

# **EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE**

Wednesday 19 December 2007

Session 3

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# CONTENTS

Wednesday 19 December 2007

	Col.
<b>PETITION</b> .....	483
Schools (Class Sizes) (PE1046) .....	483

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## EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

### 14<sup>th</sup> Meeting 2007, Session 3

#### CONVENER

\*Karen Whitefield (Airdrie and Shotts) (Lab)

#### DEPUTY CONVENER

\*Rob Gibson (Highlands and Islands) (SNP)

#### COMMITTEE MEMBERS

\*Aileen Campbell (South of Scotland) (SNP)

\*Ken Macintosh (Eastwood) (Lab)

\*Christina McKelvie (Central Scotland) (SNP)

\*Mary Mulligan (Linlithgow) (Lab)

\*Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD)

\*Elizabeth Smith (Mid Scotland and Fife) (Con)

#### COMMITTEE SUBSTITUTES

Richard Baker (North East Scotland) (Lab)

Hugh O'Donnell (Central Scotland) (LD)

Shirley-Anne Somerville (Lothians) (SNP)

\*attended

#### THE FOLLOWING GAVE EVIDENCE

Donald Henderson (Scottish Government Schools Directorate)

Fiona Hyslop (Cabinet Secretary for Education and Lifelong Learning)

Michael Kellet (Scottish Government Schools Directorate)

#### CLERK TO THE COMMITTEE

Eugene Windsor

#### SENIOR ASSISTANT CLERK

Nick Hawthorne

#### ASSISTANT CLERK

Andrew Proudfoot

#### LOCATION

Committee Room 2



## Scottish Parliament

### Education, Lifelong Learning and Culture Committee

*Wednesday 19 December 2007*

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

### Petition

#### Schools (Class Sizes) (PE1046)

**The Convener (Karen Whitefield):** I welcome members and visitors to the 14<sup>th</sup> meeting of the Education, Lifelong Learning and Culture Committee in this parliamentary session. This is, of course, our final meeting before the Christmas recess.

The first item on the agenda is consideration of PE1046 from the Educational Institute of Scotland. For this item, I welcome Fiona Hyslop, the Cabinet Secretary for Education and Lifelong Learning, and Michael Kellet and Donald Henderson, who are both deputy directors from the schools directorate of the Scottish Government.

As a very regular visitor to the committee, cabinet secretary, you will know the format. I understand that you wish to make some short opening remarks.

**The Cabinet Secretary for Education and Lifelong Learning (Fiona Hyslop):** Good morning. If I do not get the opportunity to do so at the end of this evidence session, I wish members a very good Christmas. Everyone has worked very hard and needs a well-deserved rest over the Christmas period.

I welcome this opportunity to discuss the EIS's petition on class sizes, which has been signed by almost 80,000 people and calls on the Scottish Parliament

*"to support significant reductions in class sizes in Scottish publicly funded schools during the lifetime of"*

this Parliament. I understand that the petition was first presented in March, before the election, and the election manifestos of all parties bar the Conservatives made reference to some form of class size reduction. The Scottish National Party proposed reducing class sizes in primary 1 to primary 3 to a maximum of 18. I understand that Labour wanted to reduce class sizes to below the Organisation for Economic Co-operation and Development average, which is 21.7 at primary level. The Liberal Democrats would have employed 1,000 extra teachers to reduce class

sizes. There is broad support for class size reductions. No one present for my statement in the chamber on 5 December challenged the principle of class size reductions.

There is also a convincing body of research evidence that supports smaller class sizes in the early years, especially for those from deprived backgrounds. The student teacher achievement ratio project and, more recently, the class size and pupil ratio project in England provide evidence in support of that policy. Smaller classes can lead to more sustained interaction between teachers and pupils, more high-order questioning, more feedback on work, and less time spent on routine supervision, exercising classroom control and housekeeping by teachers. A number of reasons for supporting the principle of class size reductions are set out in the EIS petition.

Class size reductions cannot happen overnight and all at once. Efforts and resources should be concentrated on the early years—both on providing access to teachers at pre-school and on reducing P1 to P3 classes to a maximum of 18. Why start there? The OECD report on Scottish education, which was published on 11 December, shows that where people are born still has a major influence on their educational career and life chances. The report states:

*"Depth of deprivation is a strong predictor of under-achievement."*

There is also evidence that intervention to deal with problems early prevents later problems such as violence, ill health or children not achieving their full potential. Our proposed early years strategy can do that. We need to give our poorest children more time, attention and access to nursery teachers, and to drive down class sizes in the early years, when literacy and numeracy are embedded.

Scotland needs firm foundations for learning, and the Government will provide them. The greatest impact can be made by improving early years education, rather than taking remedial action later in a child's schooling, which may be too late in many cases. Our class size policy needs to be seen in the context of our whole early years strategy.

We have signed a historic concordat with the Convention of Scottish Local Authorities, under which local government will make year-on-year progress towards reducing P1 to P3 class sizes to a maximum of 18. Significant progress will be made, as advocated by the EIS in its petition.

**The Convener:** Thank you for your comments. I am sure that the committee will have a number of questions for you. Before we start, we wish you a happy Christmas and hope that you manage to get a break over the recess.

In your statement to the Parliament, you indicated that it was the Government's intention to ensure that there was year-on-year progress towards reducing class sizes in Scotland's 32 local authorities. What do you mean by year-on-year progress?

**Fiona Hyslop:** I mean that every year in Scotland there will be a reduction in the number of children who are in classes of more than 18. Obviously, there will also be an increase in the number of children who are in classes of 18 or less. That is what is projected and what we have agreed with COSLA. It is important that we ground our discussion in the concordat, because that reflects what local authorities collectively think is achievable and deliverable in helping us to make good our commitment to reduce class sizes. That is the basis of our discussion. Year-on-year progress means local government being able to reduce class sizes and to increase the number of children who are in classes of 18 or less.

**The Convener:** How will you monitor whether there has been a reduction in class sizes and assess whether real progress is being made? The size of some primary 1, 2 and 3 classes may decrease naturally because of the demographics of a local authority area. In other areas, which have a growing population, class sizes may not be reduced.

**Fiona Hyslop:** We expect each local authority to be able to show progress over the piece in reducing class sizes, although, as I have said repeatedly, progress will vary from one part of the country to another. It is important to remember the annual pupil census that looks at class sizes. For example, the former Executive's target for secondary 1 and secondary 2 English and maths classes was 20. I refer to the original target, which I know changed over the piece. We know from the recent census that 37 per cent of children were in classes of more than 20 pupils in maths and 21 per cent were in classes of more than 20 in English.

I think that your question, convener, was how we can measure the progress of each authority against the target. Obviously, as part of our single outcome agreements with local authorities, we will establish the expectation of achievement and the significant progress that we expect to be made against the target.

One of the elements of the concordat is an agreement to regular monitoring. We are trying to remove from local government the excess burden of inspection and regulation. However, under the concordat, the Government will hold regular meetings with the local authorities to ensure progress on the whole package. We anticipate that those meetings will be held on a biannual basis. In that way, we will be able to monitor the progress of

individual authorities. The start date for the biannual reporting is under negotiation with the Convention of Scottish Local Authorities.

Obviously, we have first to embed the single outcome agreements. Our intention is to retain the overall picture that the pupil census gives of class sizes across Scotland, and to have monitoring, on a biannual basis, of authorities' progress against the target. As I said, I cannot give you a commitment today on when the process will start, convener. When we reach agreement with COSLA, I will give you an early indication of the start date.

Also, it may be helpful for the committee to know that part of the concordat is an agreement for the Cabinet Secretary for Finance and Sustainable Growth, John Swinney, and I to meet COSLA every two months to discuss general progress. Indeed, the first of those meetings took place last week, in this room.

**The Convener:** How will the Government determine success in achieving a reduction in class sizes? Although you can say in theory that progress will be made year on year, what is your definition of progress? Will success be one or two additional classes in each of Scotland's 32 local authorities, or the policy delivered in full over the lifetime of the Parliament?

**Fiona Hyslop:** Clearly, as is the case at the moment, the picture will differ in different parts of the country. We have some P2 and P3 classes of 30 pupils and it will be a major challenge to reduce those class sizes. As you said, convener, demographics will lead to class size reductions in some parts of the country.

