

# **EDUCATION, CULTURE AND SPORT COMMITTEE**

Wednesday 6 December 2000  
(*Morning*)

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## EDUCATION, CULTURE AND SPORT COMMITTEE

† 41<sup>st</sup> Meeting 2000, Session 1

### CONVENER

\*Mrs Mary Mulligan (Linlithgow) (Lab)

### DEPUTY CONVENER

\*Cathy Peattie (Falkirk East) (Lab)

### COMMITTEE MEMBERS

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)

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

Johann Lamont (Glasgow Pollok) (Lab)

\*Irene McGugan (North-East Scotland) (SNP)

\*Mr Kenneth Macintosh (Eastwood) (Lab)

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

\*Michael Russell (South of Scotland) (SNP)

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

\*attended

### THE FOLLOWING ALSO ATTENDED:

Mr Jack McConnell (Minister for Education, Europe and External Affairs)

### CLERK TO THE COMMITTEE

Martin Verity

### SENIOR ASSISTANT CLERK

David McLaren

### ASSISTANT CLERK

Ian Cowan

### LOCATION

The Hub

† 37<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup> and 40<sup>th</sup> Meetings 2000, Session 1—held in private.



## Scottish Parliament

### Education, Culture and Sport Committee

*Wednesday 6 December 2000*

*(Morning)*

[THE CONVENER *opened the meeting at 09:05*]

**The Convener (Mrs Mary Mulligan):** Good morning. Does the committee agree that we go into private session?

**Members** *indicated agreement.*

09:06

*Meeting continued in private.*

09:22

*Meeting resumed in public.*

**The Convener:** As the minister is stuck in traffic, can we agree to move on to items 2 and 3?

**Members** *indicated agreement.*

### Celtic (Social Charter)

**The Convener:** Johann Lamont put this item on Celtic's social charter on the agenda; unfortunately, she is not with us this morning. Members have a note highlighting some of the issues that she raised following the visit to Celtic Football Club. As the only other person present today who was there, I will say a few words.

My impression was that Celtic FC is keen to ensure that young people are given the message that the club was set up in response to local needs and not in relation to any sectarian assumptions that may have grown up with it. It is working hard to get across to the young people who go on its organised visits the fact that it does not wish to be associated with sectarianism of any sort. It wants to be part of the wider community and to involve the young supporters in what it is doing. The club sees the benefits of having the support of the young people who feel strongly about their team and of putting across a message to them.

As Johann Lamont says in her note, it is important that we support projects such as this to ensure that the message is put across that sectarianism is not acceptable in any venue. We should support teams such as Celtic. I know that other teams are involved in similar projects.

I would like to thank Celtic for its hospitality and

for the way in which it welcomes young people into the club. Celtic is taking very positive action and I am happy to be associated with it.

**Michael Russell (South of Scotland) (SNP):** The *Official Report* of this meeting will show that the committee strongly supports this initiative. Would it be possible to take that a stage further and to indicate our public support for it through a motion from the convener, signed by members of the committee and placed on the business bulletin?

**The Convener:** I am more than happy to take up that suggestion.

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** I support that. Johann Lamont has given us a full note of her response to this project. Will that be included in a minute somewhere?

**The Convener:** It will be attached to the minutes of this meeting.

**Ian Jenkins:** That is fine. I was not able to go on the visit, although I would have liked to—for all sorts of reasons. I was at a Liberal Democrat coffee morning or something similar, which is much less attractive in some ways. However, I received the material connected with the campaign and commend it highly.

**Michael Russell:** Will you inform each of us when the motion has been lodged, so that we can add our names to it?

**The Convener:** I will e-mail members when the motion has been lodged.

## Committee Business

**The Convener:** I have a couple of issues to raise under item 3. Members have before them a letter from the Scottish Qualifications Authority, which deals with some of the issues to which we had asked it to respond. Unfortunately, the letter did not arrive until after our draft report had been finalised, so it has not been included in that. However, my intention is that the letter should be attached to the minutes of this meeting. I will signal to people who may be interested in it that it will be available on the committee's website with the minutes. There was particular interest in the timeline for the 2001 diet.

**Ian Jenkins:** I received the letter this morning, so I have been able only to glance at it. The item third from the bottom under "Timelines" is "Marking of External Exams", for which the finish date of Tuesday 14 August is given. Presumably marking should have been finished long before that. Does the SQA mean that exam results will be issued on Tuesday 14 August, or that the marking will be finished on that date, which seems a bit late?

**Michael Russell:** No date is given for the announcement of results.

**Ian Jenkins:** That is what I am saying. I suspect that what is meant is that results will be announced on 14 August, but that is not what the letter says.

**The Convener:** I do not have an answer to Ian Jenkins's question. We will refer it back to the SQA for an answer and e-mail that to members as soon as we have received it. I hope that you will receive clarification before Friday, when this issue may be raised.

**Cathy Peattie (Falkirk East) (Lab):** The letter states that the appeals process will start on 6 August.

**Michael Russell:** The appeals process appears to start before the marking has finished, which is rather odd.

**Ian Jenkins:** I am sure that there is an explanation. The SQA may have made a mistake; it may have meant to say that the marking will be finished in July.

**The Convener:** We will have that issue clarified and e-mail members with the details—before Friday, I hope.

We will hold a press conference at 10 am on Friday, here at the Hub—although I am not sure in which room—to launch our report on the SQA. All members of the committee are welcome to attend, and an invitation has been issued to Hamish Long. We also invited Professor McGettrick, but

unfortunately he is out of the country and will not be able to attend. However, it is important that Hamish Long should be there.

Next Wednesday morning—13 December—there will be a three-hour debate in Parliament on our report. Yesterday, I met Alex Neil, as our report will be debated in conjunction with the report of the Enterprise and Lifelong Learning Committee. We have agreed that I will open the debate and that Alex Neil will close it. I assume that party spokespeople will be asked to speak first. Most members of this committee will also want to speak, so they should put their names forward.

09:30

**Michael Russell:** So there will be a list of members who want to speak in the debate.

**The Convener:** Yes.

Our next committee meeting will be on Monday 18 December. At that meeting we will consider a draft report for the special educational needs inquiry and finalise the committee's work programme for 2001.

**Ian Jenkins:** Will you still be in the chair?

**The Convener:** That will depend on when the motion on committee changes is agreed by Parliament—if it ever is.

**Michael Russell:** It is proposed that it should be debated next Thursday.

The film inquiry report was supposed to be discussed at our meeting on 18 December. Obviously, that will not now happen, as I cannot attend that meeting. Is our first meeting of the new year on Wednesday 10 January?

