from the one the media painted. The media took the same approach with the HMIE report. One of the criticisms of your report is its criticism of the lack of value for money. The original agreement had nothing to do with that—it was a pay agreement between teachers and their employers. If there were a McCrone 2, how would you go about getting an agreement that would allow Audit Scotland to take value-for-money measurements out of that agreement?

**Mr Black:** In our reports, we often talk about getting a baseline. I used the same language yesterday in the Finance Committee, when it discussed efficient government. It is very important to try to get a baseline. It does not have to be a suite of perfect information, but it needs to be a set of information and quantitative data that allows you to know where you are starting from and how you are moving forward. It should be entirely possible to take some of the factors that I mentioned in answering Lord James's question a moment ago and crystallise exactly what those would involve if the agreement was successful.

**Fiona Hyslop:** What are your views on the measurement of the impact of Government initiatives on the general population—in this case whether Government initiatives are having an immediate impact on pupils? It is clear from your report and the HMIE report that there have been successes in the agreement, particularly to do with

what it set out to achieve, which was stable industrial relations and rewarding teachers for professional work. There are areas of the agreement that had a direct and immediate impact on pupils, but there are some shortfalls, which might be to do with local implementation and local resource management.

There are issues about head teachers having to spend more time teaching than providing leadership that helps improve CPD and other aspects of the school. To fulfil the requirement for reduced class contact time, there are more assemblies and there is more interesting specialist work such as music and drama, which the committee supports. Furthermore, there is a shortfall in classroom assistants, which was identified some time ago but was not acted upon. We could say the same of areas of the health service in which Government policy affects patients immediately. It is as much about a mindset about implementation as it is about ensuring that the key policies—the policies that always work—are those that have a direct and immediate impact on the general population.

Is there a lesson to be learned about a general Government approach to the implementation of policy that happens to be reflected in the approach to McCrone? We have specific examples in which the immediate impacts of implementation are the weaker aspects, although there has otherwise been strong achievement of milestones.

**Mr Black:** Making good policy is difficult; implementing it is often close to Herculean. Everybody who has been involved in the public service for many years probably subscribes to that. The serious point is that the role of the education authorities and local authorities is absolutely critical. We must proceed on a broad front to the assisted delivery of major projects such as the teachers agreement. In parallel with that, I expect Audit Scotland, through the best-value review exercise that is applied to local authorities, to monitor and challenge local authorities on the local implementation of this major policy initiative. We should realise that each local authority is in a slightly different situation, but it is nevertheless possible to challenge them all with a set of core questions about how the agreement is being delivered on their patch. The results can be reported publicly and evidence can be provided that will assist local elected members to get a sense of how their education authority is working with local schools on the delivery of the programme. The process cannot be driven completely from the centre.

**Fiona Hyslop:** Audit Scotland has an independent role, but there must obviously be a reflection on the wider educational leadership agenda, in which the Government and the

Parliament have a role. You say that you will have a close connection with councils and will monitor them using the best-value programme, but the committee knows that certain issues arise about what is best value in education. Some of the best-value approach grates with and contradicts what is seen as value in education. For example, we have monitored rural school closures and the 60 per cent of capacity rule. According to best value as proposed by Audit Scotland, if a school falls below that level, it is underachieving—but in educational terms it could be providing good quality education through smaller class sizes.

Should Audit Scotland interact with the Education Committee and, I presume, the Government when it is considering what it should examine when it monitors local councils? You have come up with good indicators with which, by and large, I am sure we all agree, but might there be a role for the committee to help inform what you examine, such as educational value? The best-value judgment can be brutal and can conflict with education policy.

**Mr Black:** Any advice that the committee can give us on the areas of concern that we should examine would be enormously helpful. It might want to reflect on that in its report. Increasingly, the language of best value is used in different ways and is given different interpretations. When I use the phrase in this context, I am thinking of the statutory regime that applies to local authorities under which, every three years, authorities must prepare a report on their performance and delivery of services against their local priorities. Audit Scotland has a duty to assess whether those reports are valid and appropriate and to raise a constructive challenge if, on the basis of the evidence, we feel that a local authority has scope for improvement. That is done in public.

It would be perfectly appropriate to include in the next best-value cycle a section that asked local authorities to report on the implementation of the teachers agreement in their areas. The local authorities' views on that could then be compared with some of the key measures and factors that the committee and the Executive feel are important. If gaps arise, we can challenge local authorities on why they exist and encourage local members to think about them. In due course, high-level reporting on the implementation can come back to the Parliament. That is what I mean by proceeding on a broad front.

**The Convener:** That concludes members' questions. I thank Robert Black and Antony Clark for their evidence on the Audit Scotland report.

