The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EDUCATION AND CULTURE COMMITTEE

Tuesday 15 November 2011

Session 4

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EDUCATION AND CULTURE COMMITTEE
11th Meeting 2011, Session 4

CONVENER

*Stewart Maxwell (West Scotland) (SNP)

DEPUTY CONVENER

*Claire Baker (Mid Scotland and Fife) (Lab)

COMMITTEE MEMBERS

Clare Adamson (Central Scotland) (SNP)
*Marco Biagi (Edinburgh Central) (SNP)
*Jenny Marra (North East Scotland) (Lab)
*Joan McAlpine (South Scotland) (SNP)
*Liam McArthur (Orkney Islands) (LD)
*Liz Smith (Mid Scotland and Fife) (Con)
*Jean Urquhart (Highlands and Islands) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

George Adam (Paisley) (SNP)
Susan Quinn (Educational Institute of Scotland)
Malcolm Schaffer (Scottish Children's Reporter Administration)
Norma Wright (Education Scotland)

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 6

Scottish Parliament

Education and Culture Committee

Tuesday 15 November 2011

[The Convener *opened the meeting at 10:00*]

Decision on Taking Business in Private

The Convener (Stewart Maxwell): Good morning. I welcome everybody to the 11th meeting of the Education and Culture Committee in session 4. I remind members that all mobile phones and electronic devices should be switched off at all times because they interfere with the sound system. We have received apologies from Clare Adamson, who is unable to be here. I expect George Adam, the committee substitute, to be here shortly.

The first item of business is consideration of whether to take item 3 in private. Item 3 is consideration of our approach to scrutiny of the National Library of Scotland Bill. Are members content to take that item in private?

Members *indicated agreement.*

The Convener: Item 4 will also be taken in private, as agreed at a previous meeting.

Educational Attainment of Looked-after Children

10:01

The Convener: For agenda item 2, we have before us Malcolm Schaffer, the head of practice and policy at the Scottish Children's Reporter Administration; Susan Quinn, the vice-president of the Educational Institute of Scotland; and Norma Wright, Her Majesty's assistant chief inspector at Education Scotland. I am sorry, but I have not quite got used to the new name yet. This is an evidence session for our inquiry into the educational attainment of looked-after children. Good morning and welcome, and thank you very much for taking the time to come along and give us the benefit of your expertise.

We will go straight to questions, if that is all right.

Liam McArthur (Orkney Islands) (LD): Good morning. I apologise for the fact that I will have to absent myself at half past 10, as I have to attend a meeting of the Scottish Parliamentary Corporate Body. I hope to be back later in the meeting.

I am not sure whether the witnesses have been able to read the evidence that we received last week. Under questioning, it emerged that there are concerns about the extent to which the additional support for learning legislation cuts across the getting it right for every child approach and works against the objectives of GIRFEC in certain areas by lending bias more towards parental rights—the rights of pushy parents, for want of a better expression—than towards the rights of looked-after children. Do you have any comments to make on that or on the evidence that we received last week?

Norma Wright (Education Scotland): I have heard that argument, but our evidence shows that the two are not contrary to each other. In the past two years, we have been looking at the impact of the Education (Additional Support for Learning) (Scotland) Act 2004 and have taken into that strand of thinking consideration of where GIRFEC sits with it. I do not think that they are at odds. The current work that is looking at GIRFEC and is helping to raise the GIRFEC agenda reveals that—for whatever reason; we are not quite sure why—although the GIRFEC approach has been welcomed, used and developed well in some local authorities, it has not taken hold in others. It is recognised at strategic level by middle managers and heads of schools, but it is not reaching down to operational level where, especially in the case of looked-after young people, relationships are key. Staff at that level who work with the young

people day to day do not understand it. Also, there has been a clear response to the 2004 act.

On the view that the ASL legislation favours pushy parents, the legislation clearly extended support for young people who experience a range of barriers and it highlighted looked-after children in that regard. The way in which the Education (Additional Support for Learning) (Scotland) Act 2009 amendments to the 2004 act are beginning to take hold has upped the ante. There might be a feeling abroad that GIRFEC and the ASL legislation are at odds with each other, but I believe that the situation on the ground is quite the opposite. GIRFEC is as it was intended to be: it is the root pin, if you like, on which everything else can be built. It is not at odds with the legislation and they should support each other if they are implemented properly. We looked specifically at how that operated and found that the two working hand in hand had the biggest impact for young people who are looked after and accommodated.

Susan Quinn (Educational Institute of Scotland): The two policies should not work against each other. The problem with the pushy-parents argument is that when policy becomes practice there is often a settling-in period when individuals look to what they need and where they can be supported. Norma Wright is correct that the two policies should be able to play out together. The difficulty for GIRFEC processes and practices is that there is no commonality of approach across the country, as there is for the ASL legislation. Local authorities have clearly had to engage with the legislation because of its nature, whereas it has taken longer for some local authorities to implement GIRFEC. Perhaps that is where there have been some difficulties.

Liam McArthur: Is the lack of commonality just a natural response because different individuals will come to different conclusions, perhaps affected by local circumstances, about how to implement GIRFEC? Is it, on the other hand, a serious problem that we need to address to get greater consistency in how GIRFEC is applied?

Malcolm Schaffer (Scottish Children's Reporter Administration): I concur that there must be greater consistency. We are a small country, but we are not good at learning from one another. For example, a number of developments, such as children's plans, operate in different ways throughout Scotland. We need to consider what is best practice and we need to take that forward. We need to recognise that GIRFEC has achieved a number of successes in some areas by moving towards a more integrated assessment of children and getting agencies to recognise that they should work collectively for children rather than work just in their own spheres of activity. However, the gains in many areas are not as substantial as we would have wanted them to be at this stage.

