

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

Wednesday 28 May 2008

Session 3

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## EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

### 14<sup>th</sup> Meeting 2008, 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

Claire Baker (Mid Scotland and Fife) (Lab)  
Ted Brocklebank (Mid Scotland and Fife) (Con)  
Hugh O'Donnell (Central Scotland) (LD)  
Shirley-Anne Somerville (Lothians) (SNP)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Brian Cooklin (Headteachers Association of Scotland)  
Greg Dempster (Association of Headteachers and Deputies in Scotland)  
Murdo Maciver (Association of Directors of Education in Scotland)

#### CLERK TO THE COMMITTEE

Eugene Windsor

#### SENIOR ASSISTANT CLERK

Nick Hawthorne

#### ASSISTANT CLERK

Andrew Proudfoot

#### LOCATION

Committee Room 5



## Scottish Parliament

### Education, Lifelong Learning and Culture Committee

*Wednesday 28 May 2008*

[THE CONVENER *opened the meeting at 11:06*]

### Petition

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

**The Convener (Karen Whitefield):** I welcome members to the 14<sup>th</sup> meeting in 2008 of the Education, Lifelong Learning and Culture Committee. The first agenda item is consideration of petition PE1046, from the Educational Institute of Scotland, on class sizes. I am delighted to welcome Murdo Maciver, the convener of the resources committee of the Association of Directors of Education in Scotland; Brian Cooklin, the president of the Headteachers Association of Scotland; and Greg Dempster, the general secretary of the Association of Headteachers and Deputies in Scotland. I thank them for agreeing to attend and for the written evidence that they submitted in advance of the meeting, which is helpful.

I am keen that we ask as many questions as possible, so we will move straight to questions. What are the advantages of reducing class sizes to 20, as is proposed in the EIS petition, or even to 18, as the Government proposes?

**Murdo Maciver (Association of Directors of Education in Scotland):** Good morning all, and many thanks for your welcome, convener.

Professional experience and research indicate that smaller class sizes are a good thing. They enhance the prospects of better learning and more effective education, although they do not guarantee those outcomes. However, one should experience better classroom discipline, more individual attention and richer social interaction in the classroom among the youngsters and between the pupils and the teacher. There should be a more positive ethos, better motivation, more effective social development of the youngsters and, one would hope, more sustained educational progress by the pupils.

However, all the evidence suggests that to try to isolate one factor among a range is dangerous and can be misleading. It is therefore important to think of smaller class sizes as being one of several factors that create the conditions for more effective learning. Such conditions promote better learning to a greater extent at some stages than at others, but they do so throughout the educational process.

**Brian Cooklin (Headteachers Association of Scotland):** I thank the committee for the invitation to give evidence and answer your questions.

The advantages of reducing class sizes depend very much on the purpose of doing so. For example, if the purpose of class size reduction is to address individualised learning needs and personal learning planning, and to help implement the curriculum for excellence, it can only help. However, I agree with Murdo Maciver that, by itself, class size reduction is not a magic bullet, as was said in one of the written submissions: it is not the simple answer or a panacea.

Anecdotal evidence from the experience of reduced class sizes in English and maths is, however, pretty strong. In some cases, there have been dramatic reductions in discipline referrals and major reductions in low-level disruptive behaviour, although we are yet to find out whether that will be sustained: we must always be careful of making short-term judgments. Teachers and pupils may be responding to the new situation positively but, if it becomes the norm, it might become like the wallpaper or part of the furniture. Class size reduction may well offer an improvement in those areas, however.

That is why it is important that we understand the purpose of introducing the change. If the purpose is solely to seek to raise attainment, class size reduction will not achieve that by itself, although it should assist and should create circumstances in which attainment can improve. If class size reduction was the single element that worked, we would expect that schools that had small classes in the past would have had the best results, but there is no evidence that that is the case.

**Greg Dempster (Association of Headteachers and Deputies in Scotland):** I endorse absolutely everything that my colleagues have said. Our submission includes the quote—I am not sure where it was first said or who said it—that

“Until 8 you learn to read, after 8 you read to learn”.

That is why we support the reduction of class sizes, particularly in the early years. If we improve children's literacy skills, that opens the door to the rest of the curriculum. However, the evidence base does not exist to argue for a blanket reduction in class sizes covering all levels in school.