12:15

*Meeting suspended.*



12:19

*On resuming—*

**The Convener:** I welcome our final panel on the implementation of the teachers agreement. Hugh Henry is appearing before the committee for the first time in his capacity as Minister for Education and Young People. I am sure that this will not be his last appearance before us, even though only a short time remains in the current session. He is accompanied by Liz Lewis, the head of the schools group at the Scottish Executive Education Department, and Donald Henderson, the head of the teachers division in the SEED, who is here instead of Dougie Atkinson.

I ask the minister to make any brief opening remarks that he wishes to make. I will then open up the meeting to questions.

**The Minister for Education and Young People (Hugh Henry):** Thank you, convener. I will keep my opening remarks brief because I am aware of the time and the fact that you want to move on to questions.

I repeat what the then Minister for Education, Europe and External Affairs—who is now the First Minister—told the Parliament about the teachers agreement. He said that it was good for teachers but even better for pupils and parents. I believe that that is still the case.

I welcome the reports by HMIE and Audit Scotland, both of which found that the agreement has been successfully implemented. That is a huge achievement. The agreement was a pay deal, but it was also a milestone in changing the culture in education in Scotland. To understand that, we need only look back and ask, “Had we not done what we did, what discussions would we be having now about Scottish education and morale in schools?” People were disillusioned and morale was falling. There were threats of action and disruption. If the situation had been allowed to continue, it would have had a negative impact on the education of our pupils. We have transformed the atmosphere.

This pay deal was never specifically about linking pay to educational attainment per se, but we helped to stop the rot that existed. That has benefited pupils’ education and enabled teachers to look confidently to the future. It has also helped to attract new people to the teaching profession. We put in place an induction system that is now recognised by many people throughout the world. The agreement also provided more flexibility and enabled us to make some far-reaching changes in relation to the curriculum for excellence, because it is building from a platform of confidence and co-operation.

All in all, Scottish education benefited enormously from the pay deal. Our pupils have seen the benefit of it in the past few years and I am confident that, in the years to come, it will enable us to build on what is already recognised as an excellent education system. Our education system is one of the best in the world, although we can never be complacent about it. I expect to see further improvements in future due to the confidence that now exists in teaching.

**Lord James Douglas-Hamilton:** I repeat the welcome that the convener gave the minister, especially at this early stage in his appointment.

I have four questions. First, Audit Scotland recommended the introduction of performance and value-for-money measurements. Could those be introduced at this late stage in the implementation of the agreement?

**Hugh Henry:** In relation to the current agreement, they could not. We were one of three parties to the agreement, which was reached in 2001. We cannot unilaterally go back and impose something that was not agreed at the time. That would be irresponsible and unfair.

Is it right to expect general improvements in Scottish education because of the better atmosphere that now exists? Yes. Should we try—as you suggest—to link performance and value-for-money measurements to teachers’ pay? That would be a huge step, and it is not one that we have considered taking. If the committee wanted to explore the idea, that would be a different matter, but it is a difficult concept. What would we do about the performance of teachers in schools in poorer areas where exam results are not so good? Would we have different measurements for them? We can have that debate with the committee, but we believe that it would be wrong to go back and unilaterally impose a condition that was not agreed at the time.

**Lord James Douglas-Hamilton:** As part of the review of the chartered teacher scheme, are you considering giving head teachers a role in deciding whether a teacher should embark on the scheme?

**Hugh Henry:** I have an open mind about the conclusions of the review, so I have not made a decision on that matter. I am more concerned to find out whether teachers are being recruited to the scheme in the way that was originally intended and whether they see chartered teacher status as a way of helping them to improve their qualifications and abilities so that they can continue to teach in the classroom. If people see the chartered teacher scheme as a first step on the ladder to promotion, that may be a worthy aspiration, but it is not what the scheme was intended for.

I am also concerned to find out whether teachers who have progressed through the scheme have been able to translate their learning into practical benefits in the classroom and, more to the point, whether they can be seen as role models for other teachers. I do not want to impose a duty on chartered teachers to mentor their colleagues, but I hope that any improvements that teachers develop as a result of their participation in the chartered teacher scheme will provide wider benefits to other staff and thereby contribute to better educational achievements throughout the school.

The review is fairly wide ranging. Lord James's suggestion might well be included in the review's conclusions, but I have not ruled anything in or out in advance of seeing the conclusions.

**Lord James Douglas-Hamilton:** If it is likely that a high proportion of teachers will achieve chartered teacher status, will that not involve significant extra costs in higher salaries? Are you satisfied that provision will be made for that?

**Hugh Henry:** If a significantly greater number of teachers were to apply for the chartered teacher scheme than is currently the case, we would no doubt need to consider that issue in future settlements. We currently provide local authorities with a very generous settlement not just for education but for local government expenditure generally. We do not ring fence education funding—local authorities have specifically requested that such funding should not be ring fenced. We think that the generous local government settlements of recent years should enable authorities to provide for any demand. If the position were to change significantly or if other circumstances were to change, the issue would no doubt come up in our negotiations with local authorities at the time.