**The Convener:** Yes.

**Michael Russell:** I suggest that we discuss the film inquiry report on Wednesday 17 January. That will give me time to get a copy of it to the clerks at the start of the new year, so that they can circulate it.

I will not be present at the meeting on 18 December, at which we will discuss our work programme, although I will give Irene McGugan some notes. However, I would like at this point to suggest two ideas. Next year marks the 10<sup>th</sup> anniversary of the establishment of the Gaelic Television Committee. Apart from briefly interviewing representatives of Scottish Media Group, this committee has not considered a broadcasting topic. Funding for the Gaelic Television Committee comes from the Scottish block, so it is a responsibility of the Parliament. By next year, the committee will have spent between £85 million and £90 million since it was

established. The report of the broadcasting task force, chaired by Alasdair Milne, proposes a move to a full digital channel. Many people would be interested if we were to examine the implications of that proposal and what has happened so far.

Such an inquiry would also give this committee the opportunity—which it has not yet taken—to meet outwith Edinburgh. From discussions that I have had, I know that there would be great enthusiasm for our holding an evidence session in Stornoway. I propose that that be considered as a work item. It would require only two days of inquiry—one session in Edinburgh and one in Stornoway, flying out one day and coming back the next. I think that the council chambers in Stornoway would be made available to us. We could also visit the studio, which may close at the end of this year because of a difficulty with the Gaelic television news service, Telefios.

Education is on the subject list for strand three of the Belfast agreement, relating to the British-Irish Council. It has yet to be taken up fully, but there is growing interest in what the British-Irish Council may be able to do with the devolved Assemblies and this Parliament. Perhaps we could look into that issue. We could, for example, explore the educational links between Scotland and Northern Ireland. I know that the Education Committee of the Northern Ireland Assembly is also interested in those links.

**The Convener:** Each of those items will be included in the discussion paper for the meeting of 18 December. I am sorry that Mike Russell is unable to attend that meeting. As I am sure he knows, the date of the meeting had to be changed to accommodate parliamentary business.

**Michael Russell:** I fully appreciate that. It is unfortunate that I have many other appointments on that date.

**The Convener:** Do other members have comments?

**Cathy Peattie:** Mike Russell mentioned SMG. The six-month period that we agreed has passed, and it might be useful for us to look back on what has happened.

I remind the committee that next year is the European year of languages and that we may want to consider the use in Scotland of minority languages, particularly Scots. We should put that on our agenda for the coming year.

**Irene McGugan (North-East Scotland) (SNP):** I have two points to mention, which may come up next week. First, I understand that the policy position paper "The Way Forward for Care" will come before the Parliament this month. I suspect that the Health and Community Care Committee will be the designated lead committee on that.

However, given that the paper makes frequent reference to children and to the establishment of the commission for the regulation of care—which will regulate all forms of child care—and a council to monitor the work force, this committee could reasonably claim an input into those discussions.

**The Convener:** Yes. That is an outstanding item on the agenda. Margaret Smith has been in touch with me to arrange a meeting to discuss how we can feed into those discussions. The Health and Community Care Committee will be the lead committee, but the paper also enters the remit of this committee and that of the Local Government Committee. I have suggested to Margaret Smith that that meeting should be delayed by a week, after which the committee changes will have been made. She will then be able to meet the new convener of this committee.

The committee still has an outstanding responsibility to consider the establishment of a children's commissioner. The Minister for Education, Europe and External Affairs mentioned that to me last week, and we recognise the need to fit it into our timetable at some stage.

**Irene McGugan:** Secondly, I would like the committee's advice. Members may know that a special educational needs and disability rights in education bill will be introduced early in the new session of the Westminster Parliament. The bill will impact on Scotland, as it will affect the disability task force recommendations in respect of education and will place all kinds of new duties on local authorities, schools and further education units. I am not sure whether that would require a Sewel motion for the elements that relate to Scotland. Perhaps this committee should have a prominent role in considering the implications of such a motion.

**Michael Russell:** Sewel motions have not been referred first to committees, with the exception of one that the Rural Affairs Committee considered. It would be appropriate for the Parliamentary Bureau to refer the Sewel motion to this committee for discussion and for us to take any evidence that might be required before the motion was debated in the chamber. The clerks might make that request.

**The Convener:** I shall ask the clerks to discuss that with the Minister for Parliament's office.

I welcome the Minister for Education, Europe and External Affairs. If you do not mind, we will finish discussing this item while you catch your breath.

**The Minister for Education, Europe and External Affairs (Mr Jack McConnell):** You waited for me, so I shall wait for you.

**Ian Jenkins:** We should try not to be too ambitious. A lot of significant agenda items have been delayed repeatedly, usually as a result of untoward events and crises that have knocked us sideways. I am worried that our programme might get clogged up and that we might not be able to meet the ambitious targets that we have set.

**The Convener:** That is a reasonable point.

**Michael Russell:** The Hampden inquiry was meant to be a major inquiry, but it is obviously not a major inquiry now that things have moved on. Either it has become a minor inquiry or its time has passed. I am not arguing either way, but we should consider those possibilities.

**The Convener:** I have tried to speak to spokespeople about the Hampden inquiry, to get a sense of how it could progress. It might be worth speaking to those people again this week, to establish how we can bring the matter to a conclusion. We must speak to a couple of people but not conduct the sort of wide-ranging inquiry that we planned in the early stages, when more difficulties were identified. As Mike Russell says, some of those difficulties have now been ironed out. [*Interruption.*]

I am advised that there is a problem with the sound recording. I suspend the meeting.

09:39

*Meeting suspended.*

09:45

*On resuming—*

## Subordinate Legislation

**The Convener:** We are live again. I apologise for keeping people waiting, especially those in the public gallery. We experienced a technical hitch, which seems to have been resolved. I welcome Jack McConnell, the Minister for Education, Europe and External Affairs, to the committee. It is the first time that he has attended the committee since his appointment, and I wish him well in his new post.

I shall explain briefly how we intend to proceed. I shall invite the minister to make a statement on the Education (National Priorities) (Scotland) Order 2000 (SSI 2000/draft). I shall then invite fairly informal questions from members, after which I shall invite the minister to move the motion. There will, if necessary, be a debate, after which we will vote on the motion. Once the motion is moved, we have a maximum of 90 minutes in which to discuss it. Given that we are starting quite late, that might not be within the minister's timetable, so we will try to keep the debate as controlled as possible.

Minister, I invite you to make your statement.

**Mr McConnell:** If the committee takes 90 minutes to discuss this order, I shall be impressed by the level of interest that it has inspired.

