

EDUCATION, CULTURE AND SPORT COMMITTEE

Wednesday 6 September 2000
(Morning)

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EDUCATION, CULTURE AND SPORT COMMITTEE **24th Meeting 2000, Session 1**

CONVENER

*Mrs Mary Mulligan (Linlithgow) (Lab)

DEPUTY CONVENER

*Karen Gillon (Clydesdale) (Lab)

COMMITTEE MEMBERS

*Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)

Lewis Macdonald (Aberdeen Central) (Lab)

*Mr Kenneth Macintosh (Eastwood) (Lab)

*Fiona McLeod (West of Scotland) (SNP)

*Mr Brian Monteith (Mid Scotland and Fife) (Con)

*Cathy Peattie (Falkirk East) (Lab)

*Michael Russell (South of Scotland) (SNP)

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

*Nicola Sturgeon (Glasgow) (SNP)

*attended

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Martin Verity

SENIOR ASSISTANT CLERK

David McLaren

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 1

Scottish Parliament

Education, Culture and Sport Committee

Wednesday 6 September 2000

(Morning)

[THE CONVENER *opened the meeting at 10:36*]

The Convener (Mrs Mary Mulligan): Good morning. Let us make a start. I welcome members back to the Education, Culture and Sport Committee. I hope that they had an enjoyable recess.

The first item on this morning's agenda is to ask members to agree to take in private item 9, on the discussion of the draft report of our special educational needs inquiry. Are members agreed?

Members *indicated agreement.*

Exam Results

The Convener: The second item on the agenda is discussion of the school exam results inquiry. No one can be unaware that this morning I will propose that the Education, Culture and Sport Committee should take the lead in holding an inquiry into what went on during the recess.

I have circulated some recommendations, a number of which I will draw members' attention to before I open up the discussion. I want to give every member of the committee the opportunity to voice their opinions on the matter, because it is so important.

I ask members to look at the remit first. I have said consistently that it is the responsibility of the Education, Culture and Sport Committee to decide the remit of the inquiry. I have made some suggestions and would appreciate comments from members on how we should conduct the inquiry.

It is obvious that we are very unhappy with the failure of the Scottish Qualifications Authority to award certificates timeously and correctly to students who sat exams, and it is only appropriate for committee members to voice their sorrow for those students, their families and teachers who were affected by the situation. However, I am clear that sympathy is not enough and that we must provide answers to the questions that everyone has been asking. Those questions will revolve around why, following the diligence of the schools and students, the results were not collected, the data were not processed and the certificates were not awarded on time or correctly. We also want to

know when the difficulties were first identified and who saw, or should have seen, the problems arising. The committee may also want to identify who or what was responsible for the situation that is in front of us. I make no judgment about that at this stage, as it is important that the committee should collect information during the next few weeks to inform the report that will be produced at the end of the inquiry.

Evidence is the second item to which I draw members' attention. If we agree to proceed with the inquiry, we will advertise, through a press release, our request for anyone who feels that they have information that is relevant to the inquiry to submit that information in writing to the committee. There are some obvious people whom the committee will want to call to give oral evidence, such as the Minister for Children and Education. The committee will also want to hear from Executive officials and SQA board members, and from teachers, who have had such a full involvement in the process. There will be others, but it would be appropriate for the committee to see some written evidence before it makes final judgments about who to call to give oral evidence.

I suggest to the committee that, at the earliest opportunity, we should invite the civil servants who were responsible for the organisation of the Executive's relationship with the SQA to attend committee to give us the facts about how the SQA should have operated.

The third issue is the timetable. I have tried to suggest that the inquiry must be as thorough as possible to obtain the right results, but Nicola Sturgeon, among other members, has indicated that she wants to speed up the process. I am open to suggestions, as I do not want the inquiry to be long and drawn out. It is crucial for those students who will sit exams this year that the committee reports fairly quickly. However, we must take a number of issues into account, not least of which is the ability of witnesses to appear before the committee and to answer our questions in detail. I think that we can achieve a balance, which is why I am open to suggestions on shortening the proposed timetable.

We must consider whether to appoint an adviser. When the committee has undertaken inquiries, it has been our practice to appoint an adviser to assist us, both by analysing written evidence and by suggesting questions for oral evidence. I suggest that we follow that practice on this occasion, as there are a number of people who could advise us usefully on how to move forward. To speed up the decision on appointing an adviser, I suggest that the committee agree that spokespeople from each party and myself should discuss names during the week, so that a recommendation can be made to next Tuesday's

Parliamentary Bureau meeting. If that does not happen, the matter will have to come back to next week's committee meeting; as a result, it would not go to the bureau until the following week and might hold up our inquiry process. We need to agree both to appoint an adviser and how to progress that appointment.

I am aware that the future of many young people could be affected by the inquiry that the committee will undertake. We all recognise that we have a responsibility to all those young people and I hope that we will be able to put aside party allegiances to consider the factual information that will be provided to us and to act upon that information. I am not so naive as to think that politics is not part of the committee or that it is not part of the Parliament. However, we owe it to young people in Scotland, their families and teachers to try to operate as effectively as possible as a committee over the next few weeks.

I now open up the discussion to members for comments and suggestions. At the end, I will try to summarise how we will progress the inquiry.

Nicola Sturgeon (Glasgow) (SNP): It might have been helpful if your paper had been circulated in advance of the meeting, convener, rather than handed out at the start. For future reference, perhaps that could be the order that is followed.

Like you, convener, I think that an enormous responsibility rests on the Education, Culture and Sport Committee to carry out a wide-ranging, rigorous and forensic inquiry into what went wrong, and to do so in a time scale that will allow our recommendations to have an impact on next year's diet of exams, so that we are as sure as we can be that what we witnessed this year does not happen again. For that reason, the time scale that is proposed in the paper is far too long. Whether or not we have to meet more regularly than is scheduled at the moment, we should aim to have a report published by the end of October so that our recommendations can feed into any changes that have to be made by next year. That is the only way to ensure that our recommendations and our report have meaning; it is obviously important that they do.

10:45

The suggestions for the remit in the terms of reference are, as far as they go, not open to dispute. However, there is at least one glaring omission. We cannot escape the fact that what we have witnessed over recent weeks has come about at the end of a year in which a new exam system was introduced. It would therefore be negligent if the committee, as part of its inquiry, did not conduct a review into the policy of higher

still, to assess the extent to which possible flaws in that policy have impacted on the problems of the past few weeks. One of the committee's roles is to scrutinise the Executive's policies, so conducting such a review would be appropriate; not doing so would be an omission. The terms of reference as they stand are not substantially different from those that the independent inquiry may have. The committee has roles that the independent inquiry does not: one of those roles is to scrutinise policy. A review of higher still should be included in our terms of reference.

There are a number of omissions from the list of people from whom it has been suggested that we take oral evidence. Given what I have just said about a review of policy, it is absolutely essential that we take evidence from Her Majesty's inspectors—from the chief inspector Douglas Osler, and from inspectors who were on the teams that liaised with schools on the implementation of higher still. That again would be in order to get to the root of the extent to which problems in the policy, and the implementation of that policy, may have been responsible for the problems that we have seen recently.

Pupils are also omitted. I feel that, as well as hearing from teachers and parents, we must hear from pupils about their experiences of higher still and what has gone wrong in recent weeks. Given the committee's record in listening to young people, that would certainly be a useful addition.

The Minister for Children and Education should undoubtedly be called to give evidence, and probably on more than one occasion. We should kick off the investigation with the minister before us to put his views on the matter; we should have him back at the end of the inquiry so that he can reflect on the evidence that we have had from other people; and we should not rule out the possibility, if we deem it necessary, of calling him in during the investigation. It would be appropriate to call people who have had an influence in policy over a period of years. I have made no secret of the fact that I think that that would include former education ministers, particularly Raymond Robertson, Brian Wilson and Helen Liddell. A request should be made for them to give evidence to this committee.

The civil servants who have been most responsible for the exam results and their delivery should come before us. They should do so not just to give a factual account, but to be questioned like any other witnesses, because there may be a dispute over what are the facts in this matter.

Those are my initial points, convener; I may have more to make as the discussion progresses.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): What we are looking at today

is a shambles, and we all know that. Not half an hour ago, I called Tain Royal Academy—my old school—and learned that the SQA is still staggering from ditch to ditch. The school expected faxes to do with highers and standard grades yesterday, but they have not arrived even today. We have to sort out this mess. We have to establish who said what to whom and when, what recommendations were made, and what decisions were made based on those recommendations. The investigation has to be thorough and deep. Let us not muck about. Many people in Scotland are looking to us today and expecting us to roll up our sleeves and get in among this. We are a committee of the Scottish Parliament and we owe it to the Parliament, to the people of Scotland and to our children to do so. We have to be incredibly thorough.

I agree that must go right back and examine why the SQA came about. That will involve questioning Raymond Robertson. The whole future of the SQA is in the balance. Can it go on in the way that it has been going on in the past? We must consider the number of appeals this year and in past years. Is the number this year higher than it should be? The integrity and validity of Scottish secondary school qualifications have a most unfortunate question mark over them right now. People will drop out of university or higher education in the months and years to come, and if their qualifications were gained in 2000, it is possible to imagine people saying, "Ah well—they weren't quite up to it." We have to re-establish and restore faith in the system.

The committee will have to work very hard. Nicola Sturgeon's points were well made, and I will be interested to hear what other members say. We could take an awful lot of evidence; whether we can do that by the end of October, I do not know. I agree with Nicola that we cannot drag our feet. The sooner we can publish our report and findings the better. We will probably have to double up and have two committee meetings a week. We will have to throw the family-friendly Parliament out the window for the committee, for officials and for the official report. I am afraid that we will have to work into the night. We have no choice in the matter. We have to be seen to be thorough; we have to be seen to be timeous. That is expected of us by Scotland.

Mr Brian Monteith (Mid Scotland and Fife) (Con): I would like first to comment on the terms of reference. The committee's inquiry will be entirely different from the inquiry commissioned by the Executive, in that our inquiry will look at the Executive's role. We should underline that important difference.