**Lord James Douglas-Hamilton:** Finally, what are your views on the recruitment crisis in relation to school management staff that is predicted by the Headteachers Association of Scotland? Can you explain more about how job sizing will develop in the coming years?

**Hugh Henry:** Job sizing is a fairly technical issue. National parameters for job sizing were set, but how those have been interpreted and developed is perhaps a matter for local authorities. One of my colleagues might be able to fill in a bit more of the detail on that.

I do not recognise the job crisis that has been described. Yes, I could give examples of head teacher posts in my local authority area that have not been filled, but the number of teachers coming through who wish to become head teachers is still relatively positive. Specific circumstances can sometimes arise in certain schools, and we take

the issue seriously. We want to develop the next generation of leaders. We have invested in that and given careful thought to it. Any improvements that we can make to how we develop the next generation of leaders in schools will be given serious consideration.

It is my firm personal view that a good head teacher can transform a school and is fundamental to the life of the school. Schools need good teaching staff, good corporate working and good team working, but I know what a good head teacher and good management staff can contribute. Equally, from my personal experience, I know what can happen when management fails. Therefore, although I do not recognise the crisis that has been described, I acknowledge that there is a challenge for us all in generating excitement in people about the potential for moving into management and in ensuring that those people are properly supported. One of my colleagues may be able to give some more specific details on job sizing.

12:30

**Donald Henderson (Scottish Executive Education Department):** Job sizing means that a value is attached to individual duties. That has, inevitably, meant that local authorities have had to choose how to deal with the process at the school level. In general, secondary head teacher differentials have increased as regards deputes. There is nothing to suggest that job sizing, of itself, has done anything that would discourage deputes or principal teachers from applying for head teacher posts. There has been the complication of conserved salaries—such complications arise whenever there is a major change to pay and conditions. However, by its nature, that complication will diminish over time as people move into bigger jobs or retire from the service.

**Mr Macintosh:** I do not know whether the minister has been able to follow the evidence that we have received. It is interesting that, despite the coverage of the Audit Scotland report and the HMIE report, the evidence that we have heard has been incredibly positive—almost embarrassingly positive. I am not embarrassed about it, however, and neither, I am sure, is the minister. COSLA, the teachers, the Auditor General and HMIE have all listed the agreement's achievements. However, it is the nature of our job to scrutinise some of the slightly weaker areas, one of which is chartered teacher status. Lord James Douglas-Hamilton, our deputy convener, talked about that. When does the minister expect the review to finish its work and report? In other words, when can we expect the chartered teacher programme to be improved?

**Hugh Henry:** Before I talk about the chartered teacher review, I will deal with the beginning of

your question. You said that, despite the reports from Audit Scotland and HMIE, all the evidence that you have heard has been positive. However, the HMIE report was a very positive report, too.

**Mr Macintosh:** I meant the coverage of the HMIE report.

**Hugh Henry:** Right, but one specific aspect of the HMIE report was taken out of context. Equally, Audit Scotland's report recognised many of the agreement's positive features, but because of the nature of the environment in which we operate, some people chose to concentrate on a small aspect of it.

I have not set a specific date for the completion of the chartered teacher review. As I have said, I want it to be a quick piece of work—I do not want it to drag on for the best part of a year. I hope that, by the middle of this year, if not sooner, we will be in a position to report back on the review. Realistically, given the timescale of the Parliament's work as we move towards the election, you should probably expect a report in the aftermath of the election—possibly by the middle of the year. I have no reason to believe that any complications could arise that might delay the report. I want the review to be relatively quick, as it is a fairly straightforward piece of work.

**Mr Macintosh:** Another issue that has emerged this morning, of which many of us will be aware from our constituency work, is that of the role and status of support staff in schools. One of the huge pluses of the McCrone agreement has been the introduction of support staff—classroom assistants and so on—in our classrooms and schools. It is clear that they have been more successful in primary schools than in secondary schools, although complications have arisen around pay, career progression and structure and the differentiation between the various posts of classroom assistants, special needs auxiliaries and so on. Apparently, the EOC is conducting an inquiry into the matter and is due to report soon.

Given those on-going concerns, does the Executive have work under way, or is it going to commission work, to examine this area in order to build on the introduction of the 3,500 new posts and improve the status of the new workers and the structure within which they work?

**Hugh Henry:** What you say about the EOC notwithstanding, we are party to an agreement with local authorities in relation to the teaching profession. We have no locus in respect of staff such as support staff. That is a matter for local authorities, which negotiate pay and terms and conditions with the trade unions. It would be a significant step if we were to engage on pay and conditions with such groups of staff. That could lead to people asking what other groups of staff

we would seek to engage with in respect of pay grades and terms and conditions.