Currently, only 11 per cent of children are taught in classes of 18. We should see movement on that. If your question was whether we would view a figure of 12 per cent as progress, the answer is yes, although we would all agree that it would not be the significant progress that we seek. Part of our discussion with local authorities is to determine the pace and scale of delivery. Indeed, it might also be helpful for colleagues to know that we have agreed with COSLA to hold a series of meetings with local authorities to establish best practice to maximise effort in this regard. We are in the process of doing that. As I said, the discussion will be helpful in determining the pace and scale of delivery. As we have also said, our agreement with COSLA is for progress to be made year on year over the piece. We expect that to be achieved.

**The Convener:** The First Minister indicated that the reduction in class sizes to 18 pupils in P1 to P3 would be complete by the end of the current session of the Parliament. Is that still the Government's intention?

**Fiona Hyslop:** The First Minister was asked whether he was fully committed to the SNP manifesto commitment of reducing class sizes. He said that he was committed to that. I think that it was the questioner who introduced the timescale of 2011. However, you will note that it is in our manifesto that the pace and scale of delivery would have to be agreed with local government. I have always been very conscious of that in the comments that I have made.

Certainly, the First Minister clarified the point in his reply to a letter from Wendy Alexander. He said:

"It is vital that local and national government work together ... The Scottish Government has already started discussion on a new deal for local government based on outcome agreements".

He also said that

"the pace and scale of delivery"

of class size reductions would be discussed.

The concordat that has since been agreed with local government sets out what we will achieve. What individual local authorities will achieve will be set out in the single outcome agreements. I am pleased that, last week, the Cabinet Secretary for Finance and Sustainable Growth was able to announce as part of the local government finance settlement that it is anticipated that every local authority will be in the position of having a full single outcome agreement achieved by April.

10:15

**The Convener:** I was asking whether or not the Government hoped that the policy commitment on class sizes would be met in the lifetime of the Parliament. Councillor Isabel Hutton, COSLA's education spokesperson, indicated in evidence to the committee that there had been no agreement between the Government and COSLA about the delivery of the policy commitment on class sizes. She also said that, although COSLA and the Scottish Executive would discuss the commitment, it would be under one of the six general headings and that there had been no concrete discussions specifically about how it would be delivered.

**Fiona Hyslop:** I cannot speak for other witnesses, but I expect that Isabel Hutton was suggesting that discussions with individual councils were on-going. However, as I have said to the committee before, the concordat agreement involves an agreement to the whole package, not certain items within it. The concordat must be seen as a package, part of which is year-on-year progress on reducing class sizes. COSLA's leadership team has signed up to that and has recommended that that be considered by all local authorities, which are now in the process of doing that. Until we have local authorities' signatures on

the single outcome agreements, we will not know whether the policy will be delivered. We are hopeful that they will sign those agreements—we have had positive indications in that regard—but, obviously, each local council has to make its own decisions about its own single outcome agreement.

**The Convener:** I am most interested in North Lanarkshire Council. Are you confident that it will have sufficient funds to deliver the policy? I understand that it will need £5.5 million in order to pay for the 135 additional teachers that will be required to deliver the policy. Further, are you confident that the settlement that it received last week will supply the £20 million that is needed to pay for the necessary additional classrooms? Are you in discussions with the council about the additional finances that will be needed to pay for additional car-parking spaces, toilets and other facilities that will be necessary to accommodate the reduction in class sizes?

**Fiona Hyslop:** I cannot speak for North Lanarkshire Council in relation to the number of toilets that will be required in order to reduce class sizes. However, I am sure that you will be able to ensure that the council gives us the detail of what it requires. My officials are meeting the council in January to discuss the issues that you have raised and the ways in which North Lanarkshire Council can achieve the aims of the concordat.

The view of the COSLA presidential team was that the Scotland-wide package that was being provided for local government would be sufficient to provide resources for the employment of teachers and the changes to accommodation that will be required.

In total, £34 billion is being invested in local government, as well as an additional £1.3 billion. There is an extra £115 million in year 1 for the capital budget alone, which comes on top of the £3 billion that is available for investment in accommodation over the piece. Further, the abolition of ring fencing will provide far more flexibility and the ability to keep efficiency savings should release an extra £200 million a year, which will come to £600 million over the piece. Significant additional resources are available in relation to the concordat and North Lanarkshire Council will get its fair share of those.

Obviously, every area has challenges, and I know that the pupil population in North Lanarkshire is not decreasing at the same rate that it is elsewhere. That is why North Lanarkshire Council is one of the councils that my officials will discuss details with a bit more next month. I think that it would like to be able to deliver on the policy, but obviously I cannot speak for it. It will have to make its own decision on whether it wants to sign a single outcome agreement.

**The Convener:** As the responsible Government minister, you must be confident that local authorities that deliver the service are in a position to implement the policy. The Government has made budget allocations to our 32 local authorities. Are you confident that the settlement for those authorities, including the authority that covers my constituency, is sufficient? Are you confident that North Lanarkshire Council will receive the £25 million, which is the minimum required to deliver the policy? We can all make policy commitments, but if the resources are not made available to North Lanarkshire Council to deliver such commitments, it will carry the can for not delivering the policy—not your Government.

**Fiona Hyslop:** We are confident that the resources that have been provided for local government at the national level and, as announced in the chamber last week, as part of the local government finance settlement will be sufficient for local authorities collectively and individually to deliver on the concordat.

**Rob Gibson (Highlands and Islands) (SNP):** The EIS's petition seeks support for

"significant reductions in class sizes".

That seems to me to be a very professional way of putting it—the EIS knows that there are wide variations in class sizes around the country. Have you discussed the matter with the EIS?

**Fiona Hyslop:** There have been on-going and regular discussions about class sizes between the Government and the EIS. Prior to the current Government coming into power, the previous Government also had discussions with the EIS.

The committee might want to reflect on the quite stark population differences in different parts of the country and on the shifts that are happening. Pupil populations in the east of Scotland are increasing, not least because new build housing is attracting young families. House prices in Edinburgh mean that many young families cannot afford to live in the city, so they are moving to East Lothian or West Lothian and there is increasing pressure on those local authorities. There are already discrepancies in class sizes in different parts of the country. I have already mentioned that in some parts of the country there are P2 and P3 classes with 30 pupils. We also know, however, that in other parts of the country 11 per cent of children are already in classes of 18. I think that the convener alluded to that.

Whether we need statutory provision is a genuine issue that the committee should explore. The concordat is about policy, not legislation. I think that I said when I first appeared before the committee in June that even if we did not embark on the policy in question and simply retained the previous Government's class-size reduction policy

so that there are 25 pupils to a class in P1, that could cause an issue. I think that there was a case in North Ayrshire that was upheld that involved a request to put a P1 pupil into a class of 25 to make it a class of 26. The current statutory provision is for a maximum class size of 30. Regardless of what we are doing, whether statutory provision is needed is a genuine issue. I suspect from comments that I have heard from the EIS that it is attracted to statutory provision in order to bring about national consistency. The problem lies in the practicalities that are involved in achieving that in the short term when quite wide discrepancies exist.

We will have to consider the matter collectively anyway. As I said, there may be pressures in relation to revising the previous Government's policy of having a maximum class size of 30. However, we must reflect on whether there should be a national diktat. There is an argument—which the Conservatives have advanced, I think—that all education policy should be decided centrally. If you agree that the local councils should be the education authorities, you have to decide what discretion they should have. As a Government, we have recognised that there should be more discretion for local authorities. I hope that at some point the Parliament will come back to that debate, especially considering the OECD report.

One of the significant points made in the OECD review of our education system is that it thinks that we are too centralised and that we should devolve more decision making to local government and schools. That would tend to mean that limits on class sizes should not be established centrally by statute but be more reflective of individual school and local council requirements.

Another striking point in the OECD report is the fact that where someone comes from is more important than the school that they go to. We have schools of a high standard, but there is still a discrepancy. Therefore, there is an issue about the flexibility that we should provide. There is a genuine argument to be had about maintaining national standards and having rights and entitlements for pupils to be in a class of a certain size while also trusting head teachers and local authorities to think in the best interests of the child and have flexibility in delivering national outcomes for improved education.

That is a genuine debate, and it is helpfully informed by the OECD being a critical friend from the outside. It is one that should be teased out with the petition.