**The Convener:** In evidence last week, researchers from the University of Glasgow who have examined all the academic research on the subject suggested that, as people move through the school system, the benefits of smaller class sizes for educational attainment are diluted and may even be lost. The EIS is committed to class sizes of 20 in all levels in primary and secondary

schools, eventually. Is that the right direction of travel, or do headteachers and those who manage the service need more flexibility?

**Brian Cooklin:** As a headteacher, I naturally want more flexibility, because there are local situations and local needs. We must bear it in mind that we are talking about individual children. I am always wary of generalisations about what can apply and what will work across the board, because we need to know about the children and their needs, which can vary from one year to another.

Flexibility helps. With the English and maths class size reduction, some flexibility was offered. Teachers in some departments, particularly maths departments, decided to make use of that by having much smaller classes for pupils whom they had identified as having particularly severe learning needs, and larger classes for pupils that they felt could cope. Instead of having 20 pupils in all classes, there might be 24 in one and 15 or 16 in another. Such flexible arrangements help considerably.

In principle, we agree with the reduction in class sizes, because it has other advantages, as I have said. We ignore at our peril the socialisation aspect. Some children have difficulties with moving between different settings.

We have to bear it in mind that we could have a situation in which children in primary 1 to primary 3 are in classes of 18, after which they will move into classes of 30 and even, in some instances, 33, and then back to 20s and 30s at different stages of their learning. We should be wary of the impact that that has on children. We do not have any substantial research on that.

11:15

**Murdo Maciver:** Historically, the setting of class-size limits has been driven by the teachers' contract and workload, and only more recently by educational arguments. The limits nowadays lack consistency and rationale, and there are various contradictions and anomalies. As Brian Cooklin indicated, there are variations in the number of pupils, the stages and the definitions of subjects. In practical subjects such as English and maths, the limit is 20 in the early stages of secondary, and 30 and 33 elsewhere. Physical education and music have historically been considered not as practical subjects but as full classroom subjects, with the potential for a limit of 33. The regulatory basis of class size limits varies in guidelines and in policy aspirations. As Brian Cooklin said, in the context of individual needs, in the curriculum for excellence, in research and so on, there is a need for an overarching rationale and for class size limits to be reconsidered, bearing in mind issues such as resource implications.

**Greg Dempster:** I agree. There are big resource implications in considering a blanket reduction in class sizes. I agree with Brian Cooklin about the need for flexibility, so that teachers are faced by the most appropriate class size at a given time.

**The Convener:** We will come back to resources, so I will not stray into that line of questioning yet.

Last week, we heard from the EIS that the motivation for reducing class sizes is not just attainment, although that is important. It is also about ensuring that we have well-rounded individuals who benefit from our education services. We would all want that—it is the motivation for all our teachers who teach every day and it is the motivation behind the changes to the curriculum for excellence.

You have said that class size reduction is not the only way to improve attainment. If we want to ensure that we improve attainment in our schools and get well-rounded individuals, what alternatives are there? If resources are tight, what else should we be doing that would make a difference?

**Brian Cooklin:** It comes down to the quality of the relationship between the teacher and the pupil. Plenty of my teaching colleagues would say, "If I had 20, 30, 40 or 50 well-motivated and enthusiastic pupils, I could get results." In reality, that is not what we are faced with. In a mixed ability class in a school that draws from a catchment area that is fully comprehensive in its entitlement, there will be every range of interest, ability, concentration or whatever you want to call it. As a result, the teacher has the problem—or the challenge, depending on how you view it—of how to maintain interest and motivation, and of ensuring that children succeed and achieve their potential. Those things do not happen because of one policy objective or one decision; they happen because we create a framework or set of circumstances that allow children to thrive and to learn.

It might be better to focus on giving schools additional staff and allowing them the flexibility to deploy staff where they need them most. We want attainment to rise, and targeted help has been proven to work for children who are in difficulty or who are borderline cases. Rather than take a blanket approach, targeted help through good monitoring and tracking systems and a good mentoring system to support children, for example in the run-up to exams, are probably most effective in ensuring that they get the help they need.

The root of the issue is the quality of the relationship in the classroom. That relationship is enhanced by, for example, good quality training

and continuous professional development opportunities, and by the way in which the school is staffed and resourced. Local authorities have many imaginative projects in that regard and much is going on that is highly supportive and successful. It would be sensible for us to build on that.

All the evidence shows that early intervention in primary classes 1 to 3 is what makes the difference. Focusing on early intervention, and then supporting and sustaining the approach, not necessarily by a blanket class size reduction but through targeted support, is the best way to maintain and improve attainment.