If we respect the relationship that we have with local authorities and their operational independence, I think that it is appropriate to allow them to carry out their job in the way that they see fit and ensure that they are accountable for the decisions that they make.

**Mr Macintosh:** Earlier this morning and during our previous evidence-taking session, we were told that one of the big pluses of McCrone has been the improvements to the tripartite working system. Everybody has praised it as being an example of how to agree the way forward with regard to joint working. We were told earlier that support staff are not part of that arrangement. That might be something for you to consider, given that the Executive found the finance so that local authorities could employ 3,500 new members of support staff, which was a huge achievement. We should be looking at the whole picture.

**Hugh Henry:** With all due respect, we provide the funding for a range of local authority staff but we do not have the authority to determine their pay structures, grades or terms and conditions of service.

If Parliament wants to renegotiate the relationship between the Executive and local authorities in relation to staff in order to centralise all such decision making, that is something that the Executive will need to reflect on. However, that would be a huge step and would have profound ramifications beyond support staff.

**Mr Macintosh:** I was suggesting using a tripartite model rather than taking power from local government.

**Hugh Henry:** A tripartite model would involve us being part of final agreements and decisions. There are other models that we would encourage, such as negotiation and communication. We have a specific agreement in relation to the teaching profession, but given that support staff are non-teaching staff, I am not sure why we would enter into a tripartite agreement in relation to them. Are you suggesting that local authority janitors and cleaning and administration staff should also be part of such an agreement? What about the headquarters staff that support the teaching profession? There are huge implications of the approach that you suggest, which I do not think is appropriate.

**Ms Byrne:** One of the areas that has come to light in the casework of most MSPs is the inconsistencies that exist with regard to permanency for many of the assistants who are there to help pupils with additional support needs. My gut reaction is that there is a role for HMIE, which should ensure that there is consistency of

support for those young people and that well-trained staff are in place. The only way to achieve that is through permanency, because it seems that the minute that someone gains experience, their hours are cut or they are bumped off because they have been on a fixed-term contract, and their experience is lost. Should HMIE be picking up such issues and getting local authorities to improve the situation through their own quality assurance systems? This is a grey area that is not being covered, which is why we are all concerned about it.

**The Convener:** We are straying a bit from the subject of the teachers agreement, but the minister could answer that very briefly.

**Hugh Henry:** I do not think that HMIE should have a role in determining whether a member of staff has a permanent post. It would no doubt feel free to comment if it found that, for whatever reason—such as a lack of permanency—consistency and thereby the quality of education were affected. I do not know about that; I am merely speculating, because that would be a matter for HMIE. However, whether a specific member of staff has a permanent post must remain a decision for the local authority to take.

**Ms Byrne:** My next question is about the impact of job sizing and management restructuring on workload. We touched on the matter earlier, but I am interested in the impact that job sizing and management restructuring have had on the workloads of guidance teams in particular and on mentoring and pupil discipline. Do we need to scrutinise that further or have we done enough to ensure that there is no negative impact and to find areas where there is extremely good practice?

**Hugh Henry:** Again, I will ask my colleagues to contribute on the detail. Rosemary Byrne might have touched on some wider issues that go beyond job sizing. Undoubtedly, teachers face many challenges to do with discipline, such as the complexities of the households from which some pupils come and how the consequences manifest themselves in the classroom. I hesitate to suggest that there is an easy solution to all of that.

If there are good examples from elsewhere, we are more than willing to learn from them. Recent history suggests that many people are looking to learn from our experience in a range of things in the area of education. No doubt, that is a compliment, but we should always be big enough to say that we are open to learning. Donald Henderson might have more to say about the specific issue of careers and job sizing.

**Donald Henderson:** I will add a brief comment. As I am sure we all agree, all teachers have responsibility for supporting pupils and their

learning. However, we did not have guidance teachers; we had guidance principal teachers.

**Ms Byrne:** We had assistant principal teachers in guidance who are now gone.

**Donald Henderson:** Indeed—I was coming on to that. Some local authorities handled the situation differently. In some cases, assistant principal teachers became principal teachers, sometimes with a bigger workload and sometimes with the same duties.

Local authorities decided to go about guidance in different ways. Some reduced the number of teachers but increased the time allocated to guidance; some kept guidance as a free-standing subject; and some brought guidance and broader learning support together. In the context of job sizing, those approaches could have three quite different results. We do not run individual schools, so we had to rely on local authorities making their judgments in the context of community need. We kept in touch and saw the different models that were being used, but we were not in a position to make value judgments about their effectiveness; that was the local authorities' task.

**Ms Byrne:** Is there a need for further scrutiny in this area?

12:45

**Donald Henderson:** The general feedback that we get is that guidance services are continuing to deliver quality results for the pupils involved, although there can probably never be enough of those services.