Something is lacking in the terms of reference—it relates to a point that was made by Nicola

Sturgeon on the introduction of higher still. We cannot ignore the marking of higher still papers; there has been much speculation that is difficult to get to the bottom of. I hope that the committee can establish whether the plans and procedures that were introduced by the SQA were adequate. We can do that quickly, I think, within the overall time scale. However, there is a wider question about the assessment procedures and the marking for higher still. I share Nicola Sturgeon's view that we need to have a deep discussion over the long term about that. I will touch on the ways in which I feel that could be done when I come to my points on the time scale.

I do not see Ron Tuck's name in our papers, but it is important that we take oral evidence from him. I agree that Douglas Osler and other members of HM inspectors of schools should also give evidence.

It would help to speed up the inquiry if we invited certain people to provide written submissions and did not just rely on a general request that submissions be brought forward by individuals. I hope that head teachers, teachers, pupils, parents, college lecturers and so on—all those who have been touched by the shambles—will submit their own written evidence; but I also think it important that the clerk should write to, for instance, former ministers Raymond Robertson, Brian Wilson and Helen Liddell to ask for written submissions. From that, we would be in a position to see the value that may be obtained from taking oral evidence from them at a later stage. It would be useful to ask for submissions from people with such insight into Scottish education as Professor Lindsay Paterson, who could have served as an adviser to the committee if he had not made his views well known in advance. That aside, it would be useful to hear what he has to say.

It would also be useful to invite written submissions from members of staff at the SQA who have departed their posts for whatever reason. I am somewhat reluctant to suggest that we should bring them before us and ask them what happened, but they should be invited to give us their opinion in writing, so that we can establish the views of not only the board and the chief executives, but the managers who oversaw the problems.

On the timetable, I hope that we could work some overtime, perhaps even night shifts, to ensure that we have a report by the end of October. We must bear in mind that we have two weeks of recess during October. For that reason, I hope that we can ask for written evidence a week earlier than has been proposed—30 September, rather than 6 October. I suggest that, to avoid our becoming bogged down in the discussion of higher still and the implications for what might happen

with the marking and the assessment procedures, we produce a report on the problems of the SQA, as described in the remit, and how they touched many people. We should aim to have that report—which we could call an interim report—published by October. We should take a longer view of the wider aspects of higher still and report later in November. I am concerned that we would slow ourselves down by being too broad. The important thing is to ascertain why the crisis came about and who reacted in what way as it developed. Higher still must be considered timeously because of the implications for exams next spring, but the report on it could follow our first one.

I hope that an adviser can be appointed expeditiously. I suggest that, as the Enterprise and Lifelong Learning Committee has appointed a reporter to attend our meetings, we consider having a reporter attend its meetings. If the clerks could be as helpful as possible in trying to ensure that there is no overlap, that would allow the reporters to attend both of the committees' meetings.

Cathy Peattie (Falkirk East) (Lab): I am a bit worried, as I find myself agreeing with some of what Brian Monteith is saying.

If we invite submissions from teachers, pupils and others involved in education without stating clearly what we want to hear about, it is likely that the submissions will deal only with higher still. Like everyone else, I want more people to give evidence, particularly HMI. By inviting evidence, we can identify the people we want to interview.

The timetabling is important. Brian's idea about asking for written evidence a week earlier makes sense. If that means that we have to have two committee meetings a week or full-day sittings, that is what we will have to do. Timing is important because kids are working towards next year's exams and we are already into September.

We need to be clear about which people we invite to give evidence. We need to allow enough time for evidence to come in and enough time to examine that evidence. That is not to say that we wait until Christmas to finish our report. I welcome the idea of an adviser, as it has been useful to have one when we have been involved in other investigations. In general, I agree with what everyone has said.

Michael Russell (South of Scotland) (SNP): A measure of agreement is building up. What this committee is being asked to do in the next two months is not rocket science. The people of Scotland want simple answers to some simple questions. The obligation to provide those answers is laid on this committee. The press has speculated that this is a testing moment for the Parliament and its structures, as indeed it is. Why

did the SQA disaster happen? Who was responsible for that disaster and could it have been foreseen? How can the effects on individual young people be mitigated, if at all? We should remember that some people's futures might have been blighted by this situation. By what mechanisms can we ensure that this problem never arises again?

11:00

Those questions form the remit of this inquiry. The detailed remit before us is unobjectionable as far as it goes, but it requires substantial tweaking if it is to provide the answers to those simple questions. Like Nicola Sturgeon, I am sorry that we did not see the remit earlier—I notice that it is dated yesterday. It would have been useful if it had been distributed to members of the committee in confidence last night. However, I have a couple of suggestions to make about it. The inquiry has to gather information on the remit and role of the SQA. We can get that information in document form and supplement that with questions if necessary. The inquiry must review the impact on school pupils and their prospects. It must identify the causes of the difficulties. As members have said this morning, that requires us to examine both policy and practice. It requires us to examine the policy decisions that have been made over a period of years, how those decisions have been carried out, whether they have been adequately funded, whether the correct management structures were in place to ensure that they were implemented and what practice has been followed by the SQA and others.

Certainly, we have to examine the role of the Executive in relation to the SQA. That is a wider question than this inquiry is supposed to deal with. The difficulty has thrown open a question on the role and responsibility of ministers. The decisions that we come to in our inquiry will have an impact on that question.

We need to make recommendations not only on how the difficulties can be avoided but on how confidence in this year's results and future results can be restored. That is a key issue. I heard Jamie Stone talking about it on the radio this morning and, although I do not agree with all that he said, I agree that an important issue is the way in which the class of 2000 will be regarded by employers, universities and other institutions in perpetuity. We must consider the extent to which the reputation of Scottish exam certificates—which were the gold standard—has been debased and how we can restore it to its previous standing.

I agree with my colleagues that the list of those who might be called is short. Brian Monteith is right to say that Ron Tuck should be called. We have to hear from other officials who have, in

effect, been blamed by the press and by the actions of the SQA. We must allow them to speak for themselves. We have to hear from young people. It would be inconceivable if the inquiry did not give the young people of Scotland the opportunity to tell us how they have been affected by the situation. We have to hear from the minister not once but twice, as Nicola Sturgeon said. It would also be inconceivable if we did not hear from officials as well as HMI. The minister has repeatedly said that he had officials working with the SQA. We need to hear what they were doing and whether they were misled by what sometimes sounds like a conspiracy of silence or whether something else was taking place.

The time scale is crucial. I cannot think how the questions that we are asking can be answered to the satisfaction of the people of Scotland if we state that we are not going to say anything more about the issue for six weeks. Therefore, convener, I want to make a concrete proposal. It is possible to conceive of an inquiry in which the gathering of written information and the start of questioning run in parallel. We could easily have our first evidence session two weeks from today. We could bring in the minister and one or two other people for the first round of questioning at that point. We can easily meet twice a week in the two weeks before the recess. Even observing the recess—and some of us might think that we will not be able to, given our responsibilities—we could have two meetings in the week after the recess to enable us to consider a draft report and a final report in the following week. We could issue the final report at the beginning of November, if not at the end of October.

The issue of who gives evidence, how it is circulated to people and how that informs questioning does not have to detain the entire committee. The committee is the instrument of the inquiry; it does not have to be the organiser of the detail of the inquiry. To add to the burden on individuals on the committee would not be sensible. I respect the plea that the convener made at the beginning for an all-party approach to this.

It would be sensible to establish a steering group for the inquiry, consisting of the convener and a representative of each party: Ian Jenkins or Jamie Stone; Brian Monteith; and possibly Nicola Sturgeon. The group could manage the details of who is to be called and when, and it could consider a first trawl at the written inquiry. The clerks would be crucial to that, as would the adviser.

If we set our minds to the special circumstances—and these are very special circumstances—and have a special response to them, we can handle this in a suitable time scale.

It may be that our report at the end of October or beginning of November is to some extent an interim report. It will have to be informed by the report that the minister will tell us this afternoon that he has commissioned. We may want to take our findings and the findings of that report—which I understand may be available in November—and come to some final conclusions. However, we cannot do nothing for six weeks. We have to get on with the job.

I cannot speak for the Parliamentary Bureau, but as a member of it I am certain that a request for an adviser will be fast-tracked. However, given that this issue has dominated the news in Scotland and that higher still has involved many people, it may not be possible to find an adviser here. I hope that, with the advice given to the committee from the Scottish Parliament information centre and others, there will be an attempt to look furth of Scotland's shores to find an expert in examination techniques, assessment and the organisation of examinations who has not been involved in this process.

We need to make a quick start on this. We need to do it well and to answer the basic questions. Why did this happen? Who is responsible for it happening? How can we mitigate the effects of what has happened? How can we ensure that it never happens again?

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I do not want to take up too much of the committee's time—much of what I wanted to say has been said.

On the terms of reference, I would insist that, as well as considering the administrative infelicities, we go back to previous decisions and attitudes and to the excessive bureaucracy and clumsy assessment procedures of the higher still programme. Much of our investigation will concern how that can be shaped and changed.

We must divide up the issue a wee bit. First, there are the administrative errors that have occurred since forms started to go out in January—for example, markers were invited late. Secondly, there is the collapse in data handling, which relates not only to the computer systems, but to the quality and quantity of data and the relationship between the internal assessment and the exams. We must cover all those issues.

People in the higher still development unit are extremely important—not only the inspectors but the people with whom they were working. We need to get into the subject level, too. As for advisers, I agree with Michael Russell that it will be difficult to find someone who is not already involved in the system in some way. However, we should be able to find somebody in Scotland whom we can trust.

Mr Kenneth Macintosh (Eastwood) (Lab): I do not know whether I am pleasantly surprised or shocked that broad consensus seems to be emerging.

I agree with a number of points, but there seems to be some conflict between what has been said about the timetable and what has been said about the scale of the inquiry. I assume that the evidence we have is the beginning of a suggestion list of who will give evidence rather than an authoritative list. I agree with all the suggestions that have been made so far. Unlike Cathy Peattie, I found myself agreeing with everything that Brian Monteith was saying—that is very scary.

On written evidence, the committee should ask Audit Scotland for its input. Although we talk about listening to the ministers, we should gather the written evidence before we call the ministers before the committee. That is at the heart of moving matters on as quickly as possible—so that we can resolve the matter to the satisfaction of pupils who are studying for their exams for next year—while ensuring that we are thorough.