I am pleased to be here and I look forward to working with the committee in my new role. I had a frank and constructive relationship with the committees that I worked with in my previous ministerial position—I hope that I shall have such a relationship with this committee. I shall be happy to make myself available whenever that is appropriate, to discuss items that the committee is concerned about. I hope that we can have a more general discussion about priorities in my portfolio when the committee's work plan for next year is organised.

The committee will be aware of the order and the provisions in the Standards in Scotland's Schools etc Act 2000, which set the new national framework for priorities and improvement. A consultation paper was circulated, which outlined the way ahead on the national priorities. The order takes a slightly different approach to the approach that was outlined originally. That is largely because the consultation revealed a strong feeling that national priorities should be focused—but not centrally prescriptive—and that they should be in line with the spirit of the act, which was to outline a national direction and framework, while allowing



local improvement plans and school development plans to spell out how the detail of that framework would work in practice.

That is the approach that the Executive has taken in relation to the five priorities that are outlined in the order, which highlight five key outcomes for education. I hesitate to refer to the five key outcomes as the only outcomes or as the five absolute and top priority outcomes forever. There are five key outcomes for the first framework, although we might have to adjust that framework and work with it as the years go by.

I believe strongly in examining the needs of our young people. We must enable them to achieve and attain and to learn about values and citizenship. We must ensure that they have the skills that will help them to learn for life, so we place a high importance on the framework that is required to support learning. The key principles of equality and inclusion should underpin all that we do.

The national priorities fit within the general policy framework on equality, inclusion, social justice and sustainable development. Therefore, we should encourage local authorities and schools to see their education services as part of the wider aim of creating a better Scotland. I am also keen for young people in Scotland to be more confident, ambitious and creative than they might be with traditional receiving of knowledge—I think that that comes through in the priorities and the Education (National Priorities) (Scotland) Order 2000 (SSI 2000/draft). I want that to form part of the improvement framework and I am strongly of the view that the best schools in Scotland take that approach. The schools that excite me when I visit them are those where pupils are involved in a much wider range of activities; activities that go beyond the immediate classroom environment and where they gain new skills and develop their creativity.

The priorities will allow us to kick-start the improvement framework. It is too late for us to ask authorities to write local improvement plans this year, because they will be setting the budgets for next year's round of spending already. We want the improvement plans to influence councils' budgets and we propose that the local improvement plans that follow on from the national priorities should be set by next autumn. That would allow councils to influence their budgeting for the following year through the local improvement plans. School development plans would follow on from the financial allocations in the context of those improvement plans and the national priorities. By spring 2002, the new improvement framework should be in operation throughout Scotland.

I want to stress strongly a further point; plans

and measurements are not the end—they are the means through which we will achieve the end to which we are all committed. We must reconsider them in that context, because this is not about us writing plans on a bit of paper that is then pinned to the wall as some kind of badge. Rather, we are ensuring that there is, throughout the education system in Scotland, an atmosphere and a culture of continuous improvement and that there is not merely a statutory requirement or a statement that plans must be produced so that they can be circulated and noted.

As part of that process, I want to ensure that those who are involved most directly in the system are also involved in the performance measurements that we put in place. I know that the committee is interested in that—I assure members that it is also of great interest to me. I believe strongly that, in the near future, we should consult all the stakeholders in the education service, particularly teachers, parents, and those who deliver at the sharp end the priorities that are set out in the order to the young lives that we are discussing. I hope that our approach will be to listen to people's concerns so that they will have ownership of and a stake in the performance measurements that are set in the national priorities framework. That approach will allow us to develop a real partnership in Scotland's schools and to make the culture of continuous improvement a reality.

I stress that, when I come back to the committee in due course, I would like members to have comments on the performance measurements, given that the committee is an important stakeholder. However, the involvement of teachers and parents and their representatives in the performance measurements will be helpful as well. I want qualitative as well as quantitative measurements to be put in place, so that the priorities become a reality.

I said that I—as the new minister—would, as part of the launch of the national priorities, make an effort to go out and listen to teachers at the chalkface. Teachers are concerned about what we can do to ensure that their learning environments are improved and that the system supports them in the classroom, rather than teachers feeling that they must support the system, or that burdens are being imposed on them. In every school that I have visited, in every organisation that I have met and from every teacher to whom I have spoken, I have heard strong messages about the immediate physical environment in which teachers work and the impact of that environment on pupils' learning outcomes.

Members will be aware that the chancellor announced £17.2 million for Scotland in the pre-budget statement in November. We have

discussed that money with the local authorities and I have held other discussions with teachers and their representatives. I am strongly of the view that, in Scotland, that money should be spent on repairs, maintenance and equipment. I want to give local authorities some flexibility, and I will listen to their views—we will not be completely prescriptive about the amount of money that is given to each school. However, I want to make it clear that the money should be spent on equipment, repairs and maintenance and that it should be allocated to authorities on the basis of an amount per school. Local authorities should have some flexibility, based on local priorities, in relation to the distribution of that money, but it is important that they should publish their decisions and be held accountable locally by teachers and parents. Every school should receive some benefit from that fairly substantial investment. The money is available during this financial year. Therefore, some of the more minor repair, maintenance and equipment needs might be dealt with quickly this academic year, in a way that is not always possible in the public sector.

I thought that it would be appropriate to inform the committee about those plans this morning, rather than to stick the information out in a press release tomorrow or whenever. That is an example of the way in which national priorities—one of which is the learning environment—can become reality, if we make the right decisions and get the right balance between a national framework and local decision making that individual schools can use to best effect in their own areas. I hope that we can continue that approach in the months and years ahead.

The national priorities are a key first step down the road towards a framework of continuous improvement and an improvement strategy for Scottish education that will involve everybody making the right decisions at the right levels. We will set an overall direction nationally, local authorities will spell out the details and, in a public and transparent way, schools will set out their development plans within that framework. Scottish education will be able to move forward if we are able to get that framework in place during the next 15 months.

That is all I want to say by way of introduction. I am happy to answer questions and to move the motion.

**The Convener:** Thank you, minister. I am sure that, as a committee, we welcome the additional resources for schools this year.

Do members have comments or questions?

**Michael Russell:** I note the way in which we are dealing with the order and I presume that, instead of a formal debate—the SNP is not seeking to

oppose the motion—members will be able to make observations at this stage, not only about the minister's comments but about the order.

**The Convener:** Yes—I said “comments or questions”.

**Michael Russell:** I would like to make four points.

First, the minister will have seen the Subordinate Legislation Committee's report, which makes some quite severe criticisms of the drafting. I know that the minister did not spend long hours drafting the order at night by candlelight, but I hope that he will take on board my reservations.

