

# **EDUCATION, CULTURE AND SPORT COMMITTEE**

Tuesday 2 October 2001  
(*Afternoon*)

Session 1

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## **EDUCATION, CULTURE AND SPORT COMMITTEE**

**25<sup>th</sup> Meeting 2001, Session 1**

### **CONVENER**

\*Karen Gillon (Clydesdale) (Lab)

### **DEPUTY CONVENER**

\*Cathy Peattie (Falkirk East) (Lab)

### **COMMITTEE MEMBERS**

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

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

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

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

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

\*attended

### **CLERK TO THE COMMITTEE**

Martin Verity

### **SENIOR ASSISTANT CLERK**

Judith Evans

### **ASSISTANT CLERK**

Ian Cowan

### **LOCATION**

Committee Room 3



## Scottish Parliament

### Education, Culture and Sport Committee

*Tuesday 2 October 2001*

*(Afternoon)*

[THE CONVENER *opened the meeting at 14:35*]

### Item in Private

**The Convener (Karen Gillon):** I call this meeting of the Education, Culture and Sport Committee to order. The first item on the agenda is to ask members to agree to take item 2 in private. Item 2 is consideration of whether we should take further evidence on, and how we should proceed with, our inquiry into Scottish Ballet.

**Michael Russell (South of Scotland) (SNP):** I think that we should discuss the lines for our report in private. However, going by *The Scotsman* ruling, which I keep quoting because it is important for committees to consider it when they think about taking items in private, I believe that, if we are only to discuss where the inquiry is going, we should do so in public. Would it be possible to divide item 2 into two parts? The first part would be our consideration of the future lines of the inquiry and, if we decide not to take further evidence, the second part would be our consideration of a draft report. The more we meet in private, the worse it looks.

**The Convener:** That is fine. We can discuss future lines of the inquiry in public, although I was not aware that there were any. [*Interruption.*] Oh, my goodness. Mr Russell obviously disagrees with me. I adjourn the meeting until Mr Russell's microphone is working again.

14:36

*Meeting adjourned.*

14:38

*On resuming—*

### Scottish Ballet

**The Convener:** I reconvene the meeting. As we will meet in public for about five minutes, members of the public may come in.

We will circulate the voluminous and copious quantity of further evidence that we have received—it is like mark 2 of our Hampden inquiry. Yet more files, Mr Russell, but you asked for more evidence last week.

**Cathy Peattie (Falkirk East) (Lab):** That is another rainforest gone.

**The Convener:** You have seen it, then. We will have to draw a line—no more evidence.

All the further information that we asked for last week has arrived. We have received information from the Scottish Arts Council, including a copy of a helpful letter from it to Scottish Ballet, which asks a series of questions and sets out a number of issues. I do not know whether members have seen that letter yet, but it is included in this package of information.

Members might be otherwise minded—for example, there might be pressing matters on which they wish to take further evidence—but my view is that we have a copious quantity of evidence to read through and that we have enough on which to base our report. I suggest that members should be given time to read through the evidence that we have received, with a view to discussing a draft report at our next meeting.

**Michael Russell:** I agree that we should have our discussion on the general lines of our report in private. Time is of the essence.

**The Convener:** We now move into private session.

14:42

*Meeting continued in private.*

14:52

*Meeting continued in public.*

## Sport in Schools

**The Convener:** The remit of the inquiry into sport in schools was initially to consider how we might move on from the report that we published in September 2000. At our away day, we agreed to add to the remit the initial consideration of Scotland's sporting attainment as a nation.

Over the next three months, I will undertake a series of meetings with national governing bodies, the British Olympic Association, the Commonwealth games committee and sportsotland. I will also meet the disability sports organisations because Scotland's sporting attainment in the Paralympics was significant and we might be able to learn general lessons from how those with disabilities approach sport. Other issues that I will discuss with those organisations include disabled access to sports facilities in schools, which follows on from an earlier report that we produced.

I ask the committee for permission to undertake a couple of visits: one to the Scottish Institute of Sport—I will not ask to be allowed to go to the Australian Institute of Sport, although Cathy Jamieson tells me that it is excellent—and one to Orkney and Shetland, where exciting work is being done to encourage participation in sport. I am conscious that we have said that we would visit the north but have been unable to do so. In order to go there, we would need permission for funding from the conveners liaison group.

Irene McGugan and I have been invited to participate in a study tour to examine how Denmark has dealt with these issues. It would be useful if we were able to go but, again, it would require permission from the conveners liaison group for funds of about £400 to £500 for each member—I do not know whether permission will be given for both of us to go.