The problem is that the debacle is not over and the SQA is still struggling to sort it out. The appeals are continuing. We do not want the committee to report before the SQA has sorted things out, only for the SQA to go on to make more mistakes. That would be embarrassing for all concerned. Our inquiry should be thorough and complete.

There is a contradiction between the scale of what we are trying to do and the timetable. We have a duty to report well before Christmas, but I am concerned about Mike Russell's idea that we take written and oral evidence simultaneously. I am not sure that that will work. The idea is that written evidence should give us some material to work with. We can then question the ministers and whomever else.

I do not want to sound a sour note, but I question the focus on having the minister before the committee not once or twice, but three times. We will ask the minister to come and he will be held to account. However, this is not about the minister—I question the motives of Nicola Sturgeon and Mike Russell on that matter.

We have to ensure that we are complete and thorough in our investigations and we must be careful about the timetable. The suggestion that we bring the written evidence one week forward so that we can have a meeting before the October break is a valuable one. However, it is far from clear—even at this stage—exactly whom we are calling to give oral evidence. It would be precipitate at this stage to rush off and say that the inquiry will all be over by the end of October.

There is merit in the idea—if it would satisfy

other members—that we have an interim report, but even that worries me. I would rather that we did a proper, thorough job and produced a report as early as possible. The end of November is more realistic—I say that for purely practical reasons. I am as happy—or unhappy—as anyone else to meet into the night, earning overtime. I am not sure who pays Brian Monteith. However, it is probably unrealistic to think that we can produce a report by the end of October.

Fiona McLeod (West of Scotland) (SNP): It is becoming clear that there are two causes for what has happened: policy and the practical arrangements that had been put in place. That informs which witnesses we call—we will have to call the politicians and the civil servants. Someone has already mentioned Ron Tuck. It is crucial that we hear from him. It is also crucial that we consider calling the directors of the SQA who put in place the systems that did not deliver. Calling only David Miller and the current chief executive, as is suggested, would not give us a proper picture of what went on over the past nine months.

I cannot see a problem with taking written and oral evidence at the same time—we have done it before. We already have a clear picture of some of the witnesses from whom we would like oral evidence, so we should bring them in. The written evidence can inform how that progresses and which other witnesses we bring in.

I do not see any problem with Mike Russell's idea of a small working group that would continually review where we are and how we move the work forward on a weekly or bi-weekly basis, so that we ensure that we get through it.

We should consider including in the early written evidence a résumé of civil servants' timetable of meetings with the SQA and subsequently with the minister, so that we can be assured that, as the minister has told us all along, advisers attended those meetings and then advised him. We would want to know from that exactly how it was that advisers could advise but the Minister for Children and Education did not hear that problems were on the way.

The time scale is crucial: we cannot leave this much longer, and we cannot let it linger. One of the reasons for that, which nobody has mentioned so far, is that most schools in Scotland started working towards next year's diet of exams in June. Pupils have returned to school to work for exams that they do not know they will be sitting. They do not know whether they passed their exams and they do not know whether they may have to resit them.

We now have to work on behalf of the pupils. I am pleased that the committee accepts that one of the crucial groups of witnesses must be the young

people themselves. They have been utterly affected by events; in some cases, they have been devastated by them. I am sure that young constituents have approached all of us, many of them in tears, not knowing where their future lies. It is the committee's duty to listen to the young people and produce an outcome for them that will impact on this year's as well as next year's results. We cannot let the matter linger on.

11:15

The Convener: I did not refer to children and young people because I knew that you would, Fiona.

Fiona McLeod: I am pleased that the committee did not wait for me to mention them.

The Convener: I think that there will always be agreement with you on that subject.

Karen Gillon (Clydesdale) (Lab): Several useful and helpful comments have been made.

As a member of the Standards Committee, I have already been through a similar high-profile investigation. It is easy to give gut reactions and make political statements at the beginning of such matters, which turn out not to be the truth.

It is far more important that the committee is thorough, pragmatic and forensic and that we get to the heart of what has been a devastating problem for Scottish education. The matter is the responsibility of each and every Education, Culture and Sport Committee member, which is why we should not leave our investigation to a sub-committee. We should take on the inquiry collectively as a committee—we have a collective responsibility to act in the best interests of the pupils of Scotland.

There has been a great deal of consensus around the table, but regardless of what people say at the outset, there is a party political undertone to what has been said. The inquiry is far more important than any party political perspective, which is why I compare it to the Standards Committee's investigation, during which members were able to put party political views to one side to try to get to the heart of the matter.

It is very well to ask for heads to roll at this stage—that is a legitimate point of view—but if members come with preconceived ideas about what the conclusion of the investigation will be, we will do Parliament and the process of inquiry a clear disservice. If we are going to say at the outset that we believe that the Minister for Children and Education was culpable—regardless of the evidence that we will receive—why go through the process? That would be a farce. We have to enter this inquiry with open minds and take on board the evidence that we receive.

If the evidence suggests that anybody who is in any position of authority is responsible for the crisis, I will, at the end of the investigation, call for whatever action is necessary—as will my colleagues on the Labour benches. However, we will consider the evidence; we will not react to matters by gut reaction or from a party-political perspective.

I have a number of questions that I would like to hear answered. First, on what basis did ministers decide to move to higher still in one go? On whose advice was that decision made? On what information were ministers acting? How has that decision impacted on the crisis that we now face? I think that those questions are far more important than the policy of higher still.

Secondly, there is the matter of the computer system, about which a lot of information has been thrown about. What trials of the system were undertaken? What problems were identified with it? When were those problems identified? What was done to put them right? When did the ministers and the SQA become aware of computer and administration errors? What action did they take to address them? If there were deficiencies in the computer system, have they been sorted out? If there were deficiencies in the marking system, have they been identified and are they being sorted out? Why were markers paid lower rates this year? Did markers miss training? If so, how did that impact on the system? Were they underqualified? If so, why did that situation arise? That has led to a lack of confidence among some young people about their exam marks. Did exam papers go missing? If so, why? Was it because they were left in schools? Did they go missing at the SQA? What happened, and why was it allowed to happen?

Was the crisis due entirely to operational failure, or were policy makers to blame? That is the key question for the committee to address. We can do that properly, however, only if we put aside our own party political perspectives. I do not know whether we will be able to do that, but we damned well need to try.

I would like, in the first instance, to ask a number of people for written evidence. That is because, from my experience in the Standards Committee, written evidence often produces a number of points that clarify positions or that throw up new angles that members might not have thought about. It can provide new information and can, perhaps, deal with some members' questions. It is a matter of going through that written evidence forensically until we know from it exactly what happened. Consequently, questions will arise.

We should look to invite organisations to provide written evidence—but not just in a bland way. We should approach the 32 local authorities to request

evidence about their experience of the exam system this year. A number of authorities are already pooling head teachers—I know that Scottish Borders Council has done so in order to arrive at a collective response. We should ask the Convention of Scottish Local Authorities for evidence on what it knows about the system. The teaching unions—which represent the people at the chalkface—should be asked for their opinions on what has gone wrong.

We have been told consistently that teachers have delivered on higher still and on the exam system. What is their experience? We should get that evidence. The Headteachers Association of Scotland has another perspective that we should consider. We should ask the SQA board for evidence and for the minutes of its meetings during the past two years, to find out whether people have flagged up certain issues there and what the board did to discover whether those issues had been resolved.

We need to ask the SQA for evidence—the old team under Ron Tuck and the new team under Bill Morton. What did Bill Morton find when he arrived at the SQA? What depth of problem did he discover and what has he done to sort it out?

We need to ask for evidence from the Scottish Executive—from both Sam Galbraith and Henry McLeish—about what they did in relation to their responsibilities. I would like to see—if possible—correspondence that was received by the Executive in relation to problems at the SQA and to issues that were flagged up to the Executive by any other organisations. People say that they told the Executive about the problems—let us see the correspondence and the Executive's replies. If that correspondence exists, I want to know what was done with it.

We should ask the Universities and Colleges Admissions Service for written evidence about what it has found and about how that has impacted on Scottish students. We should ask the Committee of Scottish Higher Education Principals for written evidence. We should ask the Association of Directors of Education in Scotland for its perspective on what has happened and we should ask the Scottish Parent Teacher Council and the Scottish School Board Association for their perspectives. We should ask HM inspectors of schools and the officials at the Scottish Executive need to be asked what they were doing, when they were doing it, whether they were in daily or weekly contact with the SQA, what was being done and why the problems were not being solved.

That would cover a range of evidence. If we pool that evidence, we will be in a much better position to go on to consider oral evidence. There are people whom we will want to see, including the

Minister for Children and Education, Ron Tuck, Bill Morton and SQA board members. We must, however, see them only when we have seen the board's minutes and when we know who asked which questions—only then can we have informed questioning.

This is not a show trial—it is far too important for that. This is about the future of Scottish students and Scottish education. Many people are sitting out there worried that the results that they have are not the right ones. Their confidence in Scottish education has gone. We have a duty to put aside party political responsibility and to get to the heart of this problem, so that we can put it right once and for all—the committee should take the lead in that. We should bring forward our timetable and ask for oral evidence by 30 September. We should have two meetings in the week before the recess and seek special permission to meet, if possible, during the recess. After the recess we should meet twice weekly, so that we can produce a full report by the middle of November at the latest. Having been in a similar situation before, I know that that is an ambitious timetable. However, the issue is far too important not to be dealt with quickly. We must be united in our determination to bring the matter to a close and to move on for the exams in 2001.

The Convener: I thank all members for their comments. Before I attempt to pull together some of the suggestions that have been made, I would like to make two points.

First, members will be aware that responsibility for the governance of the SQA resides with the Enterprise and Lifelong Learning Committee. I attended that committee's meeting this morning to hear what it decided about any inquiry that it might seek to conduct. The Enterprise and Lifelong Learning Committee has agreed that it will call for evidence from the SQA. It is more than likely that that committee will seek evidence from Henry McLeish, the Minister for Enterprise and Lifelong Learning. I recognise that the Education, Culture and Sport Committee might also feel that it wishes to take evidence from Henry McLeish. From members' comments, I am certain that the committee will wish to take evidence from representatives of the SQA, past and present.