One drafting reservation about article 3 has implications for education. The Subordinate Legislation Committee has drawn attention to the fact that nowhere in the Standards in Scotland's Schools etc Act 2000 do the words “national priorities for education” appear. We have to be careful in our terminology. To say that there are national priorities in Scotland is a step—some would say a perilous step—towards thinking that there might be a national curriculum in Scotland. The act talks about

“priorities in educational objectives for school education provided for Scotland”.

That is a much more permissive way of considering how things will develop.

I am reassured by the minister's comment this morning that we are not talking about moving towards a national curriculum. It is important to ensure that we do not move that way by stealth by using the wrong terms. The minister should take note of the reservations of the Subordinate Legislation Committee in all these matters.

10:00

A more serious objection arises from the final paragraph of the memorandum that accompanies the order. My colleague Nicola Sturgeon—while doing the task that I am doing now—pointed out during the debate on the bill earlier in the year that the indicators, which are the measures that will be used to track performance, would be crucial. She also pointed out that there would be a fear that the imposition of monitoring measures might make things more difficult and might change the whole climate, no matter how broadly drafted the national priorities were. Alarm bells ring when we see a paragraph that says that the

“performance indicators will be defined after further consultation and consideration”.

It is not easy to agree to something without knowing what monitoring impositions will be made later. I hope that the minister will take that into account as the consultation and consideration

period goes forward, so that we do not see a tightening of the sinews because of performance indicators that make the process onerous.

As usual, the minister did not come empty handed. The press release that he issued today says that he revealed the plans to spend an extra £17.2 million to the Education, Culture and Sport Committee. I am grateful for that; it was courteous of him. However, £17.2 million for infrastructure is a drop in the ocean, even though there is a caveat in the press release—somewhere in the small print—to the effect that the money is largely intended for minor works. It is significant that that is mentioned as point 5 in the notes of the press release: if one reads only the first page—as many journalists will do—one will not notice it. For minor works on school infrastructure, £17.2 million is a drop in the ocean.

The wider resource questions that arise from the Education (National Priorities) (Scotland) Order 2000 (SSI 2000/draft) are of concern. Does the minister envisage that resources will be applied to achieve those objectives and fund the documentation that the order would give rise to on local objectives and the school development plans? There is a plus side and a minus side to that. It could help us to understand the budget priorities of local authorities and schools with devolved budgets; but it could also mean—as has happened with primary testing and the publication of league tables south of the border—that the efforts of the budget will go towards meeting those objectives. There are other objectives within education, which are not mentioned in the order. Many important things that require money might not fit into the framework. We must be careful how we prioritise our resources. Perhaps the minister can tell us the proportion of the spending on education that he expects might be spent on each of the five objectives in article 3.

The convener would not expect me to finish without mentioning Gaelic. John Farquhar Munro and I are the irreconcilables on this issue. During the passage of the bill, there was a commitment that the trade-off for not pushing Gaelic-medium education would be that Gaelic would become a national priority. A suggested form of words was discussed with John Farquhar Munro and me at the time, which is not included in the Education (National Priorities) (Scotland) Order 2000 (SSI 2000/draft). The magic words—Gaelic-medium education—do not feature in it. What we have, in article 3(3), are the words:

“to promote equality and help every pupil benefit from education, with particular regard paid to pupils with disabilities and special educational needs, and to Gaelic and other lesser used languages”.

The Subordinate Legislation Committee has drawn attention to the mistake of using the

inappropriate term “lesser used languages”. The Minister for Education, Europe and External Affairs will know that that is not appropriate under the European convention on human rights. The right of parents to have their children taught in Gaelic should be, but is not, included in the national priorities. If national priorities are not to be used to help to promote that issue, I will believe that the Executive has walked away from the promises that it made to the chamber to encourage members to vote against the amendment that John Farquhar Munro and I lodged—which happened to be Liberal, SNP and Labour policy.

People have raised other important matters, such as education for development and sustainable development. I have great reservations about tick-box Government. There are problems with it, because it leads to playing to the gallery rather than deep thought about what education is for. The act requires national priorities to be set, so we will support that. However, I look forward to seeing the documents that will emerge during the next year and to receiving answers to some of the questions that I have asked Jack McConnell this morning.

**The Convener:** Mr Russell would never play to the gallery.

**Michael Russell:** That is as foreign to me as it is to Mr McConnell.

**Mr McConnell:** I welcome Mr Russell's conversion to not playing to the gallery. That is a positive development, which I am sure will help the affairs of the committee.

The performance measurements are not in the order because it is important to consult on them before we publish them. It would have been wrong for us to spell them out in advance. It is important that the Parliament, through the committee, should endorse the national priorities for education—I think that the committee suggested that that should happen—before we consult on how best to measure their implementation. The commitment to consultation on measurement is genuine and will be followed through.

That is also the reason why there is no direct reference in the national priorities to “Gaelic medium education”. Those words appear in the Standards in Scotland's Schools etc Act 2000, so Gaelic-medium education has not been ignored. The priorities are set in the context of the act, and it is important that they are read in that way. To be prescriptive on Gaelic-medium education would have opened the door to prescription in many other areas. The intention is not to be prescriptive by spelling out particular methods of teaching, types of school, aspects of the curriculum or the approach to be taken in other policy areas. It was important for us to respond to the consultation and

to make substantial changes to the priorities, which are presented today on that basis.

I expect local authorities' local improvement plans to address the more specific issues. If local authorities, schools or teachers feel that the national priorities, the act or any aspect of the framework is not clear enough, we may consider guidance to support the process. This is a developmental process. I am sure that we can plug gaps, although I do not believe that Gaelic-medium education is a gap. I believe that the framework can work for Gaelic-medium education as well as it can for other aspects of education in Scotland.

I do not agree with the Subordinate Legislation Committee's comment about the phrase "lesser used languages". The committee is wrong, as the phrase is perfectly appropriate in this context and its meaning will be understood by every teacher in Scotland. Members of the Subordinate Legislation Committee should have thought twice about making that comment.

I also do not agree with the Subordinate Legislation Committee on the drafting of the order. The committee used a copy of the act from the internet site, which did not include the last line or two of section 4(1) of the act, which mentions national priorities for education. I am afraid that there has been some confusion on the part of the committee, which is meant to deal with the details of the legislation. We pointed the omission out to the committee and to Her Majesty's Stationery Office. I am sure that the internet site will be corrected. The published version of the order, in all forms, should include every line of the order. The national priorities are mentioned in the order. I am happy to clarify that.