**Murdo Maciver:** It is clear from reports from Her Majesty's Inspectorate of Education and from research that certain factors make for an effective school. I know from experience that some of the most crowded schools, which have classes that are full to the brim and cannot meet placing requests, are among the most successful at providing a learning experience and developing well-rounded youngsters.

I acknowledge many of the factors that Brian Cooklin mentioned. A benign learning environment is important and good quality school leadership is essential. One seldom reads about effective schools in which leadership has been rated by HMIE as weak. Other contributory factors include an ethos of high expectations, monitoring of youngsters' progress, teachers being competent in the classroom in a range of ways, an inclusive approach to fulfilling the potential of all youngsters and a curriculum that meets pupils' needs. It is perhaps particularly important to mobilise parental support. All those factors are important, in addition to staffing and resourcing.

**Greg Dempster:** I have nothing to add. I will have to answer more quickly next time.

**The Convener:** We will not force you to speak if someone else has said what you wanted to say.

**Mary Mulligan (Linlithgow) (Lab):** I will give Mr Dempster an opportunity to speak. You mentioned the importance of literacy. Is class size reduction the only way of improving standards of literacy?

**Greg Dempster:** No. Class size reduction is only one way of improving the quality of interaction between pupils and teachers. We might also do that by increasing the pupil to teacher ratio or by spreading effective practice around the country.

**Aileen Campbell (South of Scotland) (SNP):** You mentioned pupil interaction with teachers, but do smaller class sizes help pupils to interact with one another? Is being in a small class advantageous in that regard?

**Brian Cooklin:** That depends on the size and the composition of the class. The dynamics of a

class are important and how the teacher establishes and varies groups and settings affects interaction between pupils. I have to say that the interaction can be just as successful in a larger class, provided that the groups have been carefully constructed, which depends on the amount of information and knowledge the teacher has.

However, we return to the question why, ultimately, we are considering class sizes. We are trying to address the needs of the child. If a teacher knows the children particularly well, the interaction will be better within the groups and between the teacher and individual children. Obviously, the fewer pupils there are in the class, the better the teacher's chance of knowing the children well.

However, we must be careful because in small classes the teacher may not get successful groups established; that depends on the group of children. If a preponderance of children in a class has specific learning needs, putting them into a group, as sometimes happens, is not necessarily the most successful method. There must be balanced groupings so that children learn from each other. For example, the pupil who is intuitively a kinaesthetic learner who needs to visualise and build models can help children who have learning difficulties in that area. The issue is how groupings are organised, and the most telling factor in that is the composition of the class.

**Greg Dempster:** To add to that, my members have told me that classes can be too small as well as too large for effective relationships. I do not know well enough the research that was used for the digest to say whether any of it considered what the minimum effective class size is, but it would be useful to investigate that.

**Brian Cooklin:** As a codicil to that, the evidence from research in the secondary sector is that when class sizes drop much below 18, the benefit is cancelled out. The benefit comes only with a sizeable reduction. For example, if a class of 33 drops to 20, there will be a big benefit from an improvement in teaching and learning. However, if a class drops from 33 to 25, there is no substantial benefit. There is a sliding scale, according to research in the secondary sector.

**Murdo Maciver:** Grouping is probably important at a number of levels. My colleagues have dealt with classroom level. Perhaps there are similar issues at whole-school level. One worries occasionally about not only the economic viability of very small schools but their educational viability in terms of opportunities, interaction, social dynamics, role models, the competitive element and so on. Larger schools can offer that, but smaller schools perhaps find it difficult to do so.

**Rob Gibson (Highlands and Islands) (SNP):** I want to turn to the Scottish Government policy of committing to reduce class sizes to 18 pupils or fewer in primary 1 to 3. We know that the concordat has given local government an expectation that there would be a progressive reduction year on year, and that the single outcome agreements would, in some ways, govern that. Of course, the EIS said in its evidence that it does not think that single outcome agreements are necessarily the best way forward. I want to consider that further. From the panel's perspective, what progress is being made in development of single outcome agreements?

**Greg Dempster:** My understanding is that single outcome agreements should be available some time in the summer. However, as an association, we have not been asked for input into them.

**Rob Gibson:** Would you have expected to have had an input?

**Greg Dempster:** There is a difference between our association offering input to the outcome agreements and members at local level having input into what is happening in their own authorities—those are two different things. I hope that headteachers are being asked by local authorities about the implications of the class size reduction policy and how best to implement it. However, we have not been involved in that at national level.