However, given that we want to manage the committee's time, it would be useful to bear in mind what the Enterprise and Lifelong Learning Committee is doing, so that we do not duplicate unnecessarily its work. The Enterprise and Lifelong Learning Committee has agreed to send a reporter to this committee, so that that committee can be kept fully informed of the progress that we are making on our inquiry and how that relates to its work. The reporter will be Marilyn Livingstone, who will attend future meetings of the Education,

Culture and Sport Committee at which the matter is discussed.

Ours is not the only inquiry that will be conducted. This afternoon, the Minister for Children and Education will make a statement on the external inquiry that is being set up. Members will have an opportunity to ask questions about that and to seek information. There is also an internal inquiry under way within the SQA, which is examining its practices and procedures over the period with which we are concerned. I hope that we will be able to use its findings to inform our inquiry. Both the inquiries that I have mentioned may be useful to us over the next few weeks.

If members have any questions, I suggest that they put them now. I will pick up the points that people have made about how we should take the inquiry forward, which we may then debate, if necessary. However, there seemed to be considerable agreement about how to proceed. Do you have a question, Brian?

Mr Monteith: It could be phrased as a question.

The Convener: Anything can be, but I prefer to keep to questions for the moment.

Mr Monteith: When obtaining the minutes of board meetings of the SQA, can we also obtain minutes of the finance and general purposes committee and other relevant committees of the SQA? As is often the case, we might find that there is a great deal more going on at a lower level than there is at board level.

The Convener: I am more than happy to seek that information.

Karen Gillon: There is also a school assessment focus group. I was able to obtain the minutes of its meeting of 10 February via the internet, but I know that it had a meeting at the end of May, the minutes of which are not yet public. It would be useful to get hold of those.

The Convener: I am happy to ask the clerks to seek that information.

Mr Stone: I have a question for the committee. Are we in agreement that we would like to work through the recess? I think that we should, if we can. Our children worked through the holidays for their exams, after all. What is the difference?

Given the division of responsibilities between Sam Galbraith and Peter Peacock, should not we also ask Peter Peacock to appear before the committee? There seems to be a fairly equitable division of responsibilities—Peter handles committee work, whereas Sam does the chamber. If there are objections to that I will back down, but I would like to cast that fly.

The Convener: At the end of the day, Sam Galbraith is the responsible minister. I am not sure

that Peter Peacock could add anything to what Sam will have to say. However, if you feel that there is something missing that you would like to ask Peter Peacock about, we will consider that.

Nicola Sturgeon: I have a number of thoughts about how we should move forward. The convener mentioned the fact that the Enterprise and Lifelong Learning Committee has appointed a reporter to this committee. It would be sensible for us to appoint a reporter to the Enterprise and Lifelong Learning Committee's inquiry, so that we can have a representative at its meetings to keep track of the evidence that it will take about the SQA and Henry McLeish's responsibility for it.

The Convener: That was one of the suggestions that was made earlier and that I noted. I was intending to come to that. Are there any other questions?

Mr Monteith: Could we consider holding meetings in the chamber, when possible? I am not saying that that would be necessary for every meeting, but there may be occasions when it is appropriate to hold a meeting in the chamber. The chamber offers not only television facilities, but better facilities for the public and the media, so that more people can attend. That would be a good way of showing how open we were being.

11:30

The Convener: You have already made that suggestion and I am having it investigated. I do not foresee any problems with it. If that will allow more people to see what the committee is doing and what information we are uncovering, I have no problem with it and I do not think that anyone else would. Our previous experience in the chamber was not very productive and we need to examine how other committees use the space there to better effect. We can deal with that through the clerks.

Mr Stone: Can we flesh out the argument about written versus oral evidence?

The Convener: I will come on to that.

Mr Stone: There are split concerns here. If we receive written evidence the night before we take oral evidence, that will work. However, I am pretty certain that oral evidence is the key. Written evidence lays the foundations, but it is through oral evidence that we will get to the point that we want to reach.

The Convener: The best thing to do is return to the paper that is before us and work through each section. We can then take any amendments that may be suggested.

As part of the remit of the inquiry, the paper states that we are to

“identify the causes of the difficulties encountered this year”.

That would be an appropriate place to mention that we want to examine the marking and the system of recruitment, training and quality assurance that was in place for the marking.

Michael Russell: We must also add in the question of policy. Members were all agreed about that.

The Convener: I am not sure that we were all agreed. I have some difficulty about opening up the question of higher still—[*Interruption.*] Do not sigh yet, Nicola. Wait until I have got to the end—then you can sigh. We cannot move away from the issue of higher still in the inquiry, because that is where the problems seem to have accumulated. However, schools were able to carry out assessments and the children worked through their courses. To open up that part of higher still would be to enlarge the inquiry to the extent that there would be a delay to the immediate investigation. There is also an on-going review of higher still in the education department, which will report back through the Executive to Parliament later this year.

As Fiona McLeod has indicated—and as those of us with children will know—students start their exam courses in June, rather than when they return to school after the summer. We know that the courses have already started for this year. There is a limit to the effect that we can have on this year’s coursework, as it is on-going. However, we could not possibly hold the inquiry without reference to higher still.

Nicola Sturgeon: I do not want to break the sense of consensus, because that is extremely important; however, this is a fundamental point. We cannot have an inquiry into what has gone wrong in the implementation and administration of the exam results without reviewing the policy that may or may not have led to those problems. Convener, you say that teachers and pupils have managed the process of higher still and the assessment. That may well be true and, if so, I take my hat off to them. However, let us remember that they have managed that under considerable protest. Real concerns about aspects of the higher still policy have been raised over a long period by teachers, parents organisations and pupils. We have a duty to examine that policy and I do not think that the inquiry will be meaningful if we do not. People would be extremely distressed if we tried to close down that avenue of investigation.

Karen Gillon: There are some questions about higher still that need to be asked. However, we will lose our focus if we get into the whole debate on whether higher still was a good idea. Do we want to sort out the problem that we have got and put it

right, or do we want to get into a political debate about higher still as an initiative? If that is the point that we have reached, we should be honest and say: “I don’t like higher still and therefore I want an investigation” or “I like higher still and therefore I want an investigation” to see whether it is the correct mechanism. We must try to find out how higher still has impacted on the crisis that has happened this year. We would have to consider further whether that means a fundamental review of the policy of higher still.

As a priority, we must ensure that what happens as of now means that when we reach July-August 2001, the students who are sitting higher still do not experience the same exam fiasco that happened this year. We cannot rewrite higher still at this stage in the academic year, although we may wish to rewrite higher still for 2001-02. We can have an honest and full debate on that. However, the point of this inquiry is to get the system right so that the kids who are studying for the exams in 2001 do not suffer. That should be our priority, rather than a fundamental political difference over higher still.

Fiona McLeod: I do not know whether Karen Gillon is deliberately missing the point, but the debate is not about whether we should have higher still, but about whether we have implemented higher still correctly. Have we set up the systems to allow higher still to deliver for the pupils? We cannot examine the systems without considering higher still and the policy decisions that were made to ensure that it came in this year, rather than being phased in next year or two years down the line. A decision was made that higher still had to happen this year and that is something that we must investigate.

Ian Jenkins: We cannot separate higher still from the results fiasco because the seeds of the fiasco were sown in the structures of higher still. I am not making a political point about higher still—it has lots of good elements. However, there are practical difficulties relating to bureaucracy, data handling and so on that are a burden and have caused the SQA to become overwhelmed. It is not just an issue of data handling, but relates to the kind of data and the relationship between them. The structures of the courses are a problem.

We cannot solve those problems, but we can explore the matter and uncover the relationship between those elements and the debacle. It would be silly to think that the committee can completely change higher still. We need to be reasonable about what we can do. We can examine how the administration has been handled and how the structure of the higher still courses contributed to the problems. It is a big problem that will not be solved in a few meetings. However, we must not shrink from examining that relationship. It is not

the political policy that needs to be examined, but the management in the classroom, the structures that have been introduced by the higher still development unit and the wee hurdles such as performance indicators and modularisation. We must not shirk our responsibility in that respect, even if that means producing an interim report while we await further evidence.

I do not see why we cannot have oral evidence on such matters. Professor Lindsay Paterson, the teachers unions and others could give us evidence on that right away. That would not be political, but would be a start in getting the information and attitudes aired. If we work together, we can avoid making the debate about personalities and politics. We have a job to do and we should begin as soon as we can.

Michael Russell: I disagree profoundly with Karen Gillon's comments. In the debate, even she made it clear that one of the issues was the implementation of higher still—the *Official Report* will show that. We cannot investigate this issue without considering the implementation of policy. If that is not obvious enough, when the minister appeared on that BBC television programme, he made a constant differentiation between the implementation of policy, for which he was responsible, and the practical activities of the SQA, for which he believed the SQA was responsible.

If, as Ian Jenkins says—I do not know because, unlike Ian, I have not been at the chalkface—the seeds of the problems were built into the implementation of policy, we must consider the policy. We will find out whether those were contained in the policy as many teachers contend. If we do not consider the policy, we will never find answers.

Mr Monteith: Perhaps the trouble lies in the word "policy" because the comments that have been made in all parts of the chamber do not seem to be so far apart. Mike Russell's comments were quite helpful.

It is not just the application of the higher still policy that has led to the difficulties. I want to explore what has produced those difficulties. However, it is clear that there were also problems with the standard grade exams. Therefore, it may have been the policy to introduce a new computer system at the same time as the introduction of higher still that caused the problems. There may have been several errors that compounded and precipitated such a catastrophe. It is important that we examine not only the marking, assessment, data management and all the processing, but the policy—not simply to grill the minister, but to discover what policy was being pursued and what were the implications of that. That is an appropriate matter for the committee to explore.

The next step along the road, which is the question of reviewing higher still, is not what is being asked of us. If we want to go down that road, we should do so as an additional report or as a separate part of our inquiry. I would be worried that such a step would deflect us from our purpose.

I remind the committee that prelims start fairly soon, not long after the time when we might expect to finish our report. For that reason we must ensure that we carry out our inquiry as quickly as possible. I agree with Ian Jenkins that we can have several oral submissions that will help to put matters in context. The people who give oral evidence can also submit written evidence if they so wish. However, people such as Lindsay Paterson and representatives of the teachers unions or from the Association of Directors of Education in Scotland are the kind of people who are up to speed on what has happened. They can give us oral evidence to consider while we are gathering other information from ministers, the SQA and former officials. Obviously, we do not want to distract the SQA from ensuring that the mess is finally tidied up. In the meantime, we can see these other people for oral evidence and by that time have collected enough written evidence to bring other witnesses before us. If we were to do things that way round, the report could be produced by the end of October.