On resources, the additional allocation for the rest of this financial year—for repairs, maintenance and equipment—is a small part of the education budget. Committee members will be aware that not only are education budgets receiving a substantial injection, but—as was announced a fortnight ago, and will be expanded on tomorrow morning by Angus MacKay—local authority budgets generally are receiving substantial real-terms increases for the next three years. We expect education to be a high priority in all local authority budgets. Over the next 18 months we will have to consider how we use our central education resources to best effect, but those ever-increasing budgets exist, and I am sure that these priorities will fit within them.

I do not want to specify an amount of money for each priority, because the priorities do not cover every aspect of education. In fact, some of the more expensive aspects of Scottish education are not covered by these priorities. For example, the priorities refer to good teaching, but they do not

refer to teaching pay, which will be a key issue for us, and one that will require substantial additional funding if we get an agreement through the McCrone implementation group, which is meeting at the moment. There are big financial priorities on the way. I hope that they create a culture, rather than a prescriptive financial breakdown. I hope that the priorities can be seen in that context.

**Michael Russell:** Are you telling us that once consultation has taken place on performance measures, you will come back to the committee to discuss them? You did have the courtesy, for which we are grateful, to discuss the detail of the instrument with us.

**Mr McConnell:** I would prefer to give a commitment to discuss with the convener whether the committee would find it more helpful to be involved in the consultation, rather than being brought in at the end. We will consider that when we consider the design of the consultation. I am perfectly happy to give a commitment to accommodate whatever the committee feels is the most appropriate level of involvement.

**Cathy Peattie:** I welcome the priorities, in particular because they are not prescriptive, which is important in determining how they will operate.

I want to address performance measurement. I welcome the idea of consultation. Committee members will have to discuss the matter, but I feel that we need to be involved in the consultation. That would be helpful. There has been a lot of talk of league tables and all the rest of it. I am pleased to hear the minister talk about qualitative performance indicators, because there must be an opportunity to examine some of the softer indicators. I am particularly interested in how indicators will apply to new community schools. If we aim to take an holistic approach to education, and ensure that the kids whom our schools fail benefit from new community schools, the method of measuring performance in those schools must be examined, because I am not sure that the current situation is as it should be. I would welcome the opportunity to address that issue when we consider performance measurement, because it is important.

There are other areas that I would like to address, for example SEN. The Education, Culture and Sport Committee is about to launch a report—I believe that we will discuss it next week—on SEN. We have taken evidence from a number of agencies and teachers and we have visited schools. Without going into the details of the report, it was clear to us that a lot of work needs to be done on teacher training, staff development and building networks, because inclusion is an important principle, but it can be traumatic. Only yesterday, I read in the press of a teacher who won a legal action because of stress levels in the

classroom. She had been working on her own with kids who needed extra support and who needed to have people with them. We must address that issue. I am aware that in doing so we may touch on some of the issues around McCrone, but if we are serious about inclusion, we need to consider how it can happen and how teachers in the classroom are supported.

I am also enthusiastic about the whole approach to citizenship, which needs to start in the classroom if we are to sustain a democracy. For too long, discussions on politics or what happens in the community have been lost in our schools. Although it is important not to be prescriptive, I am interested in how such an approach can be developed in schools and in whether that development will happen locally or through youth forums—of which some of our councils have good examples—or the Scottish youth parliament.

One of the important issues in education in Scotland is how we deal with kids who do not turn up at school in the morning and who opt out when they are 13. New community schools are a good start, but I am interested in finding out how the priorities could support those kids. In the past, it has been all too easy to exclude them, which only defeats the purpose. If they do not want to go to school in the first place, they are really quite pleased to be excluded.

In summary, the important areas are SEN, active citizenship, new community schools and performance measurement. I know that the minister will come back on performance measurement. We must find a new way of measuring what happens in our schools, particularly new community schools, as we need to know how to measure their performance if they are going to work.

10:15

**Mr McConnell:** Yes. On citizenship, the wording of the order was quite deliberate. It describes one of the priorities as working

“with parents”—

so that the school is not on its own—

“to teach pupils respect for self and one another and their interdependence with other members of their neighbourhood and society and to teach them the duties and responsibilities of citizenship in a democratic society”.

Those aspects go together to create good individuals and a better society and form part of a much wider agenda than providing a straightforward traditional school education. The best schools, the strongest communities and Scottish education in its better years have always done that. We should set ourselves a clear objective to create the culture that we want to promote in our schools. To achieve that objective,

we need flexibility in different ways in different communities. Creating a culture of continuous improvement in a small rural village school requires a different approach from doing the same in a school of 1,500 pupils in a large urban area, whether prosperous or deprived. That challenge must be addressed in school development plans. Schools must set their own objectives and create a local sense of ownership to build that sort of school community.

I agree with Cathy Peattie's comments on performance measurement. Although there is a need for quantitative measurement—and the publication of such measurements—and targets, the best targets and forms of measurement take a qualitative approach and involve the people who are ultimately responsible for delivery. Developing targets in partnership with those people will give them a sense of ownership of the targets. Furthermore, it is important to ensure that people understand performance measurements, are committed to achieving them and are able to discuss matters when things go wrong. That will create the kind of culture that has probably been lacking at times in the education system in the past decade and a half.

The other two issues that Cathy Peattie raises are difficult, as their implementation and delivery must be tackled sensitively. I look forward to the committee's report on SEN, which is an area that raises loads of issues. We must be sensitive to the needs of children with special educational needs. We can spout all the theories we want about what is best for them, but they and their parents have to live with what we decide and we have a clear duty and responsibility to handle the implementation of various policy objectives sensitively. I am keen to ensure that parents are at the centre of that—I make no bones about the fact that parental guidance on such matters is fundamental. I will take that approach in the legislation because the wishes of the parents are paramount.

I agree that the worst thing that we can do is to turn a 13-year-old drop-out into a permanent failure. However, we must also ensure that we deal with that drop-out in a way that does not create 29 other failures in the classroom. Sometimes, exclusion might suit the 13-year-old drop-out and the 29 other people in the class. We must ensure that the way in which we handle such issues is appropriate and creates a learning environment in which everyone can improve their education and their potential in life. That will be my policy approach as we work through the framework.

**Irene McGugan:** We must bear it in mind that it might not be possible to devise national measures of performance for every need for every child. On the subject of special needs, I suggest that

exceptionally gifted children need to be recognised. Sometimes, the emphasis is placed too much on the other end of the scale.

The minister will be aware that there is some concern that sustainable development is not specifically mentioned in any of the five national priorities. Perhaps schools could be forgiven for not knowing whether it is a priority and for assuming that they can opt out of it. I am sure that the minister will be aware that, in other parts of the UK, greater priority is given to sustainable development. In England, it forms a principal aim of the national curriculum and Wales is considering ways of placing greater emphasis on it. The ministers who previously held the education portfolio are on record as saying that sustainable development is a vital component in education for citizenship.