**Rob Gibson:** About 80,000 people signed the petition and presumably a fair number of them were teachers. In any straw poll, the biggest issue for teachers is smaller classes—for the reasons that you gave earlier. Parents and teachers seem



to be taking a pragmatic view about how that should be achieved. I presume that such a view allows for the changed circumstances of the relationship between local and central Government to bed in. I also presume that they recognise that it will take some time and that we cannot measure the progress by saying that the target will be achieved in four years from a standing start.

**Fiona Hyslop:** We also have to learn the lessons from the strains of having a target over four years. The previous Government's target on S1, S2 and P1 classes was achieved in August, after it left power. Hindsight is a wonderful thing, so I do not want to be overcritical, but the targets put pressures on the system, not least because there were also pressures to achieve efficiency savings and the target of 53,000 teachers, which was achieved. I suspect that the pressures of meeting all those targets at the same time led to some of the tensions that we had this summer, for example in the number of probationers getting jobs. That was a big bang approach, and the lessons learned show that incremental year-on-year progress is more desirable and practical. It is common sense as well.

One point that I will state clearly is that, although the reduction in class sizes brings benefits, the size is just a means to an end. That end is improved education for the child—we should never forget that. Chopping and changing classes will undermine any progress made through class size reduction. Members might recall—they can correct me if I am wrong—that in 2000 there was a reduction in class sizes in Scotland from 33 to 30. Some of the decisions that were taken in order to achieve that target meant that there was a rush to composite classes and some disruption because of that. If the changes had been left to the discretion of the head teachers, the classes would perhaps not have been disrupted as much as they were. It is a question of learning the lessons of the past, although it is reasonable to ask whether, if there had not been the requirement to reduce from 33 to 30, those changes would have happened. That shows the tensions between having a national policy and allowing flexibility.

We need common sense among local councils and head teachers, and we need to trust their judgment. That is the important question: do we in national Government or sitting in this committee always know what is best? Do I know best how the local teachers and council can improve education by reducing class sizes in a certain part of the Highlands? It would not be welcome or appropriate for me to micromanage each and every school. Rob Gibson is right about the pragmatic common-sense approach and I am confident that it will happen.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** To follow that point, I see that page 5 of the concordat states:

“Local government will be expected to show year on year progress toward delivery of the class size reduction policy”,

which is a nationally-set policy. What if a council says, “Actually, we don't want to do that. We want to put more resources into secondary schools”?

10:30

**Fiona Hyslop:** We could have a useful, educational discussion about whether it is more beneficial to reduce class sizes in secondary schools rather than in primary schools. Members have asked about that before, and it is important to remember that we are talking about a package for local government, not a pick and mix. We want the whole package to be delivered.

If one part of the country says that it will not be able to deliver on the concordat and to sign up to the single outcome agreement, it will not receive a raft of benefits, not least of which is the opportunity to freeze council tax and retain efficiency savings—we are saying to local authorities for the first time that they can retain their efficiency savings.

We are talking about a whole package and if one part of the country does not agree with it, it will find it difficult to sign up to the single outcome agreement in the first place.

**Jeremy Purvis:** I will come to that shortly, if I may.

You have said that there is a new relationship with local government, that local authorities are to have the freedom to make their own decisions and that this is the new way forward. However, there seems to be an inconsistency, because you have just said that local authorities can either have the whole package or they cannot, and that they have to deliver a policy that is set at national level. Either there is a nationally-set policy in which the Government expects to see year-on-year progress as part of the deal and if the local authorities do not deliver, there will be penalties, or there is no such policy. You cannot have a new relationship with local authorities that allows them to set their own educational priorities in their own area when their hands are tied by your telling them that they have to deliver year-on-year progress on class size reductions in P1 to P3 or they will face penalties.

**Fiona Hyslop:** At the moment, £2.7 billion of Government spending is ring fenced and directed nationally. Most local government officials and many of the education conveners that I have spoken to think that we are providing far more flexibility in local decision making than they have ever had before.

I do not want to stray too far from the petition that we are supposed to be discussing, but the concordat is not just about our manifesto commitments. It includes the national outcomes and indicators, which are not about telling local government to do X, Y and Z. Although those are very clear on education and the improvements that we want to achieve for individuals, local authorities can best decide for themselves how they will deal with them. However, we have manifesto commitments that we want to achieve, and MSPs are the first to ask us why we are not doing what is in our manifesto.

An agreement goes two ways; it is not just about our saying, "You will do this." If a local authority does not sign up to the single outcome agreement, that does not mean that it will not get resources from national Government; it means that it will get a different package from the very attractive one that we have managed to broker with COSLA at national level.

**Jeremy Purvis:** Is there no difference today in the Government's policy from what was outlined in the SNP manifesto?

**Fiona Hyslop:** The petition is about class size reduction.

**Jeremy Purvis:** Class sizes—of course.

**Fiona Hyslop:** If you asked the previous Government whether the partnership agreement was exactly the same as both parties' manifestos, it would not be able to say that it was, because it was an agreement. Our agreement to deliver much of our policy is not with another political party in this Parliament but with local government; it has been made in a mature and developing relationship of mutual respect and trust; and it is identified in the concordat. The relevance of the concordat to the petition that we are discussing is in relation to the commitment to year-on-year progress on class size reductions. The concordat represents what the Government will deliver.

**Jeremy Purvis:** If a council says that it cannot or will not reduce class sizes for P1 to P3, will that fall outwith the single outcome agreement and the concordat?

**Fiona Hyslop:** Yes.

**Jeremy Purvis:** Scottish Borders Council said in a press release on 22 November that there will be

"No reduction in class sizes in the Scottish Borders ... Class sizes in primary 1-3 in the Borders will not be reduced, due to lack of Government funding."

What status does that statement have? Will Scottish Borders Council still be able to keep its efficiency savings?

**Fiona Hyslop:** The remarks by the Liberal Democrat executive member for education in

Scottish Borders Council were unfortunate, and she might want to reflect on them. As I said to the convener, resources are available to local government. An extra £1.3 billion of additional revenue will go into local government, of which Scottish Borders Council will have a share. The population pressures there are reflected in the settlement that that council achieved last week.

Officials will meet the council in January to discuss the implications of reducing class sizes for the Borders. You suggest that they should not bother because the council has made a decision, but I am not sure whether other Borders councillors will want to be held to ransom by that decision by one councillor. Councillors will want collectively to discuss the whole package and to decide their priorities for the extra revenue and extra capital for the Borders in order to make year-on-year progress.

Progress in the Borders might not be as much as that in the west of Scotland. I would like to discuss that with the council, but if you are telling me that it has already ruled things out—that it will not have a council tax freeze, that it will not deliver kinship care allowances or many other provisions in the concordat, that it does not want to keep its efficiency savings and that it wants to have a separate arrangement—we will have to discuss that. I would like Government officials to have a meaningful discussion with the council in January. I cannot speak for people in the Borders, but I would be disappointed—as I think many of them would be—if they were to miss out.

**Jeremy Purvis:** I am not entirely sure why you have raised party issues. The executive member for education in Scottish Borders Council, which has a coalition administration, issued the statement that no additional resources were available in an area where school rolls are projected to rise by 15 per cent over the next six years, but you say that those comments are unfortunate and make the threat that the council will not be able to keep its council tax freeze funding as a result.

**Fiona Hyslop:** We are talking about a whole package. It is a bit odd that the executive member for education could state how much money was available for that package before the local government finance settlement announcement was made last week. However, I have not had discussions with Scottish Borders Council. My officials will meet the council in January, when I hope that the discussion will be constructive. I am concerned that the council's decision has been prejudged.

**Jeremy Purvis:** The petitioners want to lower class sizes overall. That is Scottish Borders Council's stated position, but not for P1 to P3, because the indications are that the council does

not have the resources to deliver that. You have said that the comments of that authority's executive member for education are unfortunate and that you hope that other councillors will have a different view. There is an extraordinary relationship with local government when it has the freedom to say that it does not have the resources to deliver the policy, but you threaten its funding for the council tax freeze, which is outwith the concordat. As you know, the challenge fund of £70 million for the council tax freeze is outwith that, so I am not sure why you link the two issues.

**Fiona Hyslop:** Under the heading "Specified set of commitments", page 4 of the concordat says:

"For the entire package to remain intact, and as part of their contribution to the new relationship, the Scottish Government and local government will each do what is required to ensure delivery of key government policies and programmes including:

- Freezing council tax rates in each local authority at 2007-08 levels."