I hope to report back to the committee in January with a view to the committee taking further evidence if necessary, specifically on the issues around national sporting attainment. If members are agreed, we will progress on that basis.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** Have Irene McGugan and you been invited to Denmark through the committee or through your parties?

**The Convener:** I was invited as convener of the committee. The invitation came from an organisation that I worked with when I was writing

my report on sport in schools; the organisation was aware that certain issues needed to be followed up. One of the recommendations of the report that we published in 2000 was that we examine best practice in Europe.

**Irene McGugan (North-East Scotland) (SNP):** I was invited as a member of the committee and as my party's spokesperson on sport and the shadow deputy minister for children and education with culture and sport—my party's equivalent of Allan Wilson, who was also invited.

**Mr Monteith:** I wanted that to be clarified, as the capacity in which you were both invited would affect the way in which we applied for funds.

**The Convener:** As convener, I would have to seek permission for funding for any travel outside the UK from the conveners liaison group. If Irene McGugan goes on behalf of the committee, that would also be the case. However, if she goes on behalf of her party, that is a different matter.

**Michael Russell:** It would be helpful if both of you went, as the two of you would gain more together than apart.

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** I am happy with that.

**The Convener:** We will put that to the conveners liaison group. There are cheaper ways to get to Denmark, and we will have to consider the financing—

**Michael Russell:** We would not want you to have to take a canoe across the North sea.

**The Convener:** No. There are always options, when booking flights. The difficulty with booking flights that cannot be changed—especially if they are booked for Friday morning through to Monday afternoon—is that members cannot get away if something comes up in the Parliament on a Thursday. There could be problems in trying to change flights, which we will need to bear in mind when we approach the conveners liaison group. There is pressure on funds, but it would be worth trying to get support, as the tour would be worth while.

15:00

**Michael Russell:** Does this in any way relate to the debate that is taking place on Thursday afternoon?

**The Convener:** Your guess, Mr Russell, is as good as mine.

**Michael Russell:** I get the message.

**The Convener:** We may well get the response to our report on sport in schools, which is still outstanding.

**Michael Russell:** Has not it been issued to us yet?

**The Convener:** No.

**Michael Russell:** Then I look forward to it.

**The Convener:** I was not aware of the debate until it appeared on the business list—I do not think that anyone was. However, I am delighted to say that it is worth while for us to debate sport in schools, as the issue crosses all the Parliament's education, culture and sport briefs.

## Civic Participation Funding Bids

**The Convener:** We move to item 4. Members have in front of them two private papers. We will first deal with the appointment of advisers for our inquiry into the purpose of education. The committee will be required to select four advisers to address that issue with us from the list of people that we have been given. Those people will then be approached. We will require approval from the Parliamentary Bureau to appoint them. The list that has been drawn up for us by the Scottish Parliament information centre contains the names of seven individuals.

**Mr Monteith:** Do we need to make a decision on the advisers today?

**The Convener:** I would like us make a decision today. The wheels grind slowly and, given that we have to put in a bid to the bureau, the quicker that we can make a decision, the better. The bureau has instigated a round of funding bids for this financial period, for which the deadline is 5 October. At our last-but-one meeting, we decided that we would go ahead with the inquiry as our first piece of work following the summer recess. If we are going to consider individuals, we will have to do so in private. Is that agreed?

**Members** *indicated agreement.*

15:02

*Meeting continued in private.*

15:16

*Meeting continued in public.*

**The Convener:** The committee is required to submit to the conveners liaison group a bid for external research to enable us to conduct our purpose of education inquiry.

One of the issues we have discussed is the committee's requirement to engage as wide an audience as possible in the research. It has been suggested that we hold a couple of focus groups and commission MORI, or some other organisation, to undertake three or four omnibus questions on the basis of the paper that is drawn up for us. That would incur a cost of around £5,000. I suggest that we also have some contingency for mailing in our bid for civic participation funding, so that we can involve as many organisations as possible. If we agree to put in a bid for around £6,000 to the conveners liaison group, the clerks will be able to build up that bid for 5 October. Are we agreed?

**Members** *indicated agreement.*

**The Convener:** We move on to the civic participation initiative on the children's commissioner youth participation event. Members will remember that one of the key elements in the children's commissioner inquiry was the involvement of children and young people. Members have in front of them a bid for financing the involvement of 100 young people in the consultation, which would incur costs of around £3,850 to £4,000. I suggest that we go ahead with that.

My only concern is the way in which we get hold of the young people. For the young person's health congress, education authorities were asked to nominate young people. If education authorities are asked to nominate people for this event, we might get the usual suspects. We must try to engage with the Executive education department and others to get a broad cross-section of young people involved, who would represent a broader spectrum of Scottish society than those who are selected by directors of education who, although meaning well, may just send the people whom they think would answer the questions in the way that they would want them to. That is not what we want.