How can we be sure that sustainable development will be given greater emphasis in schools, particularly given the fact that it is set in a proposed context that is quite vague? Is the minister confident that it will be adequately addressed? What are his expectations of identifiable outcomes?

**Mr McConnell:** Irene McGugan will be pleased to hear that I agree with her first two points. It is impossible to have national measurements for every child in every area of education. We have to get the balance right between what can be done nationally, what can be done locally and what can be done individually. I also agree that the system must take some account of the position of genuinely gifted pupils.

On sustainable development, I would like the education service and other areas to use less of the jargon that might be used in a parliamentary committee and a bit more of the everyday language that people might use in their communities. That is why the words "social inclusion" and "social exclusion" do not appear in the draft order, although I hope that the principles of social inclusion run right through the national priorities.

The same is true for the words "sustainable development". I wanted to find a form of words that would describe what we meant by sustainable development and that would communicate a wider interest in the future of a community and of society. The phrases that we came up with are included in paragraph 3(4), which stresses

"interdependence with other members of their neighbourhood and society".

We wanted to create a sense of commitment to more than just self. That has been a topical issue in UK politics over the past fortnight. In Scotland, we want young adults to leave school caring about the community in which they live and the people

with whom they live, work and play and not focused only on their own needs and greeds. That is our objective. If we achieve that, we will have young adults who are committed to the principles of sustainable development. I would hope that we could explain some of that and refer to policies on social inclusion and sustainable development in future guidance on the framework. I wanted to put it in positive terms that would be understood at a local level in order to create the most rounded individuals possible.

**Ian Jenkins:** When I first read the draft order I was rather surprised by its general approach, but then I was delighted to realise that it was not too prescriptive. I welcome the idea of an aspirational set of priorities. I will not go over the comments that other members have made about measurement. I am pleased by the minister's remarks on partnership and the idea of bringing stakeholders, parents, children and the committee into the process. I also like the idea of there being a hierarchy of aspiration from the school upwards.

People have talked about sustainability and other things, such as sport and creativity. What is the minister's thinking on producing a set of guidelines or informed observations about what those things might mean? It would not be a national curriculum, but could put the thinking about certain themes into the public domain.

**Mr McConnell:** My instinct is not to produce too much guidance to back up the priorities, because that would defeat the purpose of trying not to be prescriptive. However, we should not rule out that possibility. We must work through this stage by stage and agree the national priorities—perhaps with a commitment to re-examine them in 18 months' to two years' time. We must consult and agree on performance measurement and have discussion with local authorities and representatives of teachers and parents about where there might be gaps in understanding and focus between what we have agreed and what they have to implement through local improvement plans. At that stage, we would discuss how much guidance, if any, is required. I would not want to commit us to producing guidance that set out that the

"skills, attitudes and expectations necessary to prosper in a changing society"

meant things such as physical well-being, as much as educational knowledge. If we spelled that out we could end up with a huge document, which would defeat the purpose. However, I would not rule out issuing further guidance, particularly if there are matters of confusion.

We are a pretty small country and, if we are being honest, we tend to talk the same language. I would be surprised if we could not reach a level of

understanding of what is meant by the priorities that would see us through the first round of the framework and prepare the way for improvement in the second round.

10:30

**Mr Kenneth Macintosh (Eastwood) (Lab):** I am not sure whether this is the joy of coming last or the hindrance of coming last. Many points have been raised. I will make a few comments on each of them. I am interested in the debate about what is prescriptive and what is explicit. That is at the heart of the national priorities.

I welcome the fact that Gaelic is explicitly mentioned in the national priorities. It sends a clear message that Gaelic is a priority for the Executive. However, it is not prescriptive, so it allows education authorities in the Highlands to introduce Gaelic-medium education in a way that would probably be inappropriate for authorities in the central belt. I welcome the explicit mention of Gaelic, without it being too prescriptive.

I would welcome the minister's comments on what the Executive intends to do to encourage the training of more Gaelic-medium teachers. We can mention Gaelic as a priority and that will encourage local authorities to report back and ensure that they have a plan for Gaelic-medium education. However, without more Gaelic-medium teachers, we cannot make progress. That is at the core of furthering the development of the language.

Sustainable development as a term is not explicit. I welcomed the minister's explanation of the fact that it is much misunderstood. Like social inclusion, people often misunderstand what it means or misinterpret it. Several attempts have been made to find a different term for sustainable development over the years, but no one has come up with a suitable alternative, so we are left with the term sustainable development.

I welcome what is said in priority 4. The problem with not including the term sustainable development is that perhaps a few elements are missed out. For some people, sustainable development means tackling what are called the wet issues: water, environment and transport. For me, it is more about tackling poverty and narrowing the gap between rich and poor. The "sustainable" part is easy to understand, but it is often overlooked that we are encouraging pupils and adults to develop.

Although I accept the minister's explanation as to why he has not included the term, I would like a reassurance that the words sustainable development will appear in guidance or guidelines to schools. Otherwise, schools will get a mixed message. Although it is a difficult term to get to

grips with, people know what sustainable development is and that the Executive supports it in much of its work—yet it does not appear in the national priorities. I also notice that it has been removed as a cross-curricular aspect of the five-to-14 guidelines.

We are encouraging the ideas behind sustainable development, but we are not saying that it is a specific priority. We are not ranking it along with Gaelic or with literacy and numeracy. It should be explicitly mentioned in the way that those are. I would welcome the minister's comments on whether the term could be used in guidelines or national guidance to back up what has been said in the priorities.

I echo the comments that Cathy Peattie and Irene McGugan made about qualitative performance indicators. When will the performance indicators be drawn up? I am sorry if I missed that earlier.

Why is sport in schools not explicitly mentioned? If we are to encourage more sport in schools—especially primary schools—an explicit mention in the national priorities would be welcome. Many aspects of the curriculum that are key to the development of individuals and the community are often marginalised if they are not explicitly mentioned; art, music and sport in schools are classic examples of that. The committee produced a report recently about sport in schools. It stressed that at primary and pre-school level, there should be greater specialisation of teachers. Sport should not be left to the periphery. Will further work be done to encourage sport in schools?

Finally, I will defend my colleagues on the Subordinate Legislation Committee, one of whom is Ian Jenkins. To take lesser-used languages as an example, I understand the term, which has come into use through European law, and has come into our use through its wide use in Europe. The fact that I—and Ian Jenkins, I am sure—understand it is one thing, but the Subordinate Legislation Committee devotes its time to clarifying the legal meaning. The committee never questions the policy; it questions the definitions used. The committee's legal advisers were concerned about the legal meaning, rather than the acceptance of the term. I wanted to stick up for my colleagues there.