Liam McArthur: Norma Wright talked about the lack of statutory underpinning for GIRFEC, as opposed to ASL. Does that need to be addressed as part of the proposed children's services bill that we will consider? ASL has statutory underpinning, but is it being implemented consistently across the country?

Norma Wright: The ASL legislation is being implemented more consistently now, but there is still a way to go with regard to the latest amendments, which are very much to do with looked-after young people. The requirement is that it should be assumed that they should have a co-ordinated support plan, but that is still not being implemented as rigorously as it could be. Some authorities have moved quite clearly towards doing so, but others are taking their time to consider the implications. The legislation states that authorities must make that presumption: that it is acceptable not to have provided individuals with CSPs as long as they can explain that it is because they have deemed that the individual does not need one. That is still a dodgy area at the moment.

On what is happening with GIRFEC, obviously the policy team at Victoria Quay is involved in a significant programme of engagement with professionals. As I am sure members are aware, that process is being rolled out just now. There was a kind of lull in GIRFEC because of all the various developments that were happening, which meant that it came a wee bit further down the agenda. It has been raised up the agenda again, because lots of hard work is happening in the system to bring the issues to light. There is still the old chestnut about the different agencies working together. We have to push that one hard, because it is clear that when health, education and social work work well together, we see the difference. It is a tremendous task especially, as one would expect, in some of our bigger cities and in places where the health board is not coterminous with the other agencies and might cross three or four local authorities.

It is a complex issue, but there is hope because of what is now happening around GIRFEC and around raising awareness of it. People are again getting to grips with it, so over the next while we could see improvements and headway being made.

Liam McArthur: On educational attainment, we have been made aware of the depressing figures, particularly for looked-after children at home. Looking across ASL, GIRFEC and curriculum for excellence, what improvements and advances might we expect to see over the coming years in the educational attainment of looked-after children?

Susan Quinn: It is hard to tell. The difficulty is that those things exist separately but have to work together, much as the agencies who deal with looked-after children have to work together. You must consider the resource implications of those issues in local authorities. They seek to do their best to implement the ASL legislation and, within that, they consider how best to support young people and meet their requirements. Alongside that, they must look at the changing face of the curriculum and how it will work.

One difficulty from the EIS's point of view is that we see differences for young people who are looked after at home. There are difficulties on top of that for local authorities that have a number of children who are looked after outwith their authority area, because that has a resource implication and detracts from what the local authority can do for children who remain in education within that authority.

Processes are being introduced within GIRFEC and under the ASL legislation. Many people are going back to GIRFEC to see what can be done to support existing provision and whether aspects of it can be used in profiling and reporting for curriculum for excellence. People are trying very hard to bring all the aspects together so that there is co-ordination across the work.

However, as Norma Wright has highlighted, where you see the best improvements for the young people concerned is not so much where the education policies in themselves are working, because where the education policies—curriculum for excellence, the ASL acts and GIRFEC—are working, those will benefit all children, be they looked after or not. For looked-after children, it is the implications of all the agencies working together that produces improvements. Even when policy is best put into practice in curriculum for excellence and by others in education departments, if social work and health do not work well together for children who are looked after at home, the best work that is going on in schools and other educational establishments is often lost to them, because it is not only what happens in the hours when the children are at school that impacts on their attainment.

10:15

Norma Wright: We are very good at reacting: we have GIRFEC and the Education (Additional Support for Learning) (Scotland) Act 2004—GIRFEC, with its health and wellbeing indicators, and the act that has brought in staged intervention. We are getting better when things start to go wrong, but we could still be a lot better at preventing such things from happening. That is where early intervention and real support for parents at the early stages come into play. It is shown by our evidence and in the worldwide evidence that young kids being engaged and involved at this stage causes the biggest impact on attainment. The complexity for us is obviously that the young people who are looked after and accommodated have gone through significant traumas, significant interrupted learning and all the rest. You therefore have a huge mountain to climb in ensuring that those young people are re-engaged.

Curriculum for excellence clearly provides a way of doing that, through what it stands for and how it should be available and adapted to suit all young people. However, we come back again to resourcing and to having buildings that are fit for purpose and which can allow those things to happen or—if such buildings are not there—to having the goodwill across schools, colleges, local business and so on to facilitate that curriculum. There are two very different things there: getting in at the very beginning; and knowing how to support and push the attainment of young people who have already had significant blips and gaps and who are very difficult to re-engage in the learning process.

Liam McArthur: I have a brief final question. You have reiterated messages that we heard loud and clear last week about the need for greater collaboration and greater ownership of the widest possible agenda. I am conscious that there could be GIRFEC plans, statutory care plans, individual education plans and so on. Is there a case for trying to simplify the system in order to ensure ownership among the various agencies that have role?

Susan Quinn: Absolutely—the plans themselves are not what help the young people. What is written in the plan is only as good as its implementation: if people are spending time writing plans, they are not spending that time working with the young people. The difficulty in lots of schools is that teachers are spending time with principal teachers, deputy heads or even headteachers drafting plans for young people when they should be working with them in the classrooms. There are so many different plans—you have a particular plan for education, then you get a call to put in a report, so a different document leads to that report, and then there is another one again for another aspect—and every minute that is spent duplicating paperwork in the form of a plan or a report could be better spent working with the young people.

Liz Smith (Mid Scotland and Fife) (Con): Norma Wright raised the importance of relationships in giving children confidence and the ability to understand what is happening in terms of their progress. How well do local authorities use support staff in that process? Is there a general

feeling that it is improving in all 32 local authorities, or are there some that have very much better practice than others?