11:45

Mr Macintosh: I think that we are perhaps only a couple of words away from agreement. However, I object to this becoming an inquiry into higher still policy because we need to be more focused than that. This is an inquiry into what went wrong with the exam results and, as such, will have huge implications for higher still. Although we should not attempt to shut down that part of the inquiry, a review into higher still is continuing and there will be many opportunities to make our views known on the policy. We should not be distracted.

In fact, by examining higher still too closely, we would be putting the cart before the horse—we would be trying to find out why things went wrong before we establish what things went wrong. We currently know that there were problems with data management. That said, the reverberations of the initial mistakes at the SQA are still continuing into appeals and late appeals. For example, issues such as variations in the quality and standards of marking have yet to be established. There is much anecdotal evidence about wide variations in marking. People say that some schools are down by 10 per cent and other schools are up by 10 per cent. However, as I have said, the facts have still to be established and part of the job of this inquiry

is to cut through the sometimes near-hysteria surrounding the reporting of these events and to find out what has gone wrong and then why it went wrong.

I cannot disagree with any of Ian Jenkins's comments about difficulties with the process and bureaucracy of higher still, and we will want to hear people's views on that matter. However, we should not lose the inquiry's key focus, which is on the exam results. If we add something to the remit about examining the policy of higher still, the wording is so broad that it makes the whole enterprise rather meaningless. All the questions about higher still will be raised and answered by our inquiry, but we do not want to lose our direction.

Karen Gillon: I will repeat what I said, so that it is in the *Official Report* twice. On what basis did ministers decide to move to higher still in one go? On whose advice and on what information were they acting? That is the part of higher still policy that we must consider, because it was probably the move in one go that caused the problems. I do not have a problem with examining that matter. However, if we are getting into a big detailed policy discussion about the ethos of higher still—

Michael Russell: We have not said that.

Karen Gillon: Well, we have said it on record in the past, so we should put on record what we are going to do. A full review of higher still should be undertaken in addition to the inquiry. The inquiry is our priority and we should get it out of the way first. If, as a result of the Executive's review of higher still, we want to examine the policy ourselves, we will do it.

Nicola Sturgeon: I think that we are in danger of creating false disputes and divisions. If Karen Gillon had cared to do some research before the meeting, she would have known that my party has never taken issue with the principle or ethos of higher still and that we are hardly likely to start doing so now. However, we must examine issues about translating the policy into practice. Karen raised one of those issues herself when she mentioned the time scale for implementing higher still. It is worth remembering that this chaos did not happen when standard grades were introduced, probably because they were introduced over a much longer period than higher still.

There are other inescapable aspects of the internal workings of higher still that the committee must examine. For example, we have agreed to investigate what is referred to in the briefing paper as the "reliability of the results". We can expand on that by referring to the huge concerns this year about pupil performance in exams. In the media and elsewhere, much of that has been attributed to the possibility of bad marking. That may well be

the case and it is right that we are examining that possibility. Equally, several people have suggested to me that one of the other causes of the poor performance of pupils in external exams may have been the burden of internal assessment in the higher still programme.

It is clear that it is impossible to do what we have agreed to do without also considering aspects of higher still. If we try to do that, we will embark on an inquiry that will be artificial and meaningless for the people out there. If we can agree on a few words to add to the terms of reference, we can reach a solution. I think that we are all talking along the same lines, so let us not indulge at this early stage in artificial disputes.

The Convener: I think that that is helpful.

Mr Stone: Let us remind ourselves what we are. I am sorry to repeat this point, but I am passionate about the idea of the committee being a committee of the Parliament. We are not beholden to any political party. We are not here to scalp or to rescue ministers or officials, but to establish the truth and the evidence. Any move to limit the sort of evidence that we gather is exceedingly dangerous for the Parliament—this is not a party political point. We should not be prescriptive about what we will examine, because, in the weeks and months ahead, we will discover avenues that we had not thought of. It is not wise to box ourselves in now. We should remember that it is our duty to get all the facts out in the open. We should be careful not to circumscribe our future actions. We should not undermine the role of the committee, which is fundamental to the Parliament.

The Convener: We should be clear that nobody is trying to restrain the committee from investigating what it is necessary for it to investigate to produce the answers that are required. I agree with Jamie Stone that, as the inquiry proceeds further, questions may be asked on which we will need to take evidence, but we will deal with them when they arise. Are people happy to accept Karen Gillon's wording, so that we examine the basis on which ministers decided to move to higher still in one go and ask on whose advice and on what information they were acting?

Nicola Sturgeon: We should say that we will identify the causes of the difficulties that have been encountered this year, including aspects of administration, marking and higher still. That does not restrict us in any way.

The Convener: I have included marking in the previous section, so that is repetition. However, I am sure that we can reach agreement here.

Michael Russell: Would it help if we referred instead to the implementation of higher still?

The Convener: Yes. Is that agreed?

Members indicated agreement.

Michael Russell: I suggested that we should add a final bullet point to the terms of reference stating that we will make recommendations on how such difficulties can be avoided in future and how confidence in this year's results and future results can be restored. We must address that key issue.

The Convener: In my opening statement I spoke about the responsibility that is being placed on the committee to restore confidence.

Michael Russell: It should be in the remit.

The Convener: I am glad that we are in agreement about the responsibility to restore confidence.

We will now move to the evidence section. Of the people who have been suggested in addition to those who were listed, I agree that we should take evidence from members of the SQA, past and present. That would include Ron Tuck and members of the executive and the board.

Michael Russell: There is no need for us to divide on this question. You have made some suggestions, convener, and there have been plenty of others by members. Could the clerks compile a list from the suggestions that have been made?

The Convener: I want to be clear that we are agreed on who is being asked to give evidence. We will take both written and oral evidence from civil servants, and we will take evidence from Douglas Osler of Her Majesty's inspectorate, and from pupils and students who have been affected.

We have written evidence from the 32 local authorities, COSLA, the teaching trade unions, UCAS, COSHEP, ADES, the Scottish Parent Teacher Council and the Scottish School Board Association.

Michael Russell: That is an inclusive list, but it is not an exclusive list. I am sure that other people were mentioned. Karen Gillon's list seemed to go on for ever—all credit to her. We have a huge list of organisations. The important thing is to compile the list from the *Official Report*, and to ask for suggestions from members for further evidence.

The Convener: It is also worth saying that, as we receive written evidence and hear oral evidence, there might be other people whom we want to include, and we will do so at that stage.

Nicola Sturgeon: I am sure that it was not deliberate, but I noticed that you omitted the suggestions with which I dare say you disagreed. I want to make a general and then a specific point. I am concerned about taking written evidence from ministers. One of the issues at stake is the advice that ministers were given by their civil servants. If

we ask for written evidence from our education ministers, all we will get is a civil service brief, which I do not believe is acceptable. I renew my request to call Sam Galbraith and his predecessors to discuss, in particular, the issues surrounding the implementation of higher still. That should be oral not written evidence.

The Convener: How does the committee feel about whether to take written or oral evidence?

Mr Monteith: Irrespective of whether the written evidence is prepared for Brian Wilson, Helen Liddell or even Raymond Robertson by someone other than them, rather than starting from scratch with a blank sheet of paper, I would prefer to have the written evidence first to allow me to ask questions thereof before I go down other avenues.

Mr Macintosh: I agree.

The Convener: Do members accept that we should ask at this stage for written evidence and then decide?

Nicola Sturgeon: I would accept that if we had an agreement that we would also invite those people for oral evidence. Karen Gillon said quite rightly that one of the issues is the decision to implement higher still in one go. I do not see how we can answer the questions about that without taking evidence from Helen Liddell.

Karen Gillon: I must declare an interest, as I worked for Helen Liddell before I was elected to Parliament. We should seek written evidence. On the basis of that, we will be able to decide whether we want ministers to give oral evidence. As a member of the Standards Committee, I have been here before. I am not trying to say that everything we did there was right, but there were times when we thought that we needed to bring people before the committee, but when we got the written evidence, we did not.

Cathy Peattie: It is important not to rule anyone out at this stage. We must be clear. We will get the written evidence and then invite whomever we feel it appropriate to invite.

The Convener: I do not really want to go to a vote on this.

Nicola Sturgeon: If we are taking a clear decision that no one is being ruled out from being called to give oral evidence, I will go with the consensus, but I want to stress that that is the decision.

The Convener: We will approach people at this stage for written evidence and will then take a further decision. Is that acceptable?

Members indicated agreement.

The Convener: Taking on board the fact that, as we go through the inquiry, it might become

obvious that there are people who need to contribute, is there anybody else whom members want to suggest at this stage?

Mr Stone: HM inspectors of schools.

Ian Jenkins: The higher still development unit is important, which is not quite the same as HMI. They are related, but they are not the same.

The Convener: I accept the distinction.

Ian Jenkins: People have mentioned higher still being implemented in one go. I am not quite sure what that means. At the moment, higher and higher still continue together. Higher still is being phased in, but there might be questions about how it has been phased in.

Nicola Sturgeon: The issue is the time scale and how it was done—the fact that there was no pilot.

Ian Jenkins: I was worried about the phrase “in one go”.

The Convener: We move on to the timetable. I have listened to what everybody has said about trying to bring the timetable forward. I am more than happy to do that, while balancing the need to enable people to take time to submit written submissions and to give oral evidence. I accept what Mike Russell said about trying to run both in parallel. I suggest that there is an opportunity to overlap.

Michael Russell *rose*—

12:00

The Convener: I will come back to you, Mike.

It was suggested that we should have a closing date for written evidence of 30 September rather than 6 October—while accepting that we might need further written evidence—and that we start taking oral evidence on Wednesday 27 September. We would meet on that day and then twice the following week, which will be the week before the recess. We could investigate the possibility of meeting during the recess. It will probably take two meetings a week to ensure that we get through this inquiry. We will be looking to finish at the end of October, or at the latest, the beginning of November. Obviously, that will be dictated by the number of people we call to provide oral evidence.