Agreements work both ways. We have made an offer to local government that we hope that it will accept. It will be up to local councils individually to agree whether to deliver the package in single outcome agreements. I hope that Scottish Borders Council will agree to deliver the package—it would be unfortunate if it did not do so.

**Jeremy Purvis:** Scottish Borders Council has said that the council tax will be frozen next year. Councillor Watters told the Parliament's Local Government and Communities Committee that if a local authority chose—

"as is their democratic right"—

to have policies that are outwith the concordat, the only financial penalty would be

"that they would not get their share of the £70 million."—  
[*Official Report, Local Government and Communities Committee*, 5 December 2007; c 340.]

Nothing was said about taking away efficiency savings or other penalties. Are you saying that each local authority in Scotland must include in its outcome agreement a reduction in class sizes in P1 to P3, irrespective of its school rolls or whether it thinks that there is sufficient funding to implement that reduction, or it will not be able to retain efficiency savings?

**Fiona Hyslop:** We are confident and COSLA's presidential team is confident. COSLA's leadership group, which made recommendations to every council—I think that the leader of Scottish Borders Council was part of that meeting—took the view that the whole package as presented, which meant that local government would achieve year-on-year progress, was such that every local authority had the capability to deliver on the package, within the global Scottish financial settlement.

I cannot make decisions for each council; councils will have to decide for themselves. I would much rather embark on constructive dialogue about how we make progress and what significant progress Scottish Borders Council will make. I readily admit that in areas of population pressure progress will be more difficult than it will be in other areas. Our expectations should be pragmatic and we should take a commonsense view. However, even in the Scottish Borders Council area there will be schools in which children in P1 to P3 will benefit from smaller classes, particularly in deprived areas. If Scottish Borders Council comes to our meeting in January and puts forward a case that shows that it can make significant progress on reducing class sizes in P1 to P3, particularly in deprived areas, it will not be putting forward an unreasonable position.

The convener talked about North Lanarkshire Council and other members want to talk about their areas. Jeremy Purvis might want to pursue Scottish Borders Council's position with the council itself. I am not sure that much progress will be made by asking me to second-guess the council's position. It is not fair to ask me to do so and I am sure that the council would not want me to do so.

**Jeremy Purvis:** For clarity, can you confirm that every council must include in its outcome agreement year-on-year progress on reducing class sizes in P1 to P3?

**Fiona Hyslop:** Local government as a whole needs to evidence year-on-year progress. I expect every council to be able to show significant progress over the piece, which should allow more flexibility for councils that are under significant pressure, particularly in years 1 and 2—and from what you have said, I suspect that Scottish Borders Council is in that position.

**Jeremy Purvis:** Forgive me, but your answer was not entirely clear. I asked whether each local authority's outcome agreement must include year-on-year progress on reducing class sizes in P1 to P3.

**Fiona Hyslop:** My answer was that local government in Scotland as a whole will be expected to achieve year-on-year progress. I expect each council to be able to show progress over the period of the spending review. That allows flexibility for local authorities that come to us to say that they are under pressure—I suspect that Scottish Borders Council is one such authority—and that while they might not expect to make year-on-year progress in years 1 and 2, they expect to make progress over the piece. If Scottish Borders Council can show that, particularly in the context of areas of deprivation, where the biggest impact will be made, I am sure that we will be able to come to an accommodation and agree what the

council's single outcome agreement will look like. We are not yet in that position but we hope to be so when my officials meet the council in January.

**Mary Mulligan (Linlithgow) (Lab):** I acknowledge that you appreciate the previous Executive's policy on class sizes. For the avoidance of doubt I will say that I still support the policy. We see the value in reducing class sizes. However, I am interested in the specific issue that we are considering.

All our witnesses have said that some local authorities, particularly authorities such as West Lothian Council, which covers my constituency of Linlithgow, will have difficulty in reaching class sizes of 18 in P1 to P3 because of increasing school rolls. Given the challenges facing those local authorities, what additional support will you offer them?

10:45

**Fiona Hyslop:** You will be pleased to know that my officials met West Lothian Council yesterday to discuss those matters, although I have not had an opportunity for a proper debrief about the full content of the discussions.

The financial settlement for individual local authorities that was announced last week takes into account a number of factors in its distribution, such as poverty and rurality. Obviously, population is a key factor for the local authorities that have been mentioned. If you look at the financial settlement for West Lothian Council in, I think, year 2, you will see that it will receive the highest percentage increase of any local authority in Scotland. We will discuss with the council its individual situation in order to assist it with its single outcome agreement.

As you will know, we moved quickly to release £40 million in this financial year to assist with class size reductions. The distribution of that initial allocation took into account the fact that certain areas would face pressures. For example, West Lothian Council received roughly the same amount as the City of Edinburgh Council, despite Edinburgh's much bigger population. We recognised that West Lothian would face different pressures.

Our guidance was strict in making it clear that the money was to assist with class size pressures. For example, it allowed some local authorities to bring forward capital spending to this year. We have made it clear that, with capital investment of £3 billion, we expect local government to concentrate in future years on areas such as schools and class size reductions. That investment is expected to alleviate the pressures; it shows that we have already taken action to assist local government to concentrate on those areas.

You mentioned the class size reductions that were made under the previous Government. The accommodation capital spend for those reductions was announced and released 18 months after the policy was announced in the partnership agreement in May 2003. The guidance on accommodation did not come until December 2004, and the allocation was for £60 million over three years, which was £20 million a year. We released £40 million within months of coming into government.

Local government will receive substantial capital investment in the settlement, whereas capital investment in other areas is under pressure. The settlement recognises the requirement for local government to invest in schools, particularly to help with class size reduction. There continue to be discussions about whether population pressures are recognised as quickly as they should be for areas that have population increases. As we know, population figures can move quickly. That is an on-going issue for future discussion with COSLA. However, we think that West Lothian Council has had a healthy financial settlement—certainly in the short term—that recognises its population pressures.

**Mary Mulligan:** You will pardon my cynicism about your statement that West Lothian Council's percentage increase is the biggest—when one starts from a low base, such an increase does not mean a lot. However, I will go back and look at the figures.

I am sure that you appreciate that I was concerned when the COSLA members who appeared before the committee said that increasing populations will present challenges that mean that councils may not achieve class size reductions. Given my constituency interest, I was particularly concerned by that. However, you do not accept that it is reasonable to expect that an increasing population would cause the target not to be achieved.

**Fiona Hyslop:** The target is for year-on-year progress by local government, as agreed in the COSLA concordat. However, the indication is that West Lothian Council will want to concentrate on areas of deprivation. We know that there are pockets of severe deprivation in West Lothian, in which pupils could readily benefit from reductions in class sizes in the early years. We also know that West Lothian Council has been successful in maintaining the provision of nursery teachers in nurseries. In a sense, the council has tried to offset the difficulties that youngsters face, particularly in areas of deprivation, through maintaining the provision of nursery teachers.

The signals from West Lothian Council are that it wants to make progress on delivering the policy. Even a council that faces one of the biggest

challenges sees the benefit of the policy, wants to pursue it and is keen to make progress. You ask whether we expect every local authority to make progress, and the signals are that the local authority in one of the most pressured areas wants to make progress and will do so. However, I cannot speak for West Lothian Council: it has yet to sign its single outcome agreement and come forward with its proposals.

We are already seeing significant movement as we work out how we can deliver. A can-do attitude is required to make the changes happen. I am pleased that, so far, the response has been positive.

**Mary Mulligan:** You have referred several times this morning to the generous settlement that local authorities are receiving, and you have said you think that it is possible for them to fulfil this commitment. How much do you assess that it will cost local authorities throughout Scotland, in both revenue and capital, to deliver the policy of smaller class sizes in P1 to P3?

**Fiona Hyslop:** I have not said that the settlement is generous—I have said that I think that it is fair. Everyone recognises that, in a tight settlement, we have delivered a fair deal for local government.

The resources are delivered as a package in the concordat. Members have pursued the issue as if we could itemise each and every one of the areas of spend and say how much each one costs, but part of the agreement is that it is a whole package. There are obviously costs to local government, because they have to maintain teacher numbers and ensure that they have capital provision for more classrooms and so on, but that is where the end of ring fencing brings benefits, because it provides flexibility. In addition, the retention of efficiency savings has a cash value. The £1.3 billion extra funding provides for the additional requirements that we are asking local government to deliver.