Norma Wright: It varies. The people who are in the schools, who work directly with young people, are always the most important factor. In every local authority in Scotland, the directorates—the people at the strategic level—demonstrate great commitment to improving things for looked-after young people and endorsing and putting in place the right structures in schools. The practice, however, is still not as it ought to be.

Scotland has a very good history of schools that have a very strong ethos and very good guidance systems, especially in secondary education with its large numbers of young people. For some young people, particularly those who have had no stability and are seeking to connect with someone, that can be a real issue. Although there are very good practitioners in schools who are responsible for such connections, that kind of approach is not happening enough—or not happening well enough. Young people need someone who they feel cares for them in school. It seems quite simple, but such a vital element can get lost; indeed, I see that happening time after time. From my work with young people in residential schools and secure services, I have seen what can happen when significant people are missing from people's lives and they have no one else to turn to.

Liz Smith: Is that a training issue?

Norma Wright: It is absolutely a training issue. Sometimes we have to step back and think about the number of changes that have been made in Scottish education over the past 10 years. Many of them have been good and, when we get to where we are supposed to be going, we will be in a great place.

However, we forget that people have to deal with the changes day and daily. Every teacher who goes into the world of education should know that the vital thing is to concentrate on young people, have a feel for their situation and know that if the young person does not feel safe, secure and cared for they will not be able to learn. The danger is that we get hung up on the processes and insist on having someone with some title or other in place. The same can be said of the plans. We need—dare I use this cliché?—to go back to basics, and to think about the young person, who they are, what they need, how well we know them and whether we in our schools have a feel for whether they know that they can come to us or others.

Liz Smith: That is a very interesting point. If we accept that philosophy—with which, I add, I entirely agree—we also need to accept that there will need to be more individual elements in our schools. After all, it should be up to schools to decide how best they can support their youngsters. Do you sometimes feel that, in ensuring that support staff can help, you have to deal with too many procedures and too much red tape and that it would be better to leave such matters slightly more to individual schools?

Norma Wright: The multiple plans get in the way. Indeed, as Susan Quinn pointed out, people have to spend an awful lot of time on paperwork and other surrounding matters, which inevitably shuts down the time for meeting young people and so on. Interestingly, despite the importance that is given to setting aside time for meeting directly and ensuring contact with a young person, that can be the first thing to go when you are under the cosh of having to deliver a plan for this, that or the other.

As I have said, Scotland had a very solid guidance—and, in primary education, pastoral—system. Speaking of primary schools, I believe that such smaller establishments can have much better knowledge of young people and family situations and can be much more alert to what is happening outwith school. The challenge arises more in the big secondary schools although, in them, there can be a person at senior level with that responsibility.

However, the reality is that throughout the day the young person in question connects with many different teachers, so we need systems that are robust enough to ensure that people can pick up issues with them and feed them back. Instead of simply reacting when things go wrong, we should be more proactive. A lot of the time schools tend to wait until something goes pear-shaped when they should be investing in meeting young people regularly and making them feel good about themselves.

Liz Smith: How might we use the huge resource in the voluntary sector and the skills of its many willing volunteers?

Norma Wright: There is a lot of scope for doing that. There are great examples of volunteers taking young people to work with them or involving them in activities such as team building and so on.

I am talking about activity that gives the young person a sense of themselves, that builds their self-esteem and which makes them feel well enough or resilient enough to go back into situations that had previously been too challenging for them. I have seen lots of examples in which organisations such as Fairbridge and the Prince's Trust have done such work. I think that there is scope to get them to interact with school clusters and to work in an even more personal way, on a small group level.

We should maintain more regular involvement. We have been very good at setting up projects that have had a significant impact on young people's lives. When they go on such a project, it works for a wee while, but when so many things are happening in their life, things can get difficult for them again. Lots of young people could do with more regular involvement, and I think that there is tremendous scope for more such work. There is a lot of expertise in the voluntary sector that we do not tap into enough.

George Adam (Paisley) (SNP): I would like to ask about designated senior managers. I think that it was Claire Burns who said that their role was pivotal to improving the educational attainment of looked-after children, but that they needed to take on a greater role. In its submission, the EIS said that designated senior managers often have far too much on their plate as it is. How important are DSMs to achieving educational improvements for looked-after children? Can you give evidence on whether the 2008 core tasks guidance has been followed?

Susan Quinn: It is our evidence that the difficulty for designated senior managers is that they have many, many roles. That goes for any aspect of their job. One of the difficulties across the piece is that there are child protection co-ordinators, staff development co-ordinators, heads of year, principal teachers in curriculum and a range of other roles. It goes without saying that the more items an individual has to deal with, the less time they can give to each of them.

The impact that an individual has on attainment will depend on the establishment. Norma Wright talked about the difference between small establishments and larger ones. In a larger establishment, the impact of a DSM is to do with their capacity to lead the team in taking forward attainment. In a smaller establishment, they may well be directly involved in front-line work with the young people in question, and it can be problematic if they are called away from that front-line task.

For example, when a principal teacher in a small primary school is next in line to the headteacher, they may well have a specific support for learning role that is targeted directly at children who are looked after so that they can achieve all that they can in that establishment. The difficulty for that person is that if something comes up and the headteacher is not available to deal with it, because they are second in line, the direct teaching is the thing that goes because the emergency situation has to be dealt with.

The number of job titles or aspects to their remit that a person has can impact on the raising of attainment in the school for a range of reasons. That is to do with the policies in the school and how those are taken forward.

I want to return to Liz Smith's point about support staff in schools. The designated senior manager has a role not just in leading the teaching staff in their job on raising attainment, but in being part of a team that directs the support staff. If they do not lead the support staff in the school, they have to have the capacity to say to the person who does that, "We need to direct the support staff in this particular area." That is a real difficulty for establishments now that everyone is being pulled in all sorts of directions.