**Murdo Maciver:** The ADES supports the concordat commitment to reduce class sizes, particularly in the early stages. We will also support the Convention of Scottish Local Authorities in monitoring progress on that. It is reasonable to benchmark progress not just on class sizes but on dedicated teacher input to the early stages. However, given the wide-ranging implications of the trend, it is vital that we go forward in a spirit of partnership. We must take due cognisance of the resource implications, of authorities' individual circumstances, of the direction in which they wish to go and of the educational issues that we have just talked about.

11:30

There is general agreement that smaller classes are better than large classes. I certainly would not want to go back to class sizes of 50 and 60, in which I remember teaching nearly 40 years ago. In principle, smaller classes are a good thing. We want to debate what is "small" and to have coherence, progression and continuity in planning the education experience for youngsters as they progress from P1 to the end of secondary school.

**Rob Gibson:** I hear what you say about the wider educational implications—I took that in from

your answers to the convener. I am particularly concerned about the outcome agreements, which are a part of the process. To what degree will councils be able to achieve year-on-year progress towards smaller classes? How acceptable to councils is making that a priority, as the Government has suggested?

**Murdo Maciver:** Evidence already shows that councils are considering the way forward. Authorities are moving in different directions. A very small number of authorities have made returns that show that they are now or will soon be in a position to implement fully the aspiration for classes of 18. Some authorities are considering their strategies and others are developing a phased approach to go from classes of perhaps 25 towards 18 over time. Other authorities are giving priority to areas of deprivation, which reflects their circumstances. There is evidence of mobilisation. Having benchmarked against the situation in 2007, one looks forward to changes this coming August and particularly in August next year.

**Brian Cooklin:** It is a bit early to judge the single outcome agreements. We must go through a period of adjustment, because the system is completely new. Local authorities have had to do much work in reaching single outcome agreements. They have talked with civil servants and with the Government. I understand that, as Greg Dempster said, the agreements should be agreed, finalised and issued in June.

Headteachers and people in the field have not had much involvement yet, but that is not surprising. Time is needed for the agreements to work through the system and for local authorities to understand clearly how they want to implement the objective.

Implementation will not affect our membership; our general concern is about resourcing. Several local authorities will have difficulty in implementing the changes and major practical issues must be addressed. That is our perennial concern. Our experience of the implementation of other policy objectives has been that a shortfall has traditionally existed on the ground, even though the principle has been agreed.

**Rob Gibson:** Questions will shortly be asked about resources.

**Brian Cooklin:** In that case, I will hold off.

**Rob Gibson:** Yes, please.

There is general agreement that it is too early to say whether the single outcome agreements, agreements involving the Scottish negotiating committee for teachers or regulations might be the best way forward.

What action do you expect the Government to take if year-on-year progress on class size reductions is not made?

**Brian Cooklin:** It might have to come up with more money. That depends on why agreement is not reached. I am sorry, but we cannot avoid discussing the resource implications because in some authority areas new schools were built prior to the announcement of the policy objective on class sizes, which means that the planned purpose of those buildings has changed. That has major ramifications.

There is a blind assumption that demographic change will allow the policy objective to be delivered. As we say in our submission, we understand that that is not the case in various parts of the country, where rolls are rising as a result of an influx of people, which might have been caused by a change in patterns of movement around the country or by immigration. All those factors present significant challenges for the schools and local authorities concerned. It is a bit naive to assume blithely that class size reductions will just happen in the absence of any understanding of the resources that are needed on the ground. If the single outcome agreement is not met in that regard, the Government will have to consider why that is the case. I suspect that the reason will be a lack of resources.

**Rob Gibson:** Do you agree that as we are talking about a national policy and a national education system, it is the Government's duty to ensure that resources are provided where they are needed most?

**Murdo Maciver:** The Government obviously has a duty to provide resources. Clearly, the more resources it provides, the better and the more effective the service will be. However, the concordat involves a partnership. If the perception existed at Government level that inadequate progress was being made towards reducing class sizes to 18, the approach should not simply be to insist that that target be met. As I said earlier, account would have to be taken of the individual circumstances of authorities. Given that we are talking about a policy aspiration, it is reasonable to expect some progress.

However, there is a practical point. In my area, following the authority's rejection of placing requests on the basis that it was adopting a phased approach to meeting the class size target of 18 by reducing the P1 class size limit from 25 to 23 for the coming August, an appeal from a parent was upheld. Council policy might be to meet the national aspiration, but I presume that the committee is mindful of the legal circumstances of the appeals process. Such appeals would find their way to the sheriff court in due course.