Michael Russell: I listened to what Karen Gillon said. There is a compromise between what I proposed and what Karen proposed. If I may, I will expand on that, so that it is on the record. There is a difference between commissioned written evidence and uncommissioned written evidence. People will be expecting to provide commissioned written evidence, so we could ask for it by 22

September. If the letters went out this week, that would give them two clear weeks to respond. Obviously, there is flexibility in that. I heard the convener on Radio Scotland calling for uncommissioned evidence, so Scotland is prepared for that. We could ask for uncommissioned evidence to be received by 29 September.

We could have the first inquiry meeting on 27 September, as Karen suggested, which is three weeks today; meet twice the following week; perhaps meet during one of the weeks of the recess, which would give us another meeting; and meet twice a week for the two weeks after the recess. That would give us a total of eight meetings for the inquiry, which is more than we anticipate will be needed. We could continue for another week, or we could look at the draft report. The clerks have to arrange rooms and so on for those meetings. If we settle the matter today, it will give the clerks the opportunity to work to a clear timetable. I notice Martin Verity nodding, so clearly that suggestion meets with clerking approval if nothing else.

The Convener: I have already asked for a clash diary for members of the committee to help when we consider increasing the frequency of meetings to twice a week. Almost everybody on this committee is on another committee, so if we meet twice a week, which seems to have general approval, it will necessitate meeting on Mondays so that all committee members can take part. Members will have to accept that if we proceed as suggested.

Mr Stone: I will have to come down from the remote north if we meet during the recess. Rather than meet for one day, we could meet for two days, given that we are getting the clerks together and taking over a room. We could do quite a bit of work. Secondly, I am attracted by Mike Russell's suggestion of a small management group to co-ordinate evidence and so on, consisting perhaps of the convener and three spokesmen from the parties. What support does that have?

Nicola Sturgeon: It is a good idea.

Mr Monteith: I am in favour of it, but I am surprised that we are talking about a period that is three weeks away. I would have thought that starting on 20 September was possible. If we agree that some people can provide oral evidence now, we do not have to hold ourselves back until 27 September just because we are collecting written evidence. That would mean that we could start taking oral evidence in two weeks.

Nicola Sturgeon: I agree, and I suggest that we start with the Minister for Children and Education on 20 September.

The Convener: That will make it very tight. I take on board what we are trying to do.

Mr Macintosh: I am not trying to slow anything down; I am trying to be practical. The SQA will be in the middle of sorting out appeals. We do not even know the full scale of the problem at this stage, yet we are rushing off asking people questions.

Rather than rush into this, it is important that we get it right; 27 September is reasonable and practical. If we manage to have two meetings a week, we can probably make good progress on the inquiry, but we cannot address the problem more quickly. We are not a branch of the Executive or a shadow Executive. We are a committee of inquiry.

Mr Stone: I wonder about summoning Sam Galbraith on 20 September. We are not dragging our feet, but until we have some information from the SQA, would not we be wasting our time?

Mr Monteith: We should differentiate between the two suggestions. I suggest that we start early with people who are able to give us information already. That is not a suggestion to bring forward the minister.

Karen Gillon: I was happy with Mike Russell's suggestion; it was sensible. We could bring people in tomorrow and ask them about what we have read in the newspapers or what we think has happened, or what somebody has told us has happened. We must ask informed questions, based on the evidence that the committee has gathered. That is a sensible date for the deadline for the commissioned evidence from organisations, which I am sure will be expecting a letter from us.

We should call people to give evidence on 27 September; we must decide as a committee who those people are when it is appropriate. We should meet for a full day during the recess rather than two half days, to allow members to timetable that into their diary. We must recognise that members will already have family and constituency commitments in their diary, which might be difficult to change. I am not suggesting that we should not do that, but we should have a full day of evidence.

The timetable that Mike Russell suggested is workable, helpful and one that we could all agree to.

The Convener: While we have agreement, I will round off this discussion before we talk ourselves out of it.

Michael Russell: We would be prepared to agree on the basis that we start on 27 September—there is agreement on that—and that there will be one full-day meeting during the

recess. It is a long way for you to come, Jamie, but you can come for a full day.

Mr Stone: Why not two full days?

Michael Russell: You are such a glutton for work, as we know.

A full day would be sensible.

The Convener: That is the most practical way to start taking evidence. We are agreed that we will start taking oral evidence from 27 September. That is the timetable agreed.

With regard to the adviser, everyone agreed that an adviser would be helpful. I was interested in Mike Russell's comment that we might have to go outside Scotland, because people who are involved in Scotland might be so close to the matter.

Several names have been suggested. I suggested earlier that the spokespeople from each of the parties and I should meet this week to consider the names that have been put forward. We will then submit a report on behalf of the committee to next Tuesday's Parliamentary Bureau meeting. We will try to make progress on that as quickly as possible, because the adviser will be important in interpreting the written evidence and in assisting us with the oral evidence. Is that acceptable?

Michael Russell: We should make it clear to the bureau—I am happy to make it clear to myself—that that is central to our inquiry, which is probably the most important one that we will undertake. There are cost limitations on appointments, which have been breached previously, as Karen Gillon knows, when a short-term, urgent appointment had to be made. The bureau should be advised that it might like to think of that if there are any difficulties. I repeat that it is essential to get somebody who has been untouched; who has not been a consultant to the SQA and has not done consultancy work for the Executive. We would be more likely to find such a person outwith Scotland. As Mary Mulligan knows, the names circulated include people from outwith Scotland; I believe that we should treat that seriously.

The Convener: We are agreed on that. Do members want to raise any other points?

Nicola Sturgeon: There was the point about appointing a reporter to the Enterprise and Lifelong Learning Committee.

The Convener: I am sorry—yes.

Does the committee agree that we should appoint a reporter to the Enterprise and Lifelong Learning Committee?

Members indicated agreement.

The Convener: Can we take nominations?

Karen Gillon: I nominate Ian Jenkins.

Mr Stone: I nominate Cathy Peattie.

Karen Gillon: I will withdraw that in favour of Cathy Peattie.

The Convener: Are we agreed on Cathy Peattie?

Members *indicated agreement.*

The Convener: The sterling work that you did on rural schools will stand you in good stead, Cathy.

Michael Russell: Oh dear, you are in trouble again, Cathy.

The Convener: I am glad that we have agreement on that. I thank members for their co-operation.

We will have a five-minute break.

12:10

Meeting adjourned.

12:18

On resuming—

The Convener: I call the meeting to order. We seem to have lost our audience.

Karen Gillon: We seem to have lost our committee, never mind our audience.

Committee Business

The Convener: Item 3 on our agenda is an update on committee business—and I am frantically trying to find the update that I had written out. The committee has an outstanding item in its remit—to look at school infrastructure. Members will remember that, before the recess, we appointed an adviser and started to consider taking evidence. Given our responsibilities with the school exams inquiry, I suggest that we shelve that work on school infrastructure for the time being, rather than leave people hanging on and not knowing when they are likely to be called. I suggest that we rejig the timetable and consider the matter again after the Christmas break. Do members agree?

Members *indicated agreement.*

The Convener: We will have a number of items to deal with following the school exams inquiry.

We have been asked by COSLA to nominate a representative of the committee to attend the cultural network meetings that it now holds regularly. To keep in touch with what is going on, and accepting that much cultural work is done through local authorities, either directly or through their assistance to the voluntary sector, I think that it is probably worth while for one of us to attend those meetings. Do we agree that we should send someone to COSLA's cultural network meetings, and could we have a nomination?

Karen Gillon: I nominate Cathy Peattie.

Michael Russell: As it is a tradition in this committee to nominate Cathy Peattie for everything, we should not break it. I nominate her, too.

The Convener: We are agreed on that—and you will love this, Cathy, because I have another one. Can we nominate someone from the committee to be the contact for the research that is going on into consultation with children and young people? Members will remember that, as sponsoring committee, we passed the matter to the conveners liaison group and then to the Parliamentary Bureau. They have agreed that that work will be carried out, and as everyone seems to be pointing at Fiona McLeod, we will nominate her as the contact.

Members *indicated agreement.*

The Convener: So it was not Cathy Peattie this time. Does anyone want an update on any other matters?

Fiona McLeod: We were supposed to start taking evidence on Hampden.

The Convener: We were indeed.

Fiona McLeod: I presume that we will rejig the timetable for that, although I hope that it will not be pushed too far back.

The Convener: There was a proposal that we would start to take oral evidence next week. However, as we have only two weeks before we start the school exams inquiry, I will speak to the clerks about that. I am aware that many of you visited Hampden and that it is still fresh in your minds. We want to make progress on that, which is one of the reasons why I asked members whether we could put back the work on school infrastructure. I want to ensure that we deal with the work on Hampden as soon as possible.

Fiona McLeod: Are you saying that we will start next week?

The Convener: I am not sure. We need to decide whether there is merit in starting next week and then breaking off, or whether there is merit in holding off the taking of oral evidence until we have dealt with the school exams inquiry. I will discuss that with members before a final decision is taken. It is in the balance at the moment—it was not previously.

Michael Russell: We have received quite a number of submissions on the film inquiry, which is one of our longer running inquiries, as will be shown when the report appears. Given the commitment that we have now made to the SQA inquiry, I suspect that the best thing to do would be to bring that work to the committee before the end of the year as a pleasant Christmas present. I shall gift-wrap it of course. If the committee agrees to a further inquiry, that could be timetabled for next year. There is a fair measure of agreement, and now that we have seen the national cultural strategy, we know the Executive's views on the priorities for Scottish film. Our work may be a useful counterpoint to that.

The Convener: I had you pencilled in for next week as well, Mike; but if you are not in a position to—

Michael Russell: We could rush it through, but I think it would be far better to take our time.

The Convener: Far be it from me to make you rush. I am happy to accept what you say.

Michael Russell: It has been a slightly busy summer, you know.

The Convener: Has it?

Michael Russell: Indeed.

Cathy Peattie: Although it has been a busy summer, I am sure that no one missed the release of the cultural strategy. I am concerned that we have not had an opportunity to discuss it. I remind the convener, again, that we made a commitment to consider folk and traditional music but have not

done so yet. I want to put a marker down on that. If the cultural strategy is around, the committee should consider folk and traditional music. I worry that that discussion will be lost yet again.