When we first had classroom assistants, as they were called at the time, they had clearly defined roles. Some had specific remits relating to young people with additional support needs and others were there to support other aspects of the school and classroom practice. Those roles have now merged and there are fewer such staff in many places, which means that their time is being pulled and stretched. The issue is about how individual schools can manage that, given their situation and the constraints. Unfortunately, sometimes, in the morning, somebody is off sick, a parent arrives who requires attention or a young person is in a vulnerable position, so someone has to be taken away from the work that they would normally do. All that has an impact on the efforts to raise attainment.

In large and small secondaries, the role of the person who is specifically responsible for raising attainment often involves tracking young people's progress through the school and with qualifications. In a primary school, the approach might well be the conversations that a headteacher has with individual staff on the progress of all young people and of those who have additional support needs of any nature, whether or not as a result of being looked after.

10:30

Norma Wright: To return to Liz Smith's point about whether there are enough support staff, the issue is not just about people in the school; it is about the designated manager. We really want the designated manager to be a facilitator. They need to know who the right people are and then contact them to ensure that they play their part for the young person and meet their needs as and when they arise. I mean "needs" in the widest sense. A child might just need someone to take them out for a wee while because there is nothing happening at night, and someone who works in community learning can tie into that. Sometimes in education, we use jargon or slap a title on. Previously, the head of guidance or guidance teacher would have been the one who was clear about the pastoral

role and the requirement to address young people's needs.

Having a designated manager should not just be about ticking boxes, which I think is the point that Susan Quinn made. Sometimes, there is a tendency to tick a box and say, "Yes, we've got that in the school." The designated manager must be the person who pushes everybody else's buttons to ensure that everyone in the establishment, irrespective of how big or small it is, does their job. However, the issue is not just about the role of the designated manager. Their role is to ensure that everyone else is getting it right for the young person.

The idea is good, but we need to join the dots again in some places. We have talked about the additional support for learning legislation, GIRFEC and designated managers. The role is to help people who work in the field daily to join the dots again. We have all these good initiatives and pieces of legislation. However, at times, they come thick and fast and people jump to address one thing, but do not join the dots sufficiently and do not always keep the young person at the centre.

Superb work is being done. When the system works well, there is someone who pushes the right buttons and who hounds the social worker, and really effective health professionals who work with looked-after and accommodated children come in to provide support. When all that happens, we can see the difference that it makes to a young person's life. The potential is there and the system works in some places, but we could all do more to join the dots and remind people about how everything sits together.

George Adam: I agree that leadership needs to be shown with regard to social work and health services. If we get those together, that can be the silver bullet that is constantly talked about. Would I be making things more difficult or worse for you, bearing in mind what you have said, if I asked whether the 2008 guidance needs to be revised, or would I be giving you more hoops to jump through on the chalkface?

Norma Wright: You mean the remit that is set out for the designated managers?

George Adam: Yes—in 2008.

Norma Wright: I will give my personal view, if I may. That point is interesting, because I went back and revisited the guidance and I thought that the way that it is set out is quite daunting. There were umpteen bullet points that state "You will ... You will ... You will"; interestingly, not one of those statements says that you should, primarily, know that young person and know who they are. They just set out all those processes. That is perhaps a bit harsh, but it is the responsibility of us all—policy people and people in education—to help join the dots.

I would not want there to be yet another raft of measures, but perhaps the guidance could be simplified or repacked in the context of GIRFEC—I want to keep punting that one, because a lot has been done to try to raise that profile. That is important, because at the heart of all this is the whole notion of everyone working together and ensuring that the young person is at the centre and everybody is working around them, which is both key and crucial. If you asked people to go back and look at their role as a designated manager, they would probably go, "Oh, not me."

Jean Urquhart (Highlands and Islands) (SNP): My question is about the teacher's contribution to the care planning. Often, we have heard that it is a social work problem or somebody else's problem. There were a couple of points running through my mind as I listened to Norma Wright's answer, and to George Adam; one of those points was about the pretty horrendous exclusions—I think that we are talking mostly about secondary schools—that I feel are a huge issue. With exclusions, nobody is paying attention; they are not there. I would like to hear what you think about that. What hope is there of trying to correct that situation? If we look at the achievement or attainment of looked-after children, we can see that their chances are a great deal less if they are not in the establishment. What is the extent to which teachers are involved in that care planning and how do you see that role? You have already answered that question, to a certain extent.

Norma Wright: I will let Susan Quinn answer the question about the teacher's involvement in care planning.

Susan Quinn: Again, that takes me back to my personal experience. In my experience and according to what I have heard when I have spoken to colleagues, there is often very limited input from the education side into care plans for young people. Potentially, members of the education staff will regularly attend review meetings and so on and that, sadly, will generally be the extent of their involvement in the care plan. There will be an additional support plan in the school and that is where we return to the need for organisations to talk to each other a bit more. You are absolutely right that they do not connect enough to each other at the moment.

Often, the difficulty is the capacity to be involved in the care plan beyond what is said in a review meeting for a young person, as well as the basis on which the meetings are held. Part of the difficulty can be the timing of such meetings and whether someone from education is there. I know that the review meetings for a number of my

young people take place in mid-July or August, simply because of the time at which they entered the review process. I do not see those review meetings because they do not come to me until that point and that case would be replicated for young people across the country, so the input into the care plan, like much of all this, is patchy.

The situation depends on the timings, the establishment's relationship with social work colleagues who are involved and the processes that the local authority has put in place for social work and education to talk to each other in those ways. Young people in the establishments will have their additional support plans in relation to education. Quite often it is about how we get social work and education to talk to each other.