**Irene McGugan:** I agree.

Why does the bid say that the event will be

"targeted at young people of at least secondary school age"?

Why cannot even younger people be involved? The commissioner would be not only for young people, but for children. Children who are below secondary school age are perfectly able to give us their views and suggestions about the work that the commissioner could do.

**Mr Monteith:** I see the value of holding such a meeting, but the clerk's note says:

"The theme would be to develop a 'job description' and 'person specification'".

That suggests that the issue has been decided. I would expect that, before those at the event decide the job description or the commissioner's role, whoever leads the initial discussion will give the arguments for and concerns against a children's commissioner. It is clear that a commissioner could have one of several roles. We would then elicit from those present what they thought of those possibilities.

Doing nothing must be one possibility, to give us the full range of responses. If we said that a children's commissioner is to be appointed and that we have to produce the job description, that would undermine the committee's position, because our report could be accused of being loaded.

**Cathy Peattie:** I am concerned that the paper is a bit prescriptive. I always worry when an event has its outcome written before it starts. Like Irene McGugan, I am concerned about the ages of the young people. Whether we have a children's commissioner or a young person's commissioner is a matter for debate. Some of us think that the commissioner should be for children and young persons. We need to allow young people and children—however they are defined—time and space to consider that.

How are young people or children to be attracted to the event? I agree that we do not always want the kids who are hand-picked by directors of education, but we must ensure that Highland's active youth forum, for instance, has an opportunity to participate. Structures that involve young people might be a good target.

Although such an event is a good idea, my gut feeling is that it would be best if regional events that fed into a bigger event were held, to allow young people and children to discuss the issue and nominate folks to represent them at a final event. That snowball effect throughout the country would feed into a main event and might give us a better impression of what children and young people feel about a children's commissioner. That would help us to produce the job description and the remit of the commissioner. I know that that suggestion is a bit more involved, but we must be clear that participation means that people can participate. As wide a body as possible must be able to participate.

**Mr Monteith:** Another point has occurred to me. Much of the pressure in Wales came not so much from children in schools as from children in care. If we simply approached education departments, we would be likely to miss out on that important aspect. Whatever route we take, we must ensure that we involve children in care and obtain their opinion.

**Irene McGugan:** We should not forget that we have held one consultation exercise. We commissioned a video for that event, which took a geographical spread of children from around Scotland and involved children in different situations. Children in care, Travellers' children and others were included. We have made a start on that. We should not forget that we have such evidence, to which we can add.

**The Convener:** I will pick up the points that have been made. Brian Monteith is right about the third paragraph on page 1 of the clerk's note. I do not think that we can be so prescriptive. We have not yet taken a view on whether there should be a children's commissioner. It emerged from the consultation on 25 June that there is a wide range of views among organisations and children and young people on whether there should be a



commissioner and on what that individual's role and remit should be.

We should allow for a fairly broad, open discussion, but we need some ideas of the realistic options. We should not be setting up young people and children to expect something that we will not be able to deliver. If we do that, we will not be doing them a service, but exactly the opposite. Presenting them with a blank cheque would be very nice, but it would not be realistic with regard to what the Parliament will be willing or able to do.

Our adviser produced some beautiful information and work for us the other week. We should draw that up in a more child-friendly manner. We could use that before the event to try to gauge views and begin the debate among as wide a cross-section of Scottish children and young people as possible.

I take on board Cathy Peattie's point about regional events. I am in favour of them but, realistically, the timetable for holding them is getting more restricted with every day that passes. Our first meeting after the recess is on 23 October, and I remind members that we are keen to complete the work by December if we are realistic about introducing a bill in September 2002. I am not sure how the time scale for that would work, or whether we have the facility to achieve it if we have not arrived at a common perspective on whether there should be a children's commissioner. That is part of our problem. Most of the agencies that are involved with consultation with children and young people have taken a strong view on whether there should be a children's commissioner. We cannot allow our not having formed our perspective on the matter to shape the consultation with children and young people, because we want to gauge their views, rather than those of the adults who work with them. We need to do it properly.

There may be some benefit in having two or three regional meetings. My concern would still be about the time scale of that. If we hold two or three of them, people in some areas will complain that we did not go there. The easy way would be to have one meeting in the north, one in a central location and one in the south. That would be an option. However, how do we select the children and young people, how big do we make the meetings and how will their contributions feed into a central event? If they do not participate in the regional events, does that mean that they cannot participate in the central event?