The COSLA presidential team would not have signed up to the concordat had it not thought that it was reasonable and possible to deliver on it within the financial envelope that is being provided. It is perfectly reasonable for us to expect local authorities to deliver on the concordat with those resources.

We will provide funding to put 20,000 new teachers into training between 2007 and 2011. One of the most challenging aspects of class size reductions—any Government would have to face this problem—is the demographics of retiring teachers. It is necessary to have sustained teacher recruitment even to maintain a stand-still position. We have a cohort of 53,000 teachers, and the fact that over the next period 20,000 of

them will be new teachers provides us with a fantastic opportunity, as new teachers will come into schools with enthusiasm and abilities. When I visit schools everyone acknowledges the abilities of new teachers. However, the big challenge is the pressures created by demographics in relation not only to pupils but to teachers. The Government is committed to working with the teacher training colleges to ensure that sufficient teachers come through.

Another good point that members have made is that this is about not only the size of the class but the quality of the teacher. I am not prepared to compromise on the quality of teachers by recruiting large numbers into training, which the colleges tell me might diminish the standard of teachers that come into the profession. The teaching colleges have told us that the figure of 20,000 allows them to maximise the number that they can put through training while maintaining teacher quality. That is an important factor.

I apologise for referring again to the OECD report, but the quality of our teachers is an outstanding aspect of our education system and must be maintained. I suspect that the committee will also hear from other witnesses that, whatever we do, we must not compromise the quality of our teaching staff.

**Mary Mulligan:** I welcome everything that you have said, but you did not answer my question. I find it difficult to believe that you went into discussions with your Cabinet colleagues without having a sum in mind that you reckoned it would cost to deliver the policy. Whether local authorities choose to spend that sum is up to them as part of the concordat, but you must have had a figure that you understood the policy would cost in terms of revenue and capital. You do not seem to be able or willing to share that figure with us.

**Fiona Hyslop:** Bearing in mind all the permutations that I have talked about, such as that of maintaining teacher quality, we anticipate that to deliver on the concordat we need broadly to maintain the number of teachers at 53,000, which is a big challenge, as it means that we will require 20,000 new teachers in training. That will allow local authorities to make progress on the COSLA concordat, but each local authority will have to identify how to do that. I hate to sound like a broken record but, although I have given the national position, the situation will vary from one part of the country to another. In some parts of the country, additional teachers will be employed but, in other parts, councils will be able to manage the situation, given their population projections for pupils and teachers.

I suspect that, over the piece, more primary teachers than secondary teachers will be recruited. Despite the fact that pupil rolls in some

parts of the country are falling less quickly than those in other parts, because of the population profile, significant reductions in secondary school rolls are likely across the piece. The General Register Office for Scotland report in October showed an interesting change, in that the number of pupils will be higher than anticipated. That is good news for Scotland because it means that there has been a change, but we must keep an eye on such issues. Not least among the permutations that I talked about is that of the General Register Office for Scotland figures. There will be a shift in the cohort of teachers between primary and secondary. However, people acknowledge that we will be able to manage the policy with the provision of 53,000 teachers.

**Mary Mulligan:** I will have one last try at the issue. Some councils have had a stab at the costs. West Lothian Council has suggested that £27 million will be needed and other councils have made similar statements. Did you at any time consider those figures and add them up? When you talked to your Cabinet colleagues, did you suggest how much you would need to deliver the policy?

**Fiona Hyslop:** We knew that we would have to recruit thousands more teachers than the previous Government had planned to and that we would have to ensure that local government has the resources to employ those teachers. I cannot give you an itemised bill, because it is a package. I know that that is frustrating and that you want to have an individual, itemised—

**Mary Mulligan:** It is unbelievable, not just frustrating.

**Fiona Hyslop:** It is a result of the flexibility in the package. Local government wants flexibility to move money about to reflect priorities in local areas. If we then started to dictate from the centre what we anticipated the funding would be, for our part, we would start to damage the package. The clear view from COSLA in our discussions is that it sees the package as a whole. The way in which some of the 12 commitments in the concordat are delivered will depend on demographics—for example, if a local authority has an elderly population, some of the commitments will cost more than others.

**Aileen Campbell (South of Scotland) (SNP):** The petition includes a list that shows the average class size in primary schools in European and OECD countries. Has the Government considered other methods that have been used to raise attainment levels?

**Fiona Hyslop:** Please excuse me if I cough—I am going for the sympathy vote.

Of course we consider other ways of raising attainment. As I said at the outset of my statement

on class sizes to the Parliament, I do not think that class-size reduction is the single bullet that will resolve all our education issues. We must consider the example of other countries. The interesting part of the OECD report—which I hope the Parliament will have an opportunity to discuss and debate, because it contains many lessons that we have to learn—is that although we can identify common themes in other countries and learn from them, each country's education system has developed a character and culture of its own, which means that we cannot readily import views from elsewhere.

The biggest issue for us is the connection between deprivation and underachievement in Scotland. Comparing one school with another will not necessarily work. Even within each school there will be quite a spectrum. Individuals' backgrounds, and the level of poverty in which they live, dictates their level of achievement. This country still has an unacceptable level of child poverty. Lessons have to be learned.

11:00

One of the countries that we are particularly interested in is Finland, which has later start dates. As Ken Macintosh will know, the previous Education Committee considered early years, and there was a visit to Finland. What is striking in that country is the socialisation of the youngsters. Although they do not start formal schooling until later, they are engaged in active, structured early years education. The socialisation aspect, and the free school meals policy, are partly to do with behavioural issues and interaction. That is another aspect of small class sizes: behaviour, socialisation and time and attention for learning.

What emerged when we met our Finnish colleagues from the OECD last week was that one of the strengths of the Finnish system is people's resilience to deal with adversity. A problem that we have in Scotland is that we must not only tackle the root causes of poverty but build up family resilience, and the resilience of children to cope with adverse situations. In a country in which there are addiction problems, which have at their root issues of self-esteem, early education—whether it is in schools, as it is here, or in early years, as it is in Finland—is important for developing the individual resilience in children that equips them for later life. That is a strong lesson that we can learn that can help to build attainment. A lot of that is not about the content of the curriculum, but about seeing the child as a whole in developmental terms, which is one of the reasons we want to pursue the early years education qualification. We think that there are lessons there—there are lessons across the piece.

Sometimes we need a centralist system and sometimes we need a decentralist system.

Whereas the Finns said to us, "You have only 32 local authorities," many people here say that we have a lot of local authorities. Finland, which is performing at the top of all these international rankings, has 400—it has a very decentralist system. On the other hand there is New Zealand, which we spoke to last week. It has a centralist system; its minister for schools deals with each and every school.

I caution against comparisons. Although comparisons can be made, both countries are delivering well. Obviously, this is secondary assessment by and large, and we have to be careful. Our policy is very much on the issue of class sizes in the early years, while the EIS is looking across the piece. However, it is interesting that we cannot just lift one system and say, for example, that because Finland is decentralised we should always be decentralised; New Zealand is sitting there with a very centralised system. Lessons can be learned, but we have to analyse the situation closely.

**Aileen Campbell:** Unfortunately, Scotland has shocking levels of deprivation. Another unfortunate trait seems to be the lack of confidence and self-esteem to which the cabinet secretary referred. Will the early intervention package impact on the low self-esteem and lack of confidence in Scottish children, which has been well documented, for example in Carol Craig's "The Scots' Crisis of Confidence"? Will the early intervention package help rectify that and reverse it, and ensure that Scottish children have a good impact on the Scottish economy in future?

**Fiona Hyslop:** I am not sure I want to comment on Carol Craig's analysis, but the early years class-size reduction is part of a wider package of early intervention across justice, health and so on. The Government's health inequalities task force is drawing on all those different elements to help support children and families from an early age. Support for vulnerable families is important in the outcomes and indicators in the concordat. Local government is keen to progress that as well. The early years strategy will be co-owned by national Government and local government. It will be jointly produced with COSLA, which shows that it is not just a top-down approach: "here's a policy, go and deliver it."

Early years support and family resilience do not become issues simply when children go into P1; as any nursery nurse or teacher will tell you, they can emerge even when children start nursery at three. We recognise that we have probably not been that effective in providing support from zero to three, so part of our approach will involve helping with family support and individual support for children.