Jean Urquhart: I just want to understand the process. We are talking about joining the dots. A primary school teacher might be the first person in the chain, but any one of the agencies—for want of a better word—might identify the problem first; it might not be the primary school teacher or the secondary school teacher. If it is not the teacher but police or social work that identifies the problem, what is the process for the teacher in relation to the care package? At what point would the teacher know about that?

Susan Quinn: That would depend on the senior management in the teacher's school. The information would go to the headteacher at some stage, perhaps via a phone call from social work. In the worst examples, you might receive a request for a report on something that had happened either during a holiday period or over a weekend that was not fed back into the school on the Monday. It would then be down to the designated person within the school to share information with the class teacher and work with them. Again, that would depend very much on the processes in the individual establishment and individual local authority for working around the legislation and taking forward work on additional support needs.

Jean Urquhart: I remember taking part in a training workshop about a common form that would pass between any of the agencies simultaneously. Does that happen?

Norma Wright: Some authorities have that, but not all do.

Susan Quinn: It is there for some, but it is not quite fully formed in others.

Norma Wright: The different agencies' information technology systems have to be compatible to allow that to happen.

Susan Quinn: The integrated assessment framework was supposed to bring things together. I have been to that training, too.

Jean Urquhart: It was really impressive.

Susan Quinn: It was. The theory was that education would use its system to produce what it would normally produce, social work would do something similar and the computers would sook the pieces together. Unfortunately, the computer part has let it down. That is not to say that the other systems—

Jean Urquhart: Does it work?

Susan Quinn: Yes, there are—

Norma Wright: Glasgow tried it, but you can imagine the size and scale of the task there.

Susan Quinn: It is to do with the technology.

Norma Wright: It would be right to include health, too. It is all to do with effective technology systems, but they cost a fortune—think about the investment that has already gone in with different systems that do not all talk to one another. That is a major issue. You can imagine how much simpler it would be if you could go on to the system, do your bit, press a button and see all the information in front of you. It is all about communication. Perhaps that would happen in a world where money was falling from the sky. It is a big challenge.

Susan Quinn: It is not just about interagency communication; sometimes interauthority communication within education is hard. If a young person comes to you from a different authority that is not part of the same data management set-up, it can be quite some time before you receive the paper documents on that young person. Someone could arrive on your doorstep on the Monday morning, having moved into the area. Headteachers will pick up the phone and talk to each other, but, as far as the data systems are concerned, even within education—and, I am guessing, within social work—it is problematic that you cannot just get such information straight away. It can be some considerable time before you get the full package of information.

A phone conversation that confirms that the young person is on the child protection register or has been involved in something is one thing, but to get the whole history a month later through the post is entirely different. Some of the hugest gaps form in the move between schools. Dare I say it, these are often the families that move around.

10:45

Jean Urquhart: Is that one of the reasons why teachers think that care plans are a social work issue? What would overcome that? What would you have to do?

Norma Wright: There is no general feeling that they are a social work issue or an education issue.

Social work obviously has key ownership of care plans, but I do not think that anyone regards them as lying purely at the door of social work.

There are good systems in place but, sometimes, we need to think about the fact that—to return to the point that George Adam made—training cannot be a one-off and we must invest in it. Staff—whether education, social work or other staff—move, so we need to ensure that training is what it ought to be.

I will pick up on the question about exclusions. They are significant, and we have not yet cracked that issue. My experience, even over the past few months, leads me to be concerned that the most vulnerable of young people find themselves being put out of school. When they are out of school, there is still an issue with what quality of learning they receive or whether they receive any learning at all. Far too many young people still miss out on education because they find themselves excluded and the authority does not have the capacity to meet the need.

On some occasions, authorities are called to account when they have the idea that, because certain children are Christmas leavers and it is October, it will be okay as long as they keep below the radar and do not appear before the children's panel. That is not good enough and we still need to do much more about that message. We hope that, with the continuing implementation of the curriculum for excellence and the push on moving forward with skills for life and skills for work, there will be an improvement. However, we are going round in a circle. It takes us back to the question of why the young person was excluded. What are all the steps that were gone through? Who allowed it to happen? That is still a big challenge.

The Convener: Mr Schaffer said in his written submission that the attendance of teachers at hearings was patchy and that one reason might be timing if the hearings are held in July or August. I ask him to expand on his reason for putting that in the submission. Beyond timing, what is the problem?

Malcolm Schaffer: In many schools, the problem is the capacity to release a member of staff. When I say that attendance is patchy, I cannot even say that it is patchy between authorities; it is almost patchy between schools.

The attendance of a teacher is often highly significant in a children's hearing. A children's hearing exists to consider the whole child—care, health, behaviour and education—and having somebody from the school present focuses it. Teachers have made hugely significant contributions as hearings decided measures of supervision, which are their core decision. Teachers help hearings to consider the contribution that each service can make, so that it is not a case of simply handing over the child to social work but a matter of considering what contribution the school can make to the package of supervision or care.

Equally, a good school report can make a difference. I sympathise with Susan Quinn's problem with the number of reports that have to be filled in, but a report from a school or a report with an educational component that outlines the school's identification of the problem and what it can do to solve that is crucial to helping the hearing's understanding and decision making.

As for looking ahead, we try to plan around July and August, whenever possible. We should not ignore the fact that a number of teachers are very good at coming in during the summer vacation, but perhaps we need to be more adventurous by using videoconferencing, for instance. If a school representative cannot come to a hearing, can we at least bring in a teacher for a small part of a hearing through videoconferencing? That might also reduce the number of adults who are present in the room, which can be an issue in the hearings system. When bringing somebody to a hearing is impractical, videoconferencing might provide a way around that.

We need to have continued dialogue with schools to maximise their contribution at children's hearings and thereby ensure that hearings make the right decisions and know that the right support is available.

The Convener: That approach is eminently sensible and the videoconferencing idea is interesting.