**Hugh Henry:** Each local authority has a responsibility to scrutinise regularly educational provision in its area, to assess how effective it is and to identify and address problems. I expect scrutiny to be a standard feature of what councillors and trade unions do in respect of education. We will continue to scrutinise all aspects of education—as we do constantly—to assess what needs to be done. There have been major innovations in recent years as a result of that scrutiny. We all have a responsibility to ensure that the education that is being delivered in our schools is appropriate to what is required.

**Dr Murray:** I want to return to the issue of the shortage of head teachers. We heard evidence this morning that the problem is the aging workforce, with a lot of head teachers coming up to retirement age. I think that that is a consequence not just of McCrone but of the pre-McCrone situation, when teaching was not a particularly attractive profession. There might be a sort of hourglass effect, with a lot of older teachers in the job, followed by a lot of younger teachers coming in.

The witnesses from the Headteachers Association of Scotland said that, following McCrone, the increased workload for head teachers means that the job is less attractive than it was. They also said that continuing professional development could give people leadership skills and the confidence to apply for senior posts. However, Ronnie Smith from the EIS said that there was uncertainty about the scale of the problem. Is the Executive considering whether there is a problem in the recruitment of head teachers in Scotland and how to address it?

**Hugh Henry:** Sorry, what did Ronnie Smith say?

**Dr Murray:** He talked about the scale of the problem of the loss of head teachers and the recruitment of new ones.

**Hugh Henry:** You raise a number of points. Part of the reason for the aging profile of head teachers is the fact that many head teachers of my generation went into the teaching profession in the 1970s, when there was a huge expansion of public services. The police service has a similar age profile—there is a major issue with the retirement and recruitment of officers. To an extent, that situation is also evident in the fire service. Many people were attracted into the profession in the 1970s, rose through the ranks and are now of an age at which they are considering retiring.

That expansion in the 1970s—this has caused a medium to long-term problem—was followed by demoralisation in the 1980s and 90s, which is why we had to bring in the McCrone deal. Many people who might have aspired to management decided either not to enter the teaching profession or to leave the profession. We acknowledge that there was a problem to address, hence the deal that we struck.

You could argue that that has created a problem with replacing those who came into the teaching profession in the 1970s and rose through the ranks. To an extent, a new generation of teachers are coming in, but I am not sure whether they are doing so in sufficient numbers. The evidence is that there is a new enthusiasm among younger people who come into the teaching profession—they have personal aspirations and aspirations for education in a wider sense. I am encouraged by that new-found enthusiasm.

However, for those who are currently in the teaching profession, we need to consider continuing professional development. CPD remains partly the responsibility of local authorities, but we can certainly contribute to some of it, because we believe in and value the contribution that leadership makes to a school. We need to stay alive to the challenges. A promoted post in a school should still be seen not only as a

challenge but as a tremendous personal opportunity. Although teachers who are on preserved salaries because of the changes that have taken place might not necessarily find it attractive to move on, we nonetheless have a responsibility to ensure that a new generation of head teachers is prepared, developed and supported.

**Donald Henderson:** We have already considered additional ways in which we can prepare head teachers. A qualification called the Scottish qualification for headship—its level is equivalent to a diploma—has existed since 1998, I think. This year, we are trialling an alternative to the SQH, as we recognise that, although it suits many people, it does not suit everybody, and we need to maximise the potential that exists to ensure that we have the highest quality of leadership in all our schools. In five local authorities, we are trialling an alternative way by which people can reach the same standard and quality so that we can tap into a broader market.

**Hugh Henry:** The problem is not unique to Scotland, so we might be able to learn lessons from other jurisdictions and contribute to the wider debate.

**Fiona Hyslop:** I did not hear an answer to Elaine Murray's question. Do you agree to research and publish the results on the current recruitment of head teachers in Scotland?

**Hugh Henry:** What results are you asking about?

**Fiona Hyslop:** The results of research into the current recruitment of head teachers in Scotland. We have heard that there is a crisis in the recruitment of head teachers, but you seem to think that there is not. It would be helpful if that information was published, because head teacher recruitment is of concern if leadership is important to education in Scotland.

**Hugh Henry:** The current statistics are published, but I am not aware of any research. If there is any, I will look into having it published. I will find out what research Fiona Hyslop refers to, but I am not aware of any.

**Fiona Hyslop:** I think that Elaine Murray asked whether you would conduct research.

**The Convener:** The issue, minister, is that there is evidence that there will be, as you are aware, a bulge of head teacher retirements over the next few years, mainly for demographic reasons. We need to get some idea of the scope of that bulge, the pool of people who may be available to fill those posts and, if there is a shortage of applicants for such posts, what can be done about it. Perhaps you can provide information to the committee at

some point in the future through COSLA or the Education Department.