Of course, everyone might want access to such services, but we still have to find a way of

targeting those who are in need. That will form part of the development of the early years strategy. I realise that I am straying a bit from the petition, but I suspect that the committee will return to this issue later on.

**Ken Macintosh (Eastwood) (Lab):** I gather from your earlier comments to the convener that you will monitor the policy with annual census returns that will provide an average figure for Scotland and local authorities and, on a bi-yearly basis, with figures provided by local authorities.

With regard to the figures provided by local authorities, will you set a target or a milestone for the level that class size reductions must have reached by the next six-monthly meeting?

**Fiona Hyslop:** We will want to ensure that we have commonly agreed ways of monitoring through the biannual reviews with local government. I would like to give you a more definitive answer, but I cannot do so at this stage because I do not want to speak for local authorities that I have yet to reach an agreement with. In January, we will meet boards in North Lanarkshire, Aberdeenshire, East Renfrewshire and Falkirk to tease out particular issues, and part of the discussion will centre on what we can reasonably ask of them.

Setting milestones is a good way of describing what we want to do. After all, the danger of setting national targets that do not allow for pragmatic flexibility is that people might disrupt classes to ensure that targets are met. That might be a step too far, and I am not prepared for it to happen. Setting milestones will form part of the discussion with local government about delivery.

**Ken Macintosh:** As is obvious, you need to account for the money that you give local government. As far as the milestones are concerned, will you share that information and those figures with the committee and Parliament?

**Fiona Hyslop:** We will find a way of providing Parliament with updated information. The single outcome agreement will certainly be monitored for progress, but we will have to discuss how that will be reported. Indeed, the committee might want to express its views on the matter. The question is whether we report on progress with individual items in the concordat or progress with the whole thing. After all, there are elements of the concordat, such as free personal care, that the committee might not be interested in but that are part and parcel of the whole provision.

The important issue is finding a way of reporting regularly on the outcomes and indicators. We must be accountable to Parliament on the progress of the whole concordat but, as I have said, we need to decide whether we report on individual items or on the whole thing. I feel that it

makes sense to report on the progress of the whole concordat, but the relevant committee—I suspect that it will be the Local Government and Communities Committee—might want to discuss how the feedback on progress will be delivered.

**Ken Macintosh:** I appreciate that you have not yet reached the agreements, but at the moment you cannot guarantee that you can provide us with any figures at any stage—or at least you have suggested that any individual agreement on class sizes must be seen in the context of the whole concordat, which means that there must be flexibility. None of that assures us that we will be able to monitor progress. Indeed, towards what, exactly, are you measuring progress? We thought that the Government had set a target of reducing class sizes to 18 by 2011, but that no longer appears to be the target. What is the 2011 target that you are aiming for?

**Fiona Hyslop:** Local government will achieve year-on-year progress on class size reduction for P1 to P3 as quickly as possible.

**Ken Macintosh:** So there is no figure. The figure of 18 is meaningless because there is no target for 2011—it could be 20, 16 or anything.

**Fiona Hyslop:** We know that only 11 per cent of children are in classes of 18. Perhaps we should reflect on the way in which the previous Government provided information about its class size reduction targets. As members know, the only way in which Parliament could assess progress was through the annual class census figures, despite the fact that there were repeated requests for the Government to provide more information on progress.

We will do better than what happened previously, when the Parliament had to rely on the annual class census figures. I am suggesting that we might measure progress over the whole of the concordat rather than clog up the committee's time not only with the 12 commitments that are specified in the concordat but, as important, the outcomes and indicators that are as much a part of the concordat. There will be an improvement on the previous Government's reporting on class size reduction targets, but until I have had discussions with local government on the single outcome agreements, I will not be able to specify what they will be.

**Ken Macintosh:** In that case, will you set milestones using the census figures? Will you set an average figure by which to measure progress across the whole of Scotland? If 11 per cent of children are in classes of 18 now, will you set a milestone for each year—of 25 per cent, 50 per cent and 75 per cent?

**Fiona Hyslop:** Our discussions with COSLA are conducted on a joint basis, and I do not want to

give the committee information that prejudices discussions that I will have with COSLA or with individual local authorities.

**Ken Macintosh:** If you are going to make a judgment every year of what is acceptable and what is unacceptable, why not set in advance a figure—even a rough figure, which can be a milestone rather than a fixed target—that you think would be acceptable?

**Fiona Hyslop:** It is interesting that you are asking me to do something that was not asked of the previous Government. We know that the previous Government did not meet its targets for class size reduction. We accept that there were difficulties and challenges for P1, but even in S1 and S2, 37 per cent of children were in classes of more than 20 for maths and 21 per cent were in classes of more than 20 for English.

I accept that there are challenges in class size reductions. Many permutations have to be dealt with, such as pupil-teacher demographics. It is unfair to ask me to provide more accountability for our class size reductions than the previous Government did for its class size reductions, although I understand your desire to do so. If I am saying that I will provide more information than the previous Government did—albeit that I am not specifying what that might be at this stage—that is progress on where we were with the previous Government on its class size reduction accountability.

**Ken Macintosh:** That is debatable. The Government is using resources to prioritise the reduction of class sizes. The committee's job is to scrutinise that policy, yet we have very little to go on. Rather than return to the issue—it is clear that you cannot give us figures—I will ask a quick question about flexibility.

You say that the previous Executive failed to meet its targets in S1 and S2 by as much as 37 per cent, but I understand that the figure is nothing like that. The previous Executive allowed flexibility to certain head teachers and schools in the implementation of the policy, and you are including in your figure all the schools that took advantage of that flexibility. Only about 15 per cent of schools did not meet the class size target—not 37 per cent, which includes the schools that took advantage of the flexibility.

Flexibility is an interesting word to bandy about. I want to ask specifically about flexibility in primary schools. Will primary schools be able to multi-teach classes? Is that the sort of flexibility you will allow primary schools so that they can meet their class size targets? In other words, would a class with two teachers and 36 pupils meet the class size target?



11:15

**Fiona Hyslop:** The evidence that we are looking at relates to classes—they should be reduced as a whole. Some local authorities have already achieved the proposals for class sizes that were set out by the previous Government by having more than one teacher for a larger class. It is up to local authorities to approach us if they think that that is an issue, and if they wish either to start to do that or to continue to do that.

A case can be made that the issue concerns the teacher pupil ratio rather than the size of the class. That is a genuine point. In relation to parts of Glasgow or Renfrewshire—correct me if I am wrong—I have had representations on the matter from MSPs, and I know that some local authorities go by that ratio. We should consider whether there are any merits in that—if that is how councils want to progress—but my preference is for class sizes as a whole to be reduced.

**Ken Macintosh:** I can understand that, but this is an important matter: to make progress, local authorities need such decisions to be made. Will you take that decision? I will give you an example. There is a brand new school in East Renfrewshire, Mearns primary school, which was built under the public-private partnership. The classrooms are long and rectangular, with a window at one end. Most buildings can be adapted, but the classrooms in the building that houses that primary school cannot be divided into two, otherwise one new room would lose a window. The obvious solution in that case would be to have two teachers for a class of 36. That would be the practical solution. As that was a PPP project, it would not be possible to—

**Rob Gibson:** Oh well.

**Aileen Campbell:** Oh well.

**Ken Macintosh:** At least it is a brand-new school, built under our Government—unlike under this new Government.

I suggest that having two teachers would be a practical solution. Would you be able to make agreements on a case-by-case basis? Can you say now that such a solution would be acceptable?

**Fiona Hyslop:** Ken Macintosh makes an important point. The variability of classroom build and the constraints of some PPP contracts mean that there are some restrictions. I reassure him that we are still building schools and approving them for building. He will be pleased that the Government is continuing to build schools.

**Ken Macintosh:** Which new schools has the Government announced are being built?

**Fiona Hyslop:** If you speak to Mary Mulligan, you will know that we recently gave approval to

Armadale academy in West Lothian, as well as Deans community high school.

**Mary Mulligan:** By PPP.

**Fiona Hyslop:** Exactly—we continue to have to—

**Mary Mulligan:** Despite having—

**The Convener:** Perhaps we are deviating from the subject of the petition. It is likely that the committee will want to consider the school building programme and how the Government has measured up on its commitment to match the previous Government brick by brick. However, this is not the time or place for that.