A teacher's presence at a hearing is not a legal requirement. If a teacher is not present, do hearings always get an educational report?

Malcolm Schaffer: We get such a report in the vast majority of cases, but I cannot say that it happens in every case. If a children's hearing does not feel that it has enough information on education, it must consider whether to continue the case for that information and to make a special point of trying to bring a teacher to a further hearing. If a hearing identifies that as particularly important, it will continue a case.

Joan McAlpine (South Scotland) (SNP): I will ask a supplementary question on Susan Quinn's point about speedy access to all the information. There is a huge amount of information, but it is not co-ordinated. Is that a data protection issue? In this day and age, getting the information all in one place should be simple.

Susan Quinn: I do not know whether the issue involves data protection. As Norma Wright said, most local authorities have different computer

systems, which have different capacities. In education services, a significant majority, although not all, use SEEMiS Group software for data management. If the entire SEEMiS package is used, it passes information quickly within education services.

There are two sides to the issue: the technology's capacity and the management systems that local authority departments use to manage their data. One difficulty in making the integrated assessment framework happen was that education services use SEEMiS whereas social work services use SharePoint, and the two systems do not talk to each other. Health services also have their own systems.

Rightly or wrongly, different local authority departments have different data management systems. I suppose that that is the free market. Lots of people present things and say, "This will do what you want it to do." A system might do what education wants it to do for education but, unfortunately, it might not do what the reporter system wants it to do.

I do not know whether the issue involves data protection. It is to do with how technologies were set up. Every local authority has had the capacity to set up its own data management systems. Although there is a shift within many local authorities to corporate data management, in the past each department has had the capacity to create its own data management systems. Unfortunately, they do not talk to each other all the time.

Joan McAlpine: In an ideal world, if all departments had the same data management systems, there would be nothing to stop you sharing information and moving it speedily from place to place. There are no confidentiality issues or rules to stop you sharing. It is entirely a technical problem.

Norma Wright: Yes, although sharing health information would still be an issue.

Susan Quinn: Social work can access aspects of SEEMiS. During holiday periods, when someone is not immediately available in the school, social work can access those local authorities that use SEEMiS to gain information such as attendance records. They probably cannot access everything that is there, but they can access aspects of it that they require for immediate work.

Jenny Marra (North East Scotland) (Lab): Malcolm Schaffer talked about the attendance of teachers at hearings, which I am sure is critical for many reasons. However, I am thinking about the resource issue in schools. In my city, Dundee, we have 707 looked-after children. We have 49 primary and secondary schools in the local authority. A quick calculation gives an average of approximately 14 looked-after children in every school. Obviously, in some schools the figure will be a lot higher than in others. Given the care that you have been describing and the resource implication—burden is probably the wrong word—for the teaching staff, does the mainstream system have sufficient resources to meet the needs of looked-after children?

Susan Quinn: No. It probably did not have sufficient resources prior to the current cuts either. Although the resources are perhaps there at times, one of the difficulties is how staff are allocated to schools. It is about how the staffing formula in schools can be adapted to the needs of the area. In some local authorities, staffing formulas will take account of different factors to establish whether a school should have additional staff because it has a higher number of children who are looked after or who have additional support needs and so by their nature require more time and input from the school than other children do. For some local authorities, the number of looked-after children is not one of the factors.

The EIS would argue that there are not sufficient resources in any mainstream establishment to do the things that we are being asked to do. However, directly in relation to looked-after children, part of the issue is to do with whether the number of looked-after children is a factor when allocating staff to a school.

In the city I work in, there will be some schools where the headteacher or designated person could be out at a meeting certainly weekly, if not daily. I go through periods when I am never out of Bell Street in Glasgow. That is just the cycle of the meetings and the nature of my establishment. It will be the same for others. Other establishments will not have the same demand on them but will have the same staffing formula applied to them.

The issue is whether a local authority uses looked-after children as part of the staffing formula. Many local authorities use free school meal entitlement as part of the staffing formula, but looked-after children are not necessarily entitled to a free school meal. Some authorities are beginning to use the index of multiple deprivation as part of the staffing formula. Alongside that, there is the issue of what formula they use to allocate senior management to schools and whether, within that formula, there is an allocation of time that takes that person out of the generic staffing formula. In many places, there is a core staff on top of which there is the entitlement to a headteacher and two principal teachers. However, those two principal teachers are class teachers and their only management time will be when the headteacher covers for them.

11:00

Jenny Marra: You are talking about resource and money implications, but I am also interested in the structure of mainstream education. Is that meeting the needs of looked-after children?

Norma Wright: It could. In fact, we would want it to—absolutely. It meets the needs of some, but it could be a whole lot better.

On the point about teachers attending panels, a simple thing that could be done is raising awareness of the importance of the children's panel and the importance of the education service being represented there. Many class teachers do not really know what happens at a panel. They may write the report, but they will not go to the hearing. It is the same in some schools with headteachers, depending on where they are. Children's panels may not always be given the priority that they could and perhaps would be given if people understood much more clearly their importance and the key role that education has to play.

Someone said earlier that it is social work's cause. No. Sometimes, when a case shifts away from education and gets to the point that young people are appearing before a panel, education might sit back. However, if we just did a wee bit of training—something quite simple to raise awareness of the importance of children's panels and what they seek to do for young people—we might get a much better buy-in.

The Convener: Joan McAlpine wants to ask about training issues, as you have touched on them.

Joan McAlpine: Yes. In a previous evidence session, Claire Burns from the centre of excellence for looked-after children in Scotland raised the issue of teachers being confident that they are up to speed on the issues of attachment and the emotional traumas that affect looked-after children. What do you think about the training provision? I know that a lot of material has been issued, but has that material been getting to teachers and is it consistent? Are teachers properly trained in those areas?