**Hugh Henry:** The current vacancy rates provide no indication of a crisis or a problem that reflects the concern behind Fiona Hyslop's question. There are vacancies and we sometimes hit problems, but I am happy to work with COSLA to find out whether some local authorities are experiencing greater problems than others, whether there is a more general problem and whether we can make a contribution and reflect on anything.

**Fiona Hyslop:** Thank you for that commitment, minister.

Ronnie Smith expressed concerns about whether the agreement can be sustained in future. To be specific, he said that there may be high maintenance costs for particular aspects of the agreement. For example, an increase in salary costs will be associated with a significant uptake of chartered teacher status, and if we have to reward classroom assistants for their important role, that will have an implication for Executive or council budgets. Another concern is that pay differentials between deputes and head teachers will act as a disincentive to deputes applying for head teacher posts. All of those issues have a cost element.

McCrone has a £2 billion price tag, which has already attracted concern. Has the Government allocated sufficient resources to tackle on-going issues with the McCrone agreement? Would the Howat report have forecasted the likely consequences of the McCrone agreement?

**Hugh Henry:** The answer to that last question is no, but I will go back to the other three points.

I gave an answer on the specific McCrone point in response to the question from Lord James. On the point about support staff, I also go back to an earlier answer—it will be for local authorities to determine how they develop their staff and what grades and salary levels they set. Local authorities will then have to manage that from within their own budgets. When I was a council leader, I had to do such things regularly. Decisions on the regrading of staff were for us to make.

What was your third point?

**Fiona Hyslop:** It was on pay differentials acting as a disincentive to deputes applying for head teacher posts.

**Hugh Henry:** Again, that goes back to an earlier answer. We have to ask whether there is a problem and, if so, what is causing it. Until we can agree that the pay-differential problem that you describe exists, it is hard to suggest that it should be addressed.

**Mr McAveety:** Some of my points have been touched on in other questions and have been answered by the minister. The critical issue is not whether there is an intrusion into local authorities' autonomy, because we agree that they have powers in terms of staffing. We have to turn the question upside down. A dilemma for this committee over the past couple of years has been what to do with nursery education and what value to put on it. We are arriving at a retrospective conclusion that somewhere along the line there should have been a broader national framework. There are many anomalies and inconsistencies around the country, which have made delivery much more difficult than it should have been. You and I and others agree on what we want to deliver.

The dilemma is a creation of the Parliament: we did not inherit it from local government or from previous national Government structures. However, we might now have a chance to set some parameters for the debate. You are right to ask what the unions have been doing about staff entitlements and about parity around the country. I am not a union negotiator, but I cannot say that I am too proud of what I see emerging around the country. We will have to address the issue. Hearing that there is at least a willingness to consider the debate somewhere down the line would be helpful for us all.

Last week, witnesses from HMIE talked about inconsistencies in the ways in which certain local authorities in Scotland were operating. They said that work across the spectrum was now more balanced, and that more work was being done, but that a small number of perhaps intractable problems remain. What can the Executive do, along with HMIE, to "encourage" local authorities to deliver more effectively? How can you encourage good examples? When local authorities are not willing to implement measures effectively, what can you do to ensure that they do?

I covered a variety of issues there, minister, but those are the issues with which the committee is grappling.

**Hugh Henry:** Can you give me some examples of things that are not happening or of differences between local authorities?

**Mr McAveety:** The issue was raised last week. I do not have the papers in front of me, but the witnesses from HMIE spoke about job sizing. They felt that many local authorities had grasped the opportunities offered by the McCrone report to work in partnership and make a difference, but that other local authorities had taken an almost legalistic interpretation of the report. Some authorities saw McCrone as an opportunity, others as a burden.

13:00

**The Convener:** One example of that, which is mentioned specifically in the HMIE report, relates to the provision of reduced class contact time and CPD in small rural schools. Some authorities have provided good examples of how those can be delivered, but other authorities are not as good at delivering them.

**Hugh Henry:** Frank McAveety's suggestion is useful. In Scotland, we are not very good at sharing experience. Too often, we leave it to people to go and learn for themselves. We should be sharing experience on two levels. First, we should share good practice from which people can learn to improve themselves—we need to find a way of doing that. As part of the debate about teachers for excellence and other things, we are trying to encourage people to engage in that, but more could probably be done. Secondly, we should not be afraid to admit where we have made mistakes. If a local authority tries something out and it is disastrous, it should be able to say to other local authorities, "Please, don't go down that route. It's not the right way to go."

The issue that you raise of general structures and grades is difficult. There are many issues on which the Parliament has taken the initiative—for example, community and neighbourhood wardens came about as a result of an initiative of the Parliament—but in relation to which there are inconsistencies throughout Scotland. Noise enforcement officers were also introduced through an initiative of the Parliament, but they face inconsistencies in pay and conditions throughout Scotland. It is a dilemma and, no doubt, something on which we all need to reflect.