Mr Macintosh may continue.

**Ken Macintosh:** Is multiteaching okay?

**Fiona Hyslop:** You make an important point. It will be more challenging for schools under PPP contracts to get flexibility for new build. I suspect that we will get representations on that from some local authorities. You are right to suggest that some new schools have more flexibility because they are open plan or because the classroom configuration or the walls can be altered.

There are some constraints, particularly with older, Victorian schools, where such changes will be more challenging. If councils wish to make representations, we will need to listen to them. I would much prefer things to be done on a class-size-reduction basis, but we should listen to any representations for case-by-case provision, which you suggest some councils might have to make.

I have not had any such representations yet but, from what you are saying, I suspect that we may well receive them. It is a matter of common sense and flexibility. The most important point is that this is not about what is in the best interests of the council or the school to administer; it is about what will deliver the best results for the child. That is where the points about minimum disruption and common sense come in. This is a complex matter and you are right to raise it.

**Christina McKelvie (Central Scotland) (SNP):** I would like to take us back to the petition. You have referred to benefits such as

“more time spent with the teacher ... higher pupil attainment ... better pupil motivation ... improved pupil behaviour”,

which are mentioned in the petition.

Given that we live in a country whose adult literacy and numeracy rates are shameful, how do you see the benefits of reducing class sizes—there are obviously more than those recorded by the EIS—impacting on future years of young people if we start having smaller class sizes now?

**Fiona Hyslop:** I recognise that the petition refers to reductions in S1 and S2 maths and English classes. My understanding is that the previous Government introduced that policy because of particular concerns about literacy and numeracy at that stage. However, we also have to recognise that we must improve literacy levels at an earlier stage.

The progress in international reading literacy study, which was published in recent weeks, shows that Scotland has moved down the literacy level rankings for nine-year-olds in recent years. It shows clearly that if we improve literacy and numeracy at an earlier stage, we provide a platform for learning in later life. Learning is always more difficult not just in secondary school but in later life.

Adult literacy and numeracy is one of the issues that we have to address as a country and the skills strategy plays a part in trying to address it. The intention behind reducing class sizes in the early years is to make more time for teaching the basics of literacy and numeracy. That is why our early years provision and class size reduction are as much a part of our skills strategy as some of the more traditional aspects of skills. Many people in the business sector have recognised that we are finally ensuring that literacy and numeracy are embedded in skills and schools as part of the skills strategy, which is not just about what happens post school.

Learning to read and write at an early stage and doing so successfully is important, but so is how—rather than just when—you learn. I return to the example of Finland, where children do not go to school and learn to read formally until they are seven, but then grasp those skills quickly and successfully. There is a lesson for us to learn when Finland tops the international league tables for literacy at age nine although children do not start school until seven. What teachers do in that period is very important. I know that the Liberal Democrats would like children to start school at a later date.

Scotland is strong in many aspects of early years education—play-based learning is clearly one of our strengths. The previous Government tried to bring more play-based learning into P1 because what we do in the early years is important. That is why we want to advance an early years care and development teaching degree and put a spotlight on all the different aspects of what is taught during those foundation early years. It is clear that if enough time and attention is spent getting the basics right, we will not have to take remedial action at a later stage. Being held back at an early stage is really difficult.

Additional support for learning needs are also relevant in this context. One of the reasons we

want there to be nursery teachers in nurseries is that they can identify such needs early. Although nursery nurses and other nursery staff are effective in identifying additional support needs, in the context of the previous Government's Hall 4 agreement under which some children do not see a professional of any kind between zero and three, it is quite often not until nursery that issues are identified. That is why all aspects in early years have to be looked at. If more time and attention is given to children in the early years, we can identify additional support for learning needs. I suspect that the challenges of dyslexia and other aspects of learning can be more readily identified and supported in smaller classes than in larger ones.

**Christina McKelvie:** I agree with that. My background is in training. I dealt with people with dyslexia who had been through the whole education system without their dyslexia ever being picked up. If we have an early years strategy that identifies people with additional support for learning needs from nursery, they will not experience such challenges when they reach adult life.

I want to change tack slightly, although I am still with the petition. The EIS raised initial concerns about the robustness of the single outcome agreements. How would you reassure the EIS about robustness?

**Fiona Hyslop:** The single outcome agreements are still to be signed with local authorities. The issue is how to assure accountability for the robustness of the agreements. It is a new way of doing things, so we will not know until we have those agreements how successful they are. The issue is how we can predict progress on them.

In discussions with COSLA nationally and with officials at local level, I have found that there is enthusiasm for making the policy work. There is a strong case for allowing local government flexibility. The alternative to the concordat is to have a national centralised education system, which the EIS would not favour. If the arrangement works, there is a prize to be gained. If it does not, there is a serious consequence. As I have already said, the outcome indicators are as important as the other specified manifesto commitments in the concordat. Those indicators are robust and are embedded in HM Inspectorate of Education reports.

Although we want to simplify regulation and inspection, we support HMIE inspections strongly. It will be important to shape the content of inspections following the Crerar review. If EIS and others want the system to be robust, they will have the opportunity to make representations on the issue, as strengthening the content of what HMIE reports on will be part and parcel of how we ensure that we are delivering in our schools.

Reports can be made to this committee and to others.

The annual reports of local government will become increasingly important in ensuring that there is accountability. They will provide this committee and the Local Government and Communities Committee with another opportunity to assess progress in implementing the concordat. Perhaps as a result of the concordat, Parliament will devote more time and attention to each council's annual report.

**Christina McKelvie:** Thank you for your robust answer.

**Elizabeth Smith (Mid Scotland and Fife) (Con):** In your response to Rob Gibson, you argued that there is still a debate to be had about how far down we take local authorities' accountability and about whether headteachers should be responsible for some decision making or whether there should be national guidelines. If that debate is still to be had—I agree that it is—can you explain why you think that in primaries 1 to 3 there must be a flagship national policy to reduce class sizes to 18 or fewer, whereas you say specifically in your manifesto that decisions about class sizes for later years should be made by headteachers?

**Fiona Hyslop:** I take that view because the international educational evidence on reducing class sizes is strongest for the early years. The recent progress in international reading literacy study—PIRLS—showed that this country has slipped down the international league table for literacy at age nine. It is clear that poverty has a major impact on education and that it is easier to address issues relating to poverty and background in the early years than to wait until their consequences have been reinforced. We are making a clear decision to shape and guide where the reduction in class sizes takes place. We will do that by means of the concordat and single outcome agreements with each local authority. That is the area that we want to emphasise.

The EIS's policy applies across primary and secondary education. In our view, there is potential for more flexibility in later years. We are trying to make a significant change that will affect a large number of children. I can be accused of being either too loose or too prescriptive with local authorities. We have had to strike a balance. We think that the balance in the concordat is correct, as it allows a degree of local flexibility but provides for the level and degree of change that we must achieve. We are gaining leverage to bring about change, rather than making a permanent decision about where the balance between headteachers and local authorities should lie.

**Elizabeth Smith:** One of the interesting findings of last week's OECD report is that an attainment

gap opens up "about Primary 5". I understand from your manifesto that you will allow headteachers to have more autonomy on class sizes at that point. If the objective is to provide good educational opportunities for our pupils that will lead to successful outcomes, why do you feel that headteachers should be the ones to decide on class sizes for the age group that presents Scotland with, perhaps, its biggest challenge, given that you feel that class sizes for younger years should be set nationally, albeit with a little bit of flexibility within a local authority area?

11:30

**Fiona Hyslop:** The point in the OECD report about primary 5 being the time when divergence is evidenced is well made. In discussions with the team that conducted the two-week analysis of our education system, I explored the question of the best point of intervention to address the gap that develops in primary 5. I spent most of a day debating issues with the team, and they agreed that people's backgrounds are more of a determinant and that intervention in the early years of the sort that we had in mind would have an impact on the divergence in primary 5. The idea is to tackle the divergence before it happens rather than after it has commenced. Earlier, I talked about individual resilience. If that can be embedded in young people at an early age, attainment levels should not start to diverge.

The issue is complex and it would be worth exploring it, and the points that were raised in the OECD report, with educational experts. Different people could take differing views on the best time to intervene in order to prevent the divergence from occurring.