Susan Quinn: It depends on local circumstances. Whether there will be training in those areas across the school depends on whether they have been included in a school's improvement plan. For individual teachers, it depends on whether they have identified in their professional review process that they want such training. It also depends on whether a local authority places a key emphasis on those areas.

There was a big drive through the positive parenting programme, which looked at aspects of parenting—not attachment in particular. That was rolled out and many people were involved in the training, but that was not necessarily followed up, which is often the challenge with training. A lot more could be done in relation to that; the issue is how it can be done alongside the training that individuals receive in aspects of curriculum development. There is also the work that is being done through nurture classes in schools. In many schools, some key staff are being trained in those areas, who are going to have a specific role to play within the school. Good practice can get rolled out to other parts of the school through peer work and so on, but the situation is patchy.

Norma Wright: The introduction of nurture classes and indeed the whole notion of nurturing gave rise to a whole raft of training on attachment theory, which is still around. Susan Quinn is right to suggest that it all depends on the priorities that have been set. Nevertheless, there is a lot of scope here and authorities across Scotland are, where possible, putting these things in place. There is also a lot of scope for us to join things up and push such approaches in the development of health and wellbeing in curriculum for excellence.

Malcolm Schaffer: CELCIS can also play a real role in rolling out attachment theory training not just to education but to other agencies. The multi-agency approach enables a better sharing of culture and learning and, for children's panel members and reporters, this is a core area in allowing us to examine our decision making and interventions, both of which impact on the future of children.

Joan McAlpine: You are all talking about continuous professional development. Will the Donaldson review of teacher training make any difference to new teachers?

Norma Wright: I certainly hope so. The potential is there. The review has been taken seriously and good inroads are already being made into that issue.

Susan Quinn: It might well depend on the review of different teacher qualifications. Such aspects can be included in teacher training, but it depends on where the focus lies. I agree that the scope exists for that to happen.

Claire Baker (Mid Scotland and Fife) (Lab): My question is on support for parents of looked-after children. As we know, the 9,000 looked-after children who are looked after at home have the lowest figures for educational attainment. I realise that that is not the only way of measuring success but nevertheless it is that group that causes the greatest concern.

According to the evidence that we have received, children in that group often fall through the cracks and do not attract the same intensity of social work support. As Norma Wright pointed out

earlier, we are good at reacting to situations but not so good at preventing them and perhaps these children require a more preventative approach and closer working. Have teachers noticed any difference between working with children who are looked after by their parents at home and working with children in other looked-after situations? What strategies do schools use to cope with such differences or to engage with the parents in question?

Susan Quinn: Again, it all depends on the local authority and the area. Colleagues throughout the country have highlighted rafts of very good practice as well as indicating areas where more needs to be done.

Classroom teachers tend to see improvements in children who are looked after away from home because, with those children, there is a real focus on activities such as homework and so on that the school encourages to happen outwith school hours. For those who remain in the home, it all depends on the reasons why they are being looked after. After all, there is a range of reasons why a young person might be looked after at home. In some cases, the parents might be very engaged in the education process but there might be other aspects of their lives that give rise to particular barriers.

Some local authorities have used the triple P programme, which I mentioned earlier, to engage parents in the process and to help schools to support parents in their parenting. Indeed, schools across the country are involved in a range of projects and activities to work with parents and encourage them to come into schools, while other projects, such as the parents in partnership programme, concentrate on aspects of parenting. Such projects have different names across the country; each project is set up at different points and looks at different things.

Schools try to engage with parents in all sorts of different ways and often find that those whom they most need to see are the hardest to reach. All they can do is continue to look at how they can involve the parents. Often, that means schools getting parents in in informal ways and then having a chat at the end of the coffee morning or whatever about their youngster. Even then, there is no guarantee that they will become involved. The parents' agreement to engage more with school should be included in the work that is done when children become classed as looked after as far as their care plans are concerned. Parents often do not engage with schools because they did not like going to school themselves—or did not go to school themselves—so they have an innate fear of going back into the building itself, as if, somehow, they are the one who is going to get the row. Schools therefore look at all sorts of creative ways of trying to engage with parents. I am sure that, given her experiences out and about, Norma Wright will have seen some really creative practices, but one size does not fit all; it just does not work that way.

Claire Baker: We also recognised last week that this is not just an education issue but that social work does not work at the same level of intensity with those children as happens with other children. I do not know whether there is a capacity issue as well. We heard last week that what was missing in many cases was more to do with home workers and the level of support that they provide, which might make a difference. Does Malcolm Schaffer want to say anything about the children's reporter system and whether there is any evidence from the children's hearings system that such support makes a difference? Is it lacking, and is that leading to some of the more serious situations?

Malcolm Schaffer: It is absolutely right to highlight that when the system impacts it makes a difference. I completely agree with Susan Quinn that one cannot overestimate the impact of a parent's own experience of schooling in that regard. The children's hearing itself can enable some discussion around not only what supports are available to the child, but, in consequence, what supports are available to the parent, what practical steps can be taken and who else can be involved.

I heard Fred McBride's evidence last week on how a supervision requirement is not necessarily about one social worker who sees a child once or twice a week, for example. A good supervision requirement can involve a social worker co-ordinating a range of help, and a lot of that help can come from unqualified assistants who can offer real, practical support to families. Where that support is available and it works, it makes a difference.

Marco Biagi (Edinburgh Central) (SNP): There has been a lot of talk about variation, and we are used to local and national variation. However, from your descriptions, you are talking about the operational level as well—schools varying from one another in the delivery of a range of services. While local discretion is seen as a good thing, there is also patchiness, which is seen as a bad thing. Is there scope for greater central standardisation or direction? Are there some areas that should be taken to a national level and harmonised? If so, what are they and who would be responsible for overseeing that standardisation?