**Mr Ingram:** I do not want to go over the question whether the McCrone agreement should have put in place outcome measures for educational attainment—that is not a particularly valid criticism of the agreement. Nevertheless, we are entitled to ask whether the agreement will facilitate the Executive's current policy direction, especially with regard to improving learning and teaching outcomes and the improvement agenda in our schools. We heard evidence this morning from one of the head teacher associations that there could be a conflict between meeting the objective of reduced class contact time and achieving the delivery of a curriculum for excellence. Can you comment on that?

**Hugh Henry:** I did not hear what was said earlier.

**Mr Ingram:** Some senior staff in schools are being used as cover to meet the targets for reduced class contact time, so when more pressure for change is applied to the system, such as when a curriculum for excellence is

implemented, there might be difficulties in delivering it. How would you respond to that?

**Hugh Henry:** First, I return to your more general question on whether the agreement will facilitate many of the changes that are being made in Scottish education. The answer is yes. The agreement has introduced a more relaxed, confident and positive atmosphere. It has taken away much of the negativity, although it might not have eliminated it in every case. There is now a willingness to look to the future positively instead of bemoaning the state of affairs that existed.

In that more positive environment, it is easier to debate a curriculum for excellence, continuing professional development and how to improve pupils' attainment. As the HMIE report recognises, exam attainment levels are not the only important element—other aspects of pupils' personal development are also important. The stability that the agreement has introduced has enabled us to implement a number of changes fairly rapidly with the teaching profession's support, which can only be a good thing.

As for whether reduced class contact time poses any dangers to a curriculum for excellence, perhaps my colleagues have more detail than I have, but I know that some authorities view class contact time imaginatively, particularly in primary schools. When a teacher has to be removed, some authorities involve other staff who go into schools, such as those who support sport or other physical activity. Other authorities cover that time with people who are already within a school. If we return to Frank McAveety's point, we can see examples of good imaginative management and other examples of a fairly traditional approach. It is a question of allowing people to learn and experience what can be done. I do not know whether either of my colleagues can add anything else about class contact time.

**Liz Lewis (Scottish Executive Education Department):** One main thrust of a curriculum for excellence is focusing the curriculum on what is really necessary and freeing up teachers to teach. We used the term "decluttering", which should help—it sounds slightly pejorative, but it is not meant to be. We are working closely with local authorities on how best to implement a curriculum for excellence in a way that will not overbalance the system and return us to some of the difficulties that previous curriculum reforms experienced over workload and the transitional phase. My colleagues are spending today in Glasgow with representatives from all 32 education authorities to talk about those issues. The teachers agreement and a curriculum for excellence work closely and reinforce each other to free up teachers to be professional in the classroom and to focus on the

main part of their jobs and on what they want to do.

**Mr Ingram:** So you dismiss the charge of a conflict between delivery of a curriculum for excellence and reduced class contact time.

**Hugh Henry:** Dismiss is the wrong word, because it has a pejorative connotation. If head teachers are expressing concerns, we and local authorities should listen. However, there is another side to the issue, as Liz Lewis just explained. The process is evolutionary, so people are learning and are changing how they operate. I am sure that, although tensions will always exist, people will engage with new ideas and will cope. If we need to reflect on other problems, we should do so.

**Mr Ingram:** The other question that I will follow up is in a similar vein and touches on the relationship between national Government, local authorities and schools, which Frank McAveety raised. One driving force of the McCrone agreement was to reward increased professionalism in the teaching workforce. A head teachers association has sought assurances about improving what it calls collegiality, which involves teacher workforces in schools backing one another up and having a proper professional relationship, and moving away from the old hierarchical system, which often left classroom teachers feeling isolated and vulnerable, particularly with pupil indiscipline problems. It was hoped that the McCrone agreement would be a step towards the desired outcome. Is it the Executive's policy to move in that direction, to encourage local authorities to devolve more responsibility to schools and for the workforce in schools to participate in decision making on the way forward in those schools?

**Hugh Henry:** We do not have a stated policy on decision making in schools. In recent years, we have given a clear signal with some of our expenditure announcements that have allocated money directly to schools that we see head teachers and schools as having a role in making decisions that they are best placed to make. The money—both capital and revenue expenditure—that I announced shortly after coming into post did exactly that. From speaking to head teachers, I know that they are positive about the difference that the money—which they decided to spend on things that they needed—has made in their schools. We have the stated aim of devolving expenditure.

The member raised the issue of collegiate and team working. We do not have a policy of telling local authorities how to involve teachers in decision making. Some of what Adam Ingram describes should be the function of a good manager; a good head teacher should encourage

staff to work as a team. A head teacher should be a leader, but one of the characteristics of leadership is how a person builds a team to work with them. It is best to leave it to local authorities and schools to decide on the extent to which teachers should be engaged in decision making. It may be the personal style of some people more than others to engage teachers in decision making.