**Elizabeth Smith:** Would you accept that there is a little difficulty in getting across the concept that good educational decisions in a school are sometimes best made at a national level and sometimes, when they concern another age group, best made by headteachers? One of the most interesting things in the education world at the moment is that some of our greatest successes are happening in places such as Clackmannanshire and West Dunbartonshire, which—rather than concentrating on class sizes—are employing interesting and innovative teaching methods. That strikes me as benefiting the national outcomes more than the Government's class size policy.

Your analogy about Finland is interesting not only because children do not start school there until they are seven years old, which would solve a lot of your primary 1 and primary 2 problems, but because of the remarkable success that they achieve by the age of nine.

Would you accept that some of the issues to which I am referring are paramount in relation to educational achievements? Further, do you agree that the greater the flexibility in the system—which I would argue would be achieved by giving headteachers more control—the greater the chance we have of solving some of the challenges that have been highlighted by you and in the OECD report?

**The Convener:** Before you answer, minister, I would like to ask members of the committee to show the cabinet secretary and myself some respect. We are supposed to be listening to the questions and the answers, not conducting our own private discussions at the side.

**Fiona Hyslop:** Of course the issue is about more than class sizes. It is also about quality of teaching and leadership in schools. It is also about continuing professional development for teachers, so they can learn about best practice elsewhere. All those issues are part of the mix in improving educational attainment.

I want to progress the leadership agenda, in order to support and develop headteachers' capabilities, and the CPD agenda, which is part of the general teachers agreement. There are challenges about how we do that. How centralised or localised do we want CPD to be? Do we want it to have a national flavour or should each teacher develop their own approach to CPD, as is currently the case? My understanding is that, in many schools, headteachers do not have the opportunity to decide what an individual teacher's CPD might be. I believe that the issue of that balance was raised as part of the reviews of the McCrone agreement by HMIE and your predecessor committee.

As a country, we want to move forward in relation to certain agendas, such as literacy. Should we, therefore, have nationally specified CPD in relation to literacy, should we allow absolute autonomy down to the level of the individual by allowing teachers to determine their own CPD or should we enable a headteacher to make CPD plans for each teacher in order to help that school act on certain agendas? Those are important questions in relation to flexibility. The petitioners might have a view on the question of what should be dictated nationally and what should be delivered locally.

I acknowledge what you said about West Dunbartonshire's approach. A range of interesting issues arises in that regard. Homework links with parents represent a critical area for early intervention.

We can agree that the early years are critical in creating foundations for learning, that class sizes are important—all parties agree on that broad

point, although they might disagree on the exact levels—and that leadership, CPD and best practice are also important. The fact that 25,000 new teachers are coming into the profession, all open to new ideas and different ways of working, presents us with an opportunity. The new curriculum for excellence provides us with opportunities to act on the salutary lesson that we have learned from the international league tables, which show that our position has fallen. Trying to change that situation is very much part and parcel of what we are trying to do.

**Elizabeth Smith:** I do not disagree with that, but I feel that there is a strong inconsistency in the policy, which tries to achieve some of those laudable aims through a specific flagship policy, which is extremely centralised—even if it gives local authorities a little bit of flexibility—given that some of the educational practice that is working best in this country is being delivered in areas in which there has been quite a lot of local autonomy and decisions have been taken with the interests and needs of the local community in mind. I feel that we will get closer to meeting the challenges that we face if we pursue the idea of devolving responsibility. As I say, I think that there is some inconsistency around the Government's approach to guiding educational policy in relation to different year groups.

**Fiona Hyslop:** You are right to suggest that we are trying to strike a balance. We have not inherited a perfect world, in that there were already inconsistencies in the system. However, I would point out that the extension of your position, which would involve providing complete local autonomy for every school and having policies determined by the headteacher, would result in inconsistencies not just across the country but within towns and communities. You cannot have it both ways. If your argument is for consistency, you cannot have local autonomy.

That is a genuine debate, and it relates to what is in the OECD report. I hope that we will have the opportunity to discuss the OECD report in Parliament and to tease out the issues. It would be valuable to have a discussion of what a Scottish view of education would be. However, we are not starting from year zero. We are operating in a world in which the previous Government made progress, which I recognise, and we have to deal with the situation in which we find ourselves. However, every year makes a difference to a child, because the opportunities in each year are there to be won or lost. We have a responsibility to develop education in Scotland over the piece and make an impact that will benefit children as we progress. That is a challenge for any Government.

**Jeremy Purvis:** I want to ask about some of the mechanics of delivering your policy in relation to

teachers and the points that the petitioners made. I understand that the scheme of salaries and conditions of service, as agreed by the Joint Negotiating Committee for Teaching Staff in School Education, set out what the normal maximum for class sizes would be. As you know, in primary schools, the normal maximum is 33. Are you proposing any changes to the scheme of salaries and conditions of service for teachers?

**Fiona Hyslop:** I will ask my officials to address that point.

**Donald Henderson (Scottish Government Schools Directorate):** The contracts are trilaterally negotiated under arrangements involving the Scottish Government, local government and teachers. Any negotiations would be pursued through that means. It is worth noting that the upper maximum is never used. It is treated as an utter exception, rather than something that is seen meaningfully in schools across the country. It is worth noting that the class size maxima in the 1999 regulations, which were introduced in schools in 2000, were not enshrined in contracts. The negotiations that followed the McCrone report did not lead to tripartite agreement on including class size reductions in contracts—the matter was left in legislation. More recently, the reductions to 25 in P1 and 20 in S1 and S2 maths and English were made through departmental circular. Different approaches can be taken to the issue, but on neither of the two most recent occasions when there have been class size reductions has there been a change to contracts.

**Fiona Hyslop:** Are those comments helpful?

**Jeremy Purvis:** Up to a point, but you did not answer the question. Are you proposing any changes in the new round?

**Fiona Hyslop:** No. However, I flagged up a potential issue relating to the current statutory limit of 25. It is reasonable for us to keep a watching brief on that.

**Jeremy Purvis:** Is the matter not being negotiated now?

**Fiona Hyslop:** It has been agreed. The pay negotiations for the next three-year settlement were concluded last Friday.

**Jeremy Purvis:** So there has been no change to the previous contractual conditions.

**Michael Kellet (Scottish Government Schools Directorate):** The issue was not covered in the negotiations that concluded last Friday, which related to the three-year pay deal.

**Jeremy Purvis:** I am interested in the issue. Elizabeth Smith asked about the Government's position, which is to make class size reductions in

P1 to P3 a national priority but to allow headteachers flexibility in the remaining years. That stated policy is different from the policy of the previous Administration, which permitted flexibility across the board in primary and secondary education. The Government's stated policy is that there will be no discretion in primaries 1 to 3, but that is not reflected in contractual changes. Is that correct?

**Fiona Hyslop:** Yes. We would be happy to provide detailed information in writing.

**Jeremy Purvis:** The confirmation that there is no change from the position under the previous Government is clear and helpful.

My last question relates to the final report of the class sizes staffing and resources working group, which was published in July 2007 and informed your position. Paragraph 39 of the report states that all local authorities

"have internal procedures and processes in relation to allocating staffing and structuring classes",

based on class size policies. The report also indicates that no education authority

"has developed an internal policy in relation to class sizes".

Is the Government asking local authorities to change their internal procedures and processes for allocating staffing and structuring classes?

**Fiona Hyslop:** That is a matter for local authorities to decide. However, in the series of meetings that we will have with education authorities in January, we will examine whether there is best practice for the process of allocation and planning that can be shared with all authorities.

**Jeremy Purvis:** My question was whether the Government has asked for changes to procedures and processes relating to staffing allocation and structuring classes to be made in order to meet the primary 1 to 3 target that the Government has set.

**Fiona Hyslop:** It is up to local authorities to determine local staffing standards. We have discussed the balance between national direction and local autonomy. This is a matter for each council to decide.

**Jeremy Purvis:** So the Government has not asked for changes to be made.

**Fiona Hyslop:** We have not, because it is for local authorities to decide how they will deliver and what their internal processes should be. We are not asking them to change those processes, but we will encourage them to share best practice to support delivery of what has been agreed in the concordat.

**The Convener:** That concludes our questioning and the public part of the meeting. I thank the cabinet secretary for her attendance. The public gallery will be cleared so that we can move into private session.

11:45

*Meeting continued in private until 13:21.*

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