I would be keen for us to put in a bid for funding by 5 October. If we do not do so, we will not get any money. Could we get a costing for holding three regional events and for that costing to be e-mailed to members tomorrow? Members could

then take a view on it and come back to me by e-mail. We can then hold a discussion, perhaps in the chamber. The final, bigger event perhaps does not need to be as big as is being suggested if we also hold regional events. We could build up the picture over the next couple of days and approach members by e-mail. Is that agreeable?

**Members indicated agreement.**

**The Convener:** The next civic participation initiative concerns Scottish Borders Council. That bid will take us up to an aggregated cost of £1,700. It would involve our meeting staff, pupils, teaching and ancillary unions and parents in and around schools in Kelso, Jedburgh and Hawick. A primary school, a secondary school and a community school would be involved. It is not mentioned in the clerk's note, but we also need to factor in a special needs unit, because of the particular issue surrounding special educational needs.

We have to be clear that we cannot offer the people of the Borders false expectations of what the Education, Culture and Sport Committee can do. Local authorities are responsible for their own decisions and it will not be helpful for us to build up our inquiry as a big way of suddenly changing everything. We will carry out an inquiry and we may make big recommendations, but we cannot force the local authority to take up any of them.

It is important for us to gain an insight into the community feeling as well as to find out what has happened and why. We need to address some of the problems that Scottish Borders Council is experiencing and to investigate what can be done to stop them happening again.

15:30

It is important for us to have a civic participation initiative. The idea is set out in the paper. I suggested to the clerks that we go down that route because I wanted to have an informal meeting rather than a big public meeting. I do not think that we would gain anything from holding a big public meeting—we would hear only from individuals with particular interests and gripes and we would not get to the bottom of the situation. This route will allow us to facilitate small individual discussions in a less formal setting, but gain information in a more constructive way.

The other proposal is to have a formal committee meeting in Galashiels on the afternoon of Monday 5 November. It would be on the Monday because there is difficulty getting accommodation with the appropriate systems to record the meeting for the purposes of the *Official Report*.

**Michael Russell:** I regret that I will not be able to attend.

**The Convener:** Are you away?

**Michael Russell:** Yes. I greatly regret it, particularly as I am a South of Scotland MSP. However, there is nothing that I can do—I have a long-standing commitment to attend the Commonwealth Parliamentary Association.

I expect that my colleague, Christine Grahame, will request to attend some of the meetings.

**The Convener:** Members of the Parliament are perfectly entitled to attend any formal committee meetings, wherever they are held.

**Michael Russell:** I am sure that she will be made very welcome.

**The Convener:** If members have no objections, I suggest that we take the bid forward.

**Ian Jenkins:** Are those the dates?

**The Convener:** Yes. The dates are set. I advise members to put them in their diaries.

**Ian Jenkins:** I am not trying to be difficult, but I wonder whether, technically, the inquiry is into the reported shortfall in the education budget. However, if you are happy with that title, convener, it is okay.

**The Convener:** We need to find a form of words that is not prescriptive, such as “into the current situation”.

**Ian Jenkins:** We could say, “reported overspend and subsequent cutbacks”, “financial situation” or something like that.

**The Convener:** “Financial situation” would be a neutral option. Is that agreed?

**Members indicated agreement.**

## School Education (Amendment) (Scotland) Bill

**The Convener:** Members will be aware that the School Education (Amendment) (Scotland) Bill has been introduced. We have a slot in our timetable on 23 October when both ministers—Jack McConnell and Allan Wilson—are coming to discuss budgets. As Jack McConnell is coming to discuss the education budget, I suggest that we take evidence on the bill from him at that meeting.

Are there any other groups or individuals that members think we should take evidence from at stage 1?

**Mr Monteith:** Oral evidence?

**The Convener:** Yes. We should request written evidence now. It is not a particularly divisive or difficult bill. If issues arise in the written evidence, the committee can consider whether to take oral evidence on them.

**Mr Monteith:** I have no doubt that we will approach the Convention of Scottish Local Authorities, and the individual local authorities that are not part of COSLA, for written evidence. I also suggest that we approach the Scottish Consumer Council, which has expressed an interest.

**Michael Russell:** Several individuals have raised the anomaly and its effect. I am not sure whether it is worth talking to them if the bill sets the anomaly straight. We will know that only after we have taken evidence from the minister.

**The Convener:** I am not proposing to undertake a huge consultation exercise on the bill. If we take evidence from the minister on 23 October, I hope to produce a report during the following week—unless something comes up in the debate that requires further attention. I am not aware of any potential issues at this stage.

Are those suggestions agreed?

**Members indicated agreement.**

**Michael Russell:** I cannot find the minutes of the meeting of the Scottish Ballet board of 7 March in the evidence. Those minutes are crucial. It may be a mistake, but if we do not have them, I request that we get them.

**The Convener:** Yes. We will get them.

*Meeting closed at 15:35.*

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