I am clear about the fact that responsibility will lie with head teachers, who will have to deal with the consequences of decisions that are taken, and with directors of education. Personal development and management styles may allow us to aspire to collegiate work—we all see the benefits of people working as a team—but we should not impose a specific model. It is best that the extent to which teachers are involved in decision making should be determined by local circumstances rather than be specified by ministers.

**Mr Ingram:** Continuing professional development is an issue. Should individual teachers decide whether they want to pursue a particular course or specialism, or should head teachers determine who goes on CPD courses? That is a key area.

**Hugh Henry:** It is a matter to be decided locally. A minister cannot say to a head teacher that they must allow a teacher at their school to watch a Spanish-language film—it is not for me to decide whether that is appropriate. I have heard from my extensive network of contacts in the teaching profession about some fairly imaginative examples of continuing professional development. They do not apply to every school in every local authority, but it is not for me to decide whether they are appropriate; it is for head teachers to justify such initiatives. We could have anarchy if teachers were able to say, "Last night, I was at a football match that involved a foreign team. That will count towards continuing professional development of my language skills."

We must be realistic—someone has to take responsibility. Engagement needs to take place within the school so that agreement can be reached on what is appropriate and what is inappropriate. All that I can say is that some fairly imaginative work is being done. I know that, through the budgets that are allocated to them, head teachers often fund activities outside the school that help to develop teaching staff.

**The Convener:** We have exhausted our questions, so I thank the minister and his team for coming along this afternoon to give evidence on the teachers agreement. The intention is that a draft report will be produced for the committee some time before the end of February, which we hope will be agreed and published before the end of the present session of Parliament.



I suspend the meeting briefly to allow the minister and his team to leave. I ask members not to go away.

13:15

*Meeting suspended.*

13:16

*On resuming—*

## **Protection of Vulnerable Groups (Scotland) Bill**

**The Convener:** We resume the meeting to consider a paper on our approach to stage 2 of the Protection of Vulnerable Groups (Scotland) Bill. It is slightly unusual to hold such a discussion, but in the light of the committee's stage 1 report and our previous discussions on the matter, I felt that it would be useful to consider various options on how to handle stage 2, now that we have completed our stage 1 consideration. The general principles were agreed to at stage 1, but in our report we made it clear that before we began stage 2 we wished to take further evidence on some of the issues that would be covered in secondary legislation and in guidance.

Before I discuss the options that are available, I should tell the committee that I had an informal discussion with the Deputy Minister for Education and Young People in which he apologised for the fact that the policy information that he had hoped to publish by now had been delayed slightly because of the illness of a key official, but he said that it should be with us within the next few days and that it would certainly be in the public domain by the end of the week, at the latest.

I propose three options for dealing with stage 2. Option 1 is the traditional route, whereby we simply consider amendments in the usual way. Option 2 is that we take oral evidence from the minister then, at the same meeting, move on to stage 2. Option 3 is that we take oral evidence from the minister and from other stakeholders before considering stage 2 amendments at the following meeting. Time limitations mean that we could probably hear from one panel comprising voluntary sector representatives and one panel comprising representatives of the statutory sector and the Convention of Scottish Local Authorities.

My recommendation is that we choose option 3, because it gives the committee the best chance of addressing the issues that we are still concerned about, but members are free to make known their views.

**Lord James Douglas-Hamilton:** I strongly support what the convener has said. It is vital that we do everything we can to get the bill right, so we should be prepared to go the extra mile. Option 3 represents the most comprehensive and professional way of going about matters.

**Fiona Hyslop:** Option 3 is the only one that we can take, because the minister has given us nothing in writing. It is still up to the committee to decide whether the substance of what is proposed

satisfies the requirements that we laid down at stage 1. As we said in our report, if we are not satisfied, we may want to wait to see the subordinate legislation. Option 3 will allow us to delay our decision on whether we are satisfied. If we are not satisfied, we can still decide not to proceed to stage 2. Option 3 is the most sensible way to proceed.

**The Convener:** Does the committee agree?

**Members** *indicated agreement.*

**Marilyn Livingstone:** I have missed the fact that committee meetings will be moved to Tuesday afternoons.

**The Convener:** From the middle of February—

**Marilyn Livingstone:** For how long?

**The Convener:** Until the end of the session. The Executive has indicated that the Parliamentary Bureau will recommend that Wednesdays should become full plenary days so that the absurd amount of legislation that the Parliament still has to deal with in the final six weeks of the session can be completed. Unfortunately, that means that the committee will meet on Tuesday afternoons from 13 February.

**Marilyn Livingstone:** I have a problem with attending on 13 February.

**The Convener:** We will discuss that later.

I remind members that there will be no meeting next week, partly because we have no business and partly because, even if we had, we would not have been able to get into the committee rooms. The next meeting will be on 7 February.

*Meeting closed at 13:20.*

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