The Convener: I do not think that you would let us lose it, Cathy, and I do not think that other members would either. I take on board what you say. It may be that, if we decide to hold off from taking oral evidence on Hampden, we could try to slip something in on the cultural strategy.

Michael Russell: The cultural strategy document has been published, but has not yet been discussed in Parliament. The minister has not made a statement on it, but I shall certainly be asking for one. Only after we have had a ministerial statement or a debate on the strategy should the committee consider hearing evidence on the recommendations. It is a longer-term issue, although Cathy Peattie is right to say that we must not lose sight of it. Perhaps we could schedule it in for December.

The Convener: I shall take those points on board. The timetables that the clerks are working on take us up to the Christmas recess, so I shall ensure that something is pencilled in and does not get lost.

Ian Jenkins: Will we be meeting in the Christmas recess?

The Convener: I shall ignore that question for the moment and move quickly on to the next item.

Sport in School

The Convener: Karen Gillon has prepared a report for the committee on sport in school.

Karen Gillon: My report was nearly as long in the making as Mike Russell's report on film was. Perhaps we could have done a joint inquiry, Mike. It was a very interesting report to undertake. I am sorry that members did not get copies of it until Wednesday but, until last week, I was still completing a series of visits to inform the report.

Sport in school across Scotland is very patchy. There are some examples of excellent practice and some of not-so-excellent practice. Sport has managed consistently to undersell itself and the importance that it can have on the overall performance of students, academically or in relation to their health. That is still the case. Frequently, I have heard people talking about sport for sport's sake, and they do not yet appreciate how sport can raise achievement in schools. Used as a vehicle in the curriculum, it can help to maintain discipline, particularly among boys, acting as an incentive to participate in activities.

Sport can also improve young people's health. One thing that struck me in my conversations with primary teachers was the inability of children to play with each other when they first come to school. That is a sad reflection on the sort of society in which we live, shaped by the dominance of the computer games culture among young people and by parents' concerns about safety issues when they let their kids out to play.

There is much room for improvement. One of the most interesting visits that I undertook was to a school at Ashton Upon Mersey in Manchester. Twenty per cent of its places are grant-aided, but it draws 80 per cent of its pupils from a fairly typical council housing estate in the city. It is a designated sports college and manages to use sport across the curriculum in an imaginative and innovative way. I learned a lot from being there to see how that school has managed to use sport as a vehicle for academic achievement. The pupils' grades are up, their numeracy and literacy problems are down and discipline has improved.

The school is now also a designated beacon school, which provides a model for using sport positively. That model would not be right for every school in Scotland, but we could learn from it how to use all aspects of culture as vehicles for academic achievement. Conducting the inquiry has made me realise that sport is not the only aspect that we could use to do that. We also need to address the health needs of our young people.

Tension clearly exists between rolling out further

elite schools, such as Bellahouston Academy, which concentrate on elite performers, and promoting community sports schools to raise overall achievement and produce new elite performers. However, I believe that that tension can be overcome.

I have made a number of recommendations, which I hope members have had time to consider. I hope that my report is a starting point, that it gives people a flavour of where we are and that we can make progress on the recommendations in order to move forward sport in schools.

I went into the exercise with the clear idea that sport was important, and have come out of it with a clearer idea of the importance of sport: it can be used as a vehicle for raising academic achievement and improving health and general levels of attainment in schools. We must consider how we can take forward sport in schools in Scotland in a more constructive way across the board, rather than the patchy approach that is used at present.

The Convener: Thank you, Karen. Do members have questions or comments?

12:30

Mr Macintosh: I thank Karen for her report, which I thought was excellent, and I agree with many of the points that were made in it. Having had a chance to chat with Karen, I know that the school that she visited in Ashton Upon Mersey is an example of an impressive establishment from which we can learn. I am glad that I had that chance to find out more about it in detail.

I like the report's emphasis on improving sport development in primary schools. Sport in primary schools does not appear to have advanced—in fact, if anything, it has retreated—since my school days, which were a long time ago. I am greatly concerned that we are not making progress in that area, and I approve in particular of the emphasis on that in Karen's report.

The report raises a number of points about the possible conflict between league sport and sport for all, but suggests that those two approaches can work together and that, where possible, the emphasis of Government and Executive policy should be on encouraging sport as a vehicle for social inclusion, mass participation and mass enjoyment. That sentiment, which I wholly endorse, comes through in the report.

Fiona McLeod: I thank Karen Gillon for her report, which summarises well the position of sport, not only in schools but among young people in Scotland. We should be concerned that young people do not participate very much in physical activity—not always from their own disinclination,

but perhaps from lack of opportunity.

However, I take issue with you, Karen, on an area to which you alluded in your summary. You put too much emphasis on involving children in sport and physical activity through their schools. For example, in recommendation 6.2, you say:

“Primary schools should be prioritised in future developments.”

Much as I agree with that statement, we must also consider pre-school children. Most of our children go into pre-school education at the ages of three and four. Are we considering starting at that young age? Being involved in physical activity is a lifelong activity. If physical activity is not started at an early age, it is much more difficult to bring young people on board and to keep them on board as adults. That must be our ultimate aim.

You made other recommendations on how to achieve the joined-up approach by Government that we all talk about. It is obvious that sport takes place in columns, but we do not live our lives in columns. We must consider ensuring that all sporting facilities—whether provided by local authorities, sports clubs or coaches or in schools—match up together, particularly for young people and primary school children, to become an almost seamless flow of sport for a young person, who will then become involved either in a particular sport or in physical activity. Sport should not be confined to the hours of 9 am to 3 pm.

I am concerned about the emphasis on primary schools. We are all aware of the restrictions on our primary school teachers in relation to training and on the time that they have available. When I read the recommendations, I had a completely personal thought: as the mother of a child at primary school, I am aware that the children get playtimes and lunch breaks that are not structured. I am not saying that those times should be completely structured, but they are times when enjoyable physical activity could be brought into the child's day without having an impact on the teacher or time in the classroom.

Your final conclusion asks for further research and study into best practice in Europe to be undertaken. The need for joined-up action came across from your report. I hope that the committee can take on board the fact that, while many sporting activities go on in Scotland, they go on in separate columns. I want the committee to examine the practicalities of producing strategic frameworks and partnerships to ensure that when someone becomes involved in sport, they can do so horizontally as well as vertically.

Cathy Peattie: The report emphasises that there is an important issue about teenage girls. When girls get to a certain age, they no longer want to participate in sport. I am a mother of girls

and can recall the notes that had to be written and the excuses that had to be made because they did not want to do gym. The irony is that my eldest daughter is never in when I call her now—she is always in the gym. There might be a different way of doing things. Given that we are talking about lifelong health, perhaps we need to change the emphasis on how sport is approached. If my daughter is going off to the gym, many of her peers will be as well. It appears that an ideal opportunity was missed at school.

In part 6.7, the report talks about involving teachers, parents and the wider community in the delivery of extra-curricular sport in school. There is a cultural issue surrounding sport. In communities in my constituency, football is seen as something that young lads get involved in. I know that that is not the case, but the attitude is that football is not for the whole family. It is done at school for half an hour or an hour every week. It would make sense to consider wider community involvement in sport. Perhaps the community could get involved in appropriate sports in community schools.

I am reminded of discipline. A number of the lads in my constituency have told me that they are not allowed to play football any more; they were excluded from sport because they caused problems in the classroom. That is counterproductive. The report makes clear the fact that sport can be used to raise attainment. Sport also plays a major role in building confidence in young people. We should consider a different approach to discipline and not use exclusion from sport as a punishment.

I thank Karen Gillon for the report. I have read it once, but there are parts that I want to go back to. I hope that we can take forward some of its recommendations.

The Convener: I do not want to repeat what people have said, but it is worth drawing together points that Cathy Peattie and Fiona McLeod made. Part 6.7 refers to the involvement of parents, teachers and the wider community. Fiona touched on the fact that teachers have a heavy work load and pointed out that it can be difficult for teachers, who are already busy, to fit sport into children's lives. However, many people give of their time voluntarily to support young people through sport in clubs or in schools. We must build on that and break down the barriers between sport in clubs and sport in schools. We must bring together those areas and use all the resources, experience and good will that exist to ensure that all our young people can take advantage of sporting opportunities that will stand them in good stead in later life.

The report is excellent and contains many good recommendations at the end. There is nothing in it with which I could disagree, so I suggest that we

accept the report and the recommendations as a whole. Is there any opposition to that?

Fiona McLeod: I do not want to be negative, but I would prefer to have a much more positive final recommendation, rather than a recommendation for another comparison with other people. We have a fair idea of where we want to go with sport in Scotland, and I think that the committee should progress that idea.

The Convener: You are right, but we should not close ourselves off from learning from the experiences of others—I do not suggest that that is what you are saying—so we should include that recommendation in the report, but recognise that the emphasis should be on what we have and how we can develop it. Is that acceptable?

Members *indicated agreement.*

The Convener: Is it agreed that we refer Karen Gillon's report to the Parliament for publication as a report?

Members *indicated agreement.*

Special Educational Needs

The Convener: The next item on the agenda is visits to schools providing special education. There have been two visits since our previous meeting. Karen Gillon and Lewis Macdonald visited Donbank Primary School, in Aberdeen.

Karen Gillon: The school is excellent. A unit looking after the needs of a number of children with special educational needs is attached to the school, but the focus is on the integration of those pupils in the mainstream curriculum. The school certainly served to shatter some of my illusions and prejudices about how people, and in particular those with profound special educational needs, could be educated in a mainstream classroom. It is an example of good practice. In particular, I saw at first hand how children with Down's syndrome and cerebral palsy are integrated in the school in a way that I had not believed possible.

Again, the issue of individual learning plans was raised. I was told about the need for them because they help pupils and parents to focus on achievement—we should not expect any less from our children with special educational needs, although the targets might be slightly different. Another issue that arose was the time scale: whatever time scale was applied, people were able to meet it, and it could be adjusted to the needs of the child rather than set down what had to be done at different stages.