**Mr McConnell:** I would not want to give the impression that I did not respect the right of the Subordinate Legislation Committee to be wrong. It has that right—especially when its solicitors have advised that that should be the case.

**Ian Jenkins:** Duff information off the internet.

**Mr McConnell:** Our legal advice was different—I hope that we can work on what is there.

Two specific points have been raised. We have an important programme of activity under way to try to increase the number of teachers in Gaelic-medium education. However, I want to say—in my frank way—that it is important that we see that in the wider context of problems in other aspects of teacher supply and that we do not focus only on that one area of shortage. We must ensure that we have sufficient numbers of maths and English teachers and so on.

The phrase sustainable development deliberately appears in the explanatory memorandum for the committee. I am sure that it will appear in any explanations that we produce in relation to the national priorities. The fact that Mr Macintosh gave two different descriptions of what that might mean to different people is an example of how the phrase can sometimes be misinterpreted. My interpretation of sustainable development is working to ensure that society is better tomorrow than it is today—if members see what I mean. That is reflected in the priorities. I hope that we can work on that basis, at least for the moment. If we find that there is a difficulty, that is an area that we can review in years to come.

I would hope that we could get to work on producing the performance indicators early in the new year. I believe that the consultation is important—I would not want to put a strict timetable on when we complete that process, but I would not expect it to take too long.

**Mr Macintosh:** What about sport?

**Mr McConnell:** Mr Macintosh made a good point about sport, but the same point could be made about arts, modern languages, health and—in today's society, I would have thought—a number of other areas of personal and social development. I took the view that, in describing those priorities, we should make reference to the skills required in a modern society. The priorities would clearly demonstrate to schools that we want them to promote healthy individuals. That comes partly from involvement in creative expression, partly through sport and physical activity and partly through our general drive to create health-promoting schools that are involved in drugs education and so on. There is a range of different areas.

I have a strong personal commitment to sport in schools—I used to run a school football team—but to mention one area, and not to mention five or six others, would have been difficult. We get into more and more prescription—I was keen to minimise that as much as possible. If Gaelic had not been there, I might have had more difficulties with Mr Russell this morning, given the discussions that took place around the Standards in Scotland's Schools etc Act 2000.

**The Convener:** We can have a few very short—I hope—questions, and we will then move to the formalities.

**Michael Russell:** The minister is in enough trouble on Gaelic anyway, and I would not want to make it any more difficult for him. However, I want to follow up on what he said to Kenneth Macintosh. By bizarre coincidence, Mr Macintosh's father—distinguished Gael that he is—was talking to me about this subject last night. I wondered whether the minister's remark was somewhat dismissive: he indicated that we should not focus exclusively on the creation of Gaelic teaching posts. I do not think that anybody has ever suggested that.

The question that Mr Macintosh asked—which I do not think was answered—was about what specifically is being done to develop an increase in the number of Gaelic-medium teachers, given, for example, the fact that, in many Gaelic-medium units, it is hard to get a teacher. I cite Sandbank Primary School, near Dunoon, where a teacher was appointed at the start of last session, but left before the session started. The school had to second another teacher, who had only partial qualifications. The minister's colleague, Alasdair Morrison, has an innovative suggestion involving Lewis Castle College.

I wonder what other actions are being taken to identify a new issue, to which Mr Macintosh Senior is sensibly drawing attention: that it is difficult to find the materials and trainers for training Gaelic teachers. I was also fascinated that, again responding to Kenneth Macintosh, the minister wanted to discuss the skills that are necessary for a changing society. Priority 5 refers to the

“foundation skills, attitudes and expectations necessary to prosper in a changing society”.

What are they?

**The Convener:** I thought that that was to be a short question.

**Mr McConnell:** The answer will be short.

We have an extensive programme, as Mr Russell knows, for identifying potential Gaelic-medium teaching staff—it is not simply a case of encouragement. Individual institutions are involved in that, and efforts are being made to identify people in the system who are perhaps not identified at this stage as Gaelic speakers, but who might be prepared to move into Gaelic-medium work.

A positive contribution is being made within current limitations. We know about the difficulties with the use of the language across Scotland, and that it is difficult to identify a sufficient number of people in enough parts of Scotland who would choose teaching as their career and who would



want to specialise in their home tongue or a tongue in which they are fluent. It is important to continue that work, and—

**Michael Russell:** So the minister was not being dismissive.

**Mr McConnell:** No, I certainly was not. The point that I was trying to make was that we can sometimes give people the impression of being dismissive about other difficulties and shortages in the system. It is very important not to give that impression; where there are shortages in important policy areas or areas of the education system, we need to tackle them all, instead of giving the impression of focusing on only one.

Having given a long answer to that part of Mike Russell's question, I now have a good excuse to give a very short answer to the second part. I want the schools and education authorities, on the basis of the circumstances in each area, to identify the priorities for the implementation of national priority 5, which Mike mentioned. There are some obvious skills that we would want to encourage young people to acquire. At different times—this measure will apply for a number of years—and in different parts of Scotland, we will want different skills to be encouraged. That forms part of the local ownership of the decisions to identify the priorities in each area.

**Michael Russell:** With the greatest respect, is the minister telling us that there is no universality in

“foundation skills, attitudes and expectations necessary to prosper in a changing society”

at all, and that the “foundation skills” necessary to

“prosper in a changing society”

will differ, depending whether on whether someone lives in Dumfries or Dornoch? I find that somewhat difficult to believe.

**Mr McConnell:** Some of the foundation skills are obvious, such as literacy and numeracy. For “attitudes and expectations”, I would have thought that certain things might be obvious, from the other priorities listed above priority 5. It is evident from them that one of the attitudes that we want to encourage is for people to be aware of wider society, not just of looking after themselves. We also want to assure young people who have expectations that they will prosper and develop.

There are some obvious attitudes, expectations and skills that serve as a foundation for development. However, it is important that we do not prescribe them in a long list, with the result that people at a local level feel that they have to spell them out in every local development plan. I would like schools—particularly primary schools—to say what issues they intend to concentrate on in

their areas over the next two years. That would be a healthy way for people to develop the more specific elements of the programme.