**Rob Gibson:** Thank you for that helpful information.

**Greg Dempster:** If the targets were not achieved, the Government would have to consider rationally why that was the case. It would have to take account of the progress that had been made, as well as the impact of what had happened. We want the policy to be based on evidence. We want politicians to examine the evidence as it emerges and, if the impact is not what was expected, to change their priorities and the outcomes that they sought, and to reassess whether it would be appropriate to press on towards class sizes of 18. However, the realities of politics probably would not allow that to happen.

**Brian Cooklin:** I will be less diplomatic than my colleagues. There is local democracy, so it is not just a question of having a national education policy objective. That said, there is no opposition to the objective in question. People support the principle, but they are concerned about the practicalities. It would be foolish if the view were taken nationally that because the objective was not being achieved everywhere, someone should get clobbered. That would not produce the result that everyone desires. It is supposed to be a partnership agreement and there is meant to be autonomy. For that matter, there is also meant to be autonomy for headteachers—to some extent, at least—to deal flexibly with the situation. That is meant to be the spirit in which we are conducting things, and it is important to bear local democracy and accountability in mind because hard decisions will have to be made to achieve the objective at the expense of something else.

**Rob Gibson:** You make the point that it is a partnership and a positive thing. I was not thinking at all about people being clobbered; I was thinking about informing the debate about resources of all sorts.

**Brian Cooklin:** I apologise, then. I did not want to ascribe motives to you.

**Rob Gibson:** I hope not, because I think we all agree that we are talking about something that teachers, parents and authorities want.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** With regard to local implementation of the outcome agreements, are you aware of previous local reductions in class sizes where the drivers have been areas of deprivation or demographic change?

**Murdo Maciver:** Those issues have featured. In my experience, the flexibility offered by the situation that, as long as the staffing input provides a 1:20 ratio at least, some classes in English and maths in secondary schools can be larger and others smaller—

**Jeremy Purvis:** Forgive me for interrupting. We will come on to flexibility, but my question is more to do with the driver of the policy. The minister has stated that the reductions will be brought about by demographic change and will be focused on areas of deprivation. I was wondering not whether flexibility is allowed at school level but whether deprivation and demographic change have been drivers of previous policies to reduce class sizes.

**Murdo Maciver:** If rolls continue to fall, the policy could be more easily achieved, assuming the same input of staffing resource. However, there is evidence that the decline in rolls may not continue but may level off or even reverse. Certainly, at local level in some geographical areas, large and small, there is already major pressure on school provision. Achieving smaller class sizes in those situations will be very difficult without substantial investment in the school estate.

**Jeremy Purvis:** Do the other witnesses think that previous class size reductions have been driven by demographics?

**Brian Cooklin:** No, that has not been the driver; a more universal benefit was being sought. However, on various occasions, local authorities have imaginatively organised their resources to try to tackle deprivation. As the Organisation for Economic Co-operation and Development report highlighted, we do well at the top end in international comparisons and results, but the gap between that and the group at the bottom is the major concern.

There is a limit on resources. Local authorities may well decide to reduce class sizes where there is greatest need, but the problem with that is that the resources should follow the child. If a child from a poor family is in a school that is predominantly well off—to use the simple terms—they will lose out on that support and improvement. That is the difficulty.

Resources might have to be allocated and prioritised according to need but, in response to your initial question, the previous reductions have not been driven by demographics.

11:45

**Jeremy Purvis:** I want to pursue Mr Maciver's comments on placing requests. An outcome agreement might state that a local authority will reduce class sizes, with a maximum of 18 pupils in P1 to P3. However, am I correct in thinking that, if the situation were to be similar, say, to that in my Borders constituency, where the school roll is increasing, with all the pressures that that entails, it is unlikely that a placing request will be refused because the actual maximum is 25? If the policy were to be implemented and fully funded, would

parents still be able to place children in certain classes, even if the limit in the outcome agreement was 18, as long as the class size did not go over 25?

**Murdo Maciver:** We are facing the unknown. I would not put any money on the outcome either through the local authority's appeal mechanism or in the sheriff court. I do not know—and am in no hurry to test—what a sheriff might think about the refusal of a placing request on the back of the class size policy.

**Jeremy Purvis:** But I believe that you said that the policy had been tested with regard to a reduction in class sizes