The school and the authority have a forward-thinking approach to integration and individual learning plans. It is part of their ethos. The head teacher was very enthusiastic. The school has many social problems and is not the kind of school that one would expect to be at the forefront of integration. It is a very good school. There are difficulties in involving parents because parents there have not traditionally been involved in the school. Some home-school link workers have been appointed, who will work to find ways in which parents can become more fully involved in the school. The visit was a very positive and challenging experience.

The Convener: If there are no questions for Karen Gillon, we will move on to the second visit, which Ian Jenkins made yesterday to Kingsinch School.

Ian Jenkins: I think Brian Monteith was counting his press releases at the time and did not manage to come with me to Kingsinch School yesterday afternoon. The school is associated with Liberton Primary School, with which it shares its campus. Kingsinch provides for youngsters with special educational needs that we would describe as moderate learning difficulties compared with some

that we have encountered before. Youngsters on the autistic spectrum are prominent in the intake. It was a smashing visit. The ethos and the atmosphere were superb. I had a good chance to talk to some of the more senior youngsters, from whom I got the feeling that the school is looking after them well.

What is different from other schools I have seen is that at the top end of the school, where there is a relationship with Liberton High School, youngsters who are doing higher still units and third-year pupils who are doing access units go—under supervision—to Liberton and some Liberton pupils occasionally came to Kingsinch to join modules that are being done there.

12:45

The headmistress pointed out that when the youngsters leave the school, some of them enter what is essentially a social work context. However, there is a joined-up approach; they are being taken into what used to be day centres and so on. They are being better looked at—an individual learning package, if you like, is being offered beyond the normal school leaving age. That was a hopeful sign.

As we went round the school, the importance of the expressive arts was apparent. At all levels there was a tremendous art gallery, you might say, around the place. At the primary level there was music and so on. The ethos of the school was positive and helpful.

The Convener: You say that Kingsinch has a close relationship with Liberton Primary School.

Ian Jenkins: It is on the same campus as the primary school. It was the secondary school—

The Convener: Where they share modules.

Could the children at Kingsinch not attend the primary school, or is it necessary for them to be separate?

Ian Jenkins: I spoke to a wee girl who went to Liberton. She would probably have been what you and I would call a third year. I think she was up for standard grade English, which she found an emotional strain. She seemed confident about where she was, but felt that the big classes at Liberton were threatening. For the record, it was not that there was anything wrong with Liberton, but that she was emotionally fragile and needed support. She was being well looked after where she was. A sensitive partnership was being developed.

The Convener: That is an interesting point. An emotional situation is not immediately recognisable, which means we may overlook it.

Ian Jenkins: We would not have recognised

that immediately.

There is always someone with the pupils. However, that individual is not tied to them, but does a bit of team teaching. One of the technical teachers at Kingsinch went to Liberton with a wee group of pupils. The pupils were integrated with the Liberton classes and the Kingsinch teacher became a team teacher in that group.

Fiona McLeod: During the recess, Nicola Sturgeon and I visited the Craighalbert Centre, which we were very impressed by.

The Convener: Do you want to report on that?

Fiona McLeod: I have not prepared a report in great detail. However, this brings us back to the part in the draft about the position of grant-aided schools, where people are doing powerful work with children with severe, low-incidence difficulties. When we visit a place like that, we wonder not necessarily how we would provide for the pupils but how we might continue to build up the knowledge and the resources to support those pupils either in the Craighalbert Centre or in mainstream schools.

Mr Macintosh: I visited the Craighalbert Centre and other schools in the remit of the inquiry. The centre is very interesting as it pursues a policy of taking children at a very young age, but encouraging them back into the mainstream. We will talk about what lessons can be learned from such schools when we come to discuss the report itself. However, there is no doubt that this school, Donaldson's and the Royal Blind School are very impressive and we have quite a decision to make about their place in the whole system.

The Convener: Thank you. Despite our timetable, I will visit the Craighalbert Centre next Monday, because the school was keen for us to visit. I am also visiting Harmeny school, which is another grant-aided school.

I appreciate that committee members had a lot of stress and strain of business, as Mike Russell mentioned earlier, and I am not just getting at Brian Monteith for not being able to attend yesterday, but I should remind members that schools get quite excited when they know that we are coming, so if you cannot attend, it would be quite useful to let the clerks know so that they can inform the school. I know that it can be very difficult and that you can be called away at the last minute, but it would be helpful if members bore that in mind.

Roman Remains (Cramond)

The Convener: Item six on the agenda brings us back to Brian Monteith's report on Cramond, which was our first report by an individual committee member. I welcome yet again to the committee Mr R H Guild, who was the initial petitioner.

We now have a response from City of Edinburgh Council, which is what we asked for. As the council is the main landholder in the area, it has an important part to play and it has made several recommendations about progressing the issue further. I ask Brian Monteith to comment and will then take any questions or comments from committee members.

Mr Monteith: Unfortunately, I was unable to attend the meeting at which you last discussed the Executive's response. I will comment on that before I say anything about the council's response.

The Executive's response struck me as having been written after reading only the report's recommendations, not its basis. It seemed odd that my report had already said much of what was contained in that response. For example, although the response says that it is quite clear that Historic Scotland is not a landowner, that point had already been made in the report. I could go on ad infinitum; however, I am aware of the time and will simply say that the response seemed rather odd.

That said, I am somewhat cheered up by City of Edinburgh Council's response. It seems to have taken on board not just the recommendations but much of the evidence that I laid before the committee. For example, the council now seems willing to do something about signage. More important, its second recommendation makes it clear that the council will be happy to take part in a meeting as described. I am pleased with that development, given that Historic Scotland does not feel able to act as a catalyst for bringing everyone together.

I should add that there was difficulty even in ascertaining who is within the scheduled monument area, because Historic Scotland is not legally entitled to have to tell us. That was why I suggested that Historic Scotland act as a catalyst for the meeting. The organisation had shown its willingness to help and my request seemed reasonable at the time. I am glad that City of Edinburgh Council has taken the initiative and hope and expect that Historic Scotland will give the council every help with the meeting.

I will not comment on all the council's recommendations, but I am pleased that it has left open the door to any possible transfer of land. I

wanted to float the idea in the report simply because it struck me that were Historic Scotland to become even a small landowner through the transfer of land from the council, that might lead to greater involvement and more funding from the organisation. I am pleased that City of Edinburgh Council has not closed the door on it. One might have thought that pride could have got in the road.

I could go on at length about a number of points regarding planning and the amenities surrounding Cramond. People are aware of the response we have had from Ron Guild, who is with us today. His comments are a useful appendix to the City of Edinburgh Council report. Now that we have some movement and the initial management meeting is to take place, we should keep a watchful eye. When the meeting takes place, I would be happy to act as reporter and to attend on behalf of the committee and bring information back.

The Convener: That is an offer I am sure we are all happy for you to follow up.

Mr Monteith: It would save Cathy Peattie doing it.

The Convener: Yes.

Michael Russell: That is a sensible suggestion. The Executive response is a dismal document. I can only assume that it has been written by a civil servant with no help from anybody with any nous about public relations and who did not have a positive attitude even before the petition came before this committee and others.

Essentially, the Executive's response says that, as far as it is concerned, anything can happen to what are probably the most valuable Roman remains in Scotland, because it is nothing to do with the Executive and it might have to adjudicate in any future appeal. That is irresponsible and stupid. The City of Edinburgh Council response is much more positive.

The one area where there is room for movement is, as Brian Monteith has indicated, the transfer of a small amount of land to Historic Scotland, thereby unlocking its involvement in a meaningful and legal way, rather than in the way that is beginning to be edged towards. I am glad that Historic Scotland will attend the meeting. It is inconceivable that we do not find a way to involve Historic Scotland in developing the preservation of this important site. Historic Scotland must be involved, but the policy from its political masters seems to be to stand aside while dangerous developments take place.

In that context, I feel I must say that Sarah Boyack's decision to allow four-by-four road usage of Dere Street is another example of how Roman remains appear not to be valued under the current policy, which is a very stupid policy to have.

Roman remains are not rare in Scotland, but they are easy to destroy. It seems that at one important site we have Executive unwillingness to take action, while at another we have action that may positively damage Roman remains. I have had representations from the Antonine Guard, which is a group of people who dress up as Romans and go about trying to preserve things Roman. It is preparing itself for warfare. Given that the members have sharp swords, the Executive had better watch out and start to do some work.

I endorse Brian Monteith's suggestion. We should keep our eye on the matter.

The Convener: Let us hope that the Antonine Guard does not make the usual mistake of mixing up the Executive with the rest of us.

Michael Russell: It knows who is responsible.

The Convener: I am sure Brian Monteith will take on board your point about trying to involve Historic Scotland. Brian will report back to us if there is anything else with which we can assist.

I thank all of those involved in this matter for getting us to this stage.

Subordinate Legislation

The Convener: We must move on, as there are two items we must deal with before we finish, and we must finish in the next few minutes. The first is the Education (Assisted Places) (Scotland) Amendment Regulations 2000 (SSI 2000/195). Can we agree that there are no points to be raised?

Members indicated agreement.

Mr Monteith: The clerk's note says that we can make recommendations. Does that mean that we can make recommendations to raise the amounts? The note says that the regulations cannot be amended, but that we can make recommendations in relation to the instrument.

The Convener: You do not want to make recommendations, do you?

Mr Monteith: No, but I was just asking whether that was a possibility. I will bear it in mind for the future.

The Convener: Fine. You do that, Brian.

The next item is the St Mary's Music School (Aided Places) Amendment (Scotland) Regulations 2000 (SSI 2000/196). Are we agreed that there are no points to be raised?

Members indicated agreement.

The Convener: I apologise to Julie Allan, who has had to sit through the whole meeting. We have not got to our final item, on the special educational needs inquiry. I will put it on the agenda for next week and we will start to deliberate at that stage. I suppose it was predictable, in some ways, that we would not get to the final item.

Finally, this is Karen Gillon's final meeting before she takes a sabbatical to produce Gillon junior. I am sure the committee will want to join me in wishing her, her baby and her husband well. We look forward to her rejoining us when she feels fit and able.

Karen Gillon: Thank you.

Fiona McLeod: I want to mention one thing for the special educational needs inquiry next week. At one point in the paper, our special adviser talks about an inclusion index. May I have a copy of it?

The Convener: That will be arranged. I thank everyone for their forbearance.

Meeting closed at 13:00.

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