Norma Wright: What do you mean by "standardisation"?

Marco Biagi: Let me give an example. You have highlighted variations in involvement in training and care planning. To put it broadly, I am looking for your suggestions on any areas that need to be rendered to a national standard—areas that are perhaps not being delivered in that way right now. If everything is working with local discretion now, clearly the answer is that there is nothing to suggest. However, it seems to me that a consistent theme has been patchiness, which no one welcomes.

11:15

Norma Wright: I think that you must put the issue in context. As I said, there has been a lot of significant change in Scottish education over the past 10 years. On a positive note, there have also been a lot of reports and guidance on looked-after and accommodated children. A lot of that is really good, but the situation remains the same and so do the ideas about changing it. I think that rather than being about producing something else, this is about rationalisation—I liked your word "harmonisation"—and it goes back to what I said about joining the dots.

The whole question is about how we communicate. We need to try to reach a much more holistic view of the young person and present it to the professionals in a way that shows what has gone on over the past year, what is working now and what we need to see more of. It is a big ask, but somebody needs to sit down and map things together. That is what is wrong out there. Everything that we have talked about today is individually really good, well thought through and would make a big difference, but it all comes in bits and pieces. We do not need to produce yet another thing; we should simply pull together what there is and repackage it with a very clear message for now. That can be done and I think it would be an awful lot easier than trying to reinvent a wheel that is already rolling.

Marco Biagi: Who should lead such an exercise? Education Scotland?

Norma Wright: There is a question. I am sure that we could, but I think that it would be very important that the approach was not seen to be led by one organisation. It would be really good if we could package it as a joint approach, because the minute you slap Education Scotland or another title from social work or wherever on something, the various agencies sit back and think, "Well, that must be for them to do." Although someone must lead, that could all be brought together. It is important that we all work together and have a joint voice. The people who are trying to deliver this work would greatly welcome that. Susan Quinn must feel that way.

Susan Quinn: Absolutely. We have talked about that recently in relation to other aspects of what is happening in education. Everybody is having a go at different parts and, depending on who is leading in their area, people will have gone further in some aspects than in others. What Norma Wright is describing would allow local authorities and individual establishments to identify the areas in which they are successful, those in which certain levels have been achieved and those in which they still have to bring themselves up. Some will have taken GIRFEC to a really high level but might need to do more on aspects of the legislation or on health and wellbeing within the curriculum for excellence. Some will have done part of that work, but not another part. At the moment, people are sitting with all the different factors set out separately, and they do not necessarily see what they still have to do. Sometimes, that is what people need to see.

I do not think that you need to add another layer. The things that we have, when they are considered individually, suggest good practice and ways that we can make a difference to all our young people as well as to those who are most vulnerable. Sometimes, however, it is hard to pick out the bits that we must still take forward, because we think that something new will come over the horizon any minute now and that we have not quite got there with what we have. We must manage to bring together the areas of work we have now, without introducing anything new. Norma Wright is right: particularly in this area, we need something that does not simply look at the role of education.

We agree that the best outcomes around raising the achievement and attainment of young people who are looked after are gained in situations in which everyone works well together to support the family, so everyone needs to agree with that approach. People should not think, "I've got too much to do, so someone else will do it for me."

Marco Biagi: Clearly, you are describing a leadership and partnership approach rather than expressing a view that there should be new, heavy-handed legislation. On the local authorities that are not implementing GIRFEC to the greatest extent or which are lagging behind on good practice or on any of the areas that have been outlined, who is responsible for monitoring and for applying the stick as well as offering the carrot? That role does not seem to exist at the moment. Do you think that it should, or is it a case of just trying to bring everyone up to standard?

Norma Wright: I think that it exists already. That message is brought home clearly and regularly through the work that the inspectorate does when it goes out into schools. Further, the policy group and the GIRFEC team are working

together to support local authorities in their efforts to make progress.

There is a positive aspect to what is going on at the moment. The inquiry that the committee is undertaking is appreciated by people who work in the area, who welcome the attention that it brings to looked-after young people.

The issue has never disappeared from the horizon, and an awful lot of good work is going on. However, that is not good enough. We must not become complacent. We need to keep pushing the message, and the inspectorate's responsibility is to do that. In all our inspections, irrespective of the sector, questions are always asked about looked-after and accommodated young people, whether they are looked after at home or elsewhere. We ask the schools hard questions and if we do not get a good picture, we challenge the authority. I can say that with my hand on my heart, because I am involved in that process.

What you are talking about is happening. Susan Quinn was right to say that there have been many programmes and initiatives and that people have become very good at certain ones and have built up expertise in those areas. It is important to bring all of that together. People need to step back and be clear about the aspects that they need to get better at and focus on them. We must get that approach into everyone's improvement agenda and ensure that there are clear lines of accountability. The fact that the committee is asking challenging questions raises awareness of the fact that things are not good enough.

The Convener: I am cognisant of the time and of the need for us to move on to other agenda items so, on that positive—I hope—note, I thank the witnesses for attending this morning. The session has been helpful and informative.

Before we move on to item 3, which concerns the National Library of Scotland Bill, I believe that Marco Biagi has something that he would like to say.

Marco Biagi: I would like to draw members' attention to my entry in the register of members' interests. Under the current governance arrangements for the National Library of Scotland, the MSP for Edinburgh Central is on the board. The bill intends to change that, so I declare the interest at this point. I will, no doubt, declare it on many future occasions as we consider the bill.

The Convener: It is always best to get such things on the record. That is a wise move.

We will now move into private session to consider items 3 and 4.

11:23

Meeting continued in private until 13:19.

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