10:45

**Ian Jenkins:** You have made clear some of your attitudes in what you have said so far. Sometimes I worry about curriculum overload at ground level. We have many great ideas about strategies that need to be implemented, all of which are good. However, the people who are delivering the curriculum can find that there is too much to do and not enough time to do it. We talk about measuring and assessing success, but there is sometimes a danger that measurements will become a further burden on people. We may have idealistic aspirations to equality and fair treatment, but those need to be balanced with practicalities. Earlier you spoke about balancing the needs of one person in a classroom with those of the remaining 29. I hope that when we implement the priorities and devise measurements for them, we agree about the need for a reality check that takes into account what the priorities mean on the ground.

**Mr McConnell:** I could not agree more. I would not want the general nature of the priorities to give the impression that they will serve as an open door to overloading schools and classrooms in ways that damage learning, rather than encourage and enhance it. I see the improvement framework—the priorities, the local improvement plans and the school development plans—as a way of controlling overload. We want people to be clear about and to agree on their priorities at a local level.

I also do not want people to see the priorities as too woolly and as a sign that we are walking away from attempting to create a culture of continuous improvement. The improvement framework gives us an opportunity to control overload and to ensure that people are able to prioritise and focus on continuous improvement. This is not about standing still or maintaining the status quo—it is about working in a new way to bring about improvement, without overload imposed from the top.

**Ian Jenkins:** School development plans are on a different level, but they are the same sort of idea. People may have drawn up their rolling development plans, but the moment someone comes in with a new initiative, that plan can be blown out of the water. That is what I mean by a reality check. It is not always easy to plan things three years ahead. Earlier I spoke about how our work programme was blown out of the water by several events. We had a good development plan, but things happened that changed it. We need to be aware of what can really be achieved.

**Mr McConnell:** I would like to give the committee an illustration of the approach that I intend to take. At the moment two reports are sitting on my desk, waiting to be published—one is about drug safety in schools and the other is about modern languages in schools. Neither has been published in advance of today, as I believe that the national priorities should be set first. If we launch any new initiatives in Scotland, it should be in the context of those priorities. Anything that I say about initiatives or reports that are due to appear over the next few weeks will be said in the context of the improvement framework. We must make the framework work. That means running the priorities from top to bottom, right through the system.

**Cathy Peattie:** I have a final quick comment about sustainability. I have heard Damien Kileen of the Communities Against Poverty Network describe sustainability as what we do for our children—the future. That is what sustainability means.

**The Convener:** That is a good point at which to draw the discussion to a conclusion. I now ask the minister to move the motion.

*Motion moved,*

That the Education, Culture and Sport Committee recommends that the draft Education (National Priorities) (Scotland) Order 2000 be approved—[Mr McConnell.]

*Motion agreed to.*

**The Convener:** Thank you for your attendance, minister.

## Committee Business

**The Convener:** I ask members to bear with me for two minutes while I deal with a couple of issues that I should have raised under item 3, the update on committee business.

I have received a copy of a note from Nicola Sturgeon, who has now formally submitted her resignation from the committee. It is appropriate that we record our thanks to Nicola for the work that she did during her time as a member of the committee. We wish her well with her new brief.

The final issue that I would like to raise is rather less pleasant. Over the past couple of days, a number of comments have been made in the press about our report on the Scottish Qualifications Authority. We agreed that, prior to publication of the report on Friday, we would comment on it very little, if at all. I ask members to keep to that agreement. Alex Neil and I have written to the Standards Committee to say that the code of guidance on comments—rather than leaks—concerning committee reports is not as robust as it might be. We need to ensure that members know exactly what is expected of them, and we expect that the Standards Committee will investigate that issue. It would be appreciated if members could keep their counsel until Friday.

**Michael Russell:** I raised this issue specifically at the end of our private meeting on Thursday. I have fairly strong views on it, as I do not think that commenting on unpublished reports helps anybody. I also think that we are not helping ourselves. Guidance and conditions are one thing, but there are some technical issues relating to the publication of reports that the Parliament should think about. I understand why a report may be signed off on a Thursday and not published until the following Friday, but that is an almost impossible length of time.

I was concerned by the article that appeared last night in the *Edinburgh Evening News*. I regard much of what I have seen written about the report—although not all of it—as speculation. Speculation thrives on journalists asking people who are not members of the committee, “What have you heard?” Those people reply that somebody has told them something, and everything follows from that. We should keep the time between finalising reports and publishing them as short as possible. We should also consider a stronger enforceable mechanism for imposing silence on committee members.

I was in England at the weekend and did not arrive back until late on Sunday night to see the papers. From the short piece in *The Sunday Times* that I read, it seems to me that the most

likely route for these stories is individuals talking to other individuals, who talk to other individuals, who may then talk to journalists whom they meet in the street or the pub. I speak from some experience, as a former party chief executive; I am sure that Jack McConnell, as a former party general secretary, would confirm what I have said. The important thing is not that members do not talk to journalists about reports, but that they do not talk to anybody about them. Someone can say to their closest mate, "We had a hard time with that," and eventually that will get into the system.

**The Convener:** I do not want to continue this discussion for too long, as we all appreciate the theory behind it. I will allow Ken Macintosh to comment before we wind up.

**Mr Macintosh:** I agree that this is a difficult problem to stamp out. I was not as concerned about the *Edinburgh Evening News* article as I was about the article in *The Herald*, which said that we intended to blame the former Minister for Children and Education when we are explicitly not going to do that.

**Michael Russell:** In open session, Mr Macintosh appears to be making an assertion about the contents of the report. That is not very helpful.

**Mr Macintosh:** I am concerned about deliberate spin. One can never tell who is responsible for that, and we should not waste our time trying to find out. The Standards Committee should investigate how committees should deal with that. I object to the fact that, by the time our report is published on Friday, journalists will already have ideas in their minds, set there by the people who have spun these articles. Those ideas will set the tone for questions, among other things. We need to know how to respond to articles that are leaked or speculative. We should have a code that allows us to do that. If journalists ask us whether we have seen the article in *The Herald*, are we allowed to respond to that? Are we allowed to say that it is a load of rubbish? We should be able to deal with such questions.

**The Convener:** That is the sort of thing to which Alex Neil and I referred in our letter. At the moment it is unclear whether members should respond to questions of the sort that you have described. As convener, I am asked all the time whether certain things are in the report. If I say that they are not, it is assumed that I mean the opposite. However, we have already commented on the issue. We should consider the practical suggestions that Mike Russell has made.

**Michael Russell:** We must remember that we do not live in a totalitarian state. People are free to write things, often on the basis of speculation that may or may not be true. The best measure of what

is true is the report that will appear on Friday. However, no journalist will ever say that their speculation was wrong. We cannot stop a lot of this happening.

**The Convener:** Thank you for your time. I look forward to seeing members on Friday.

*Meeting closed at 10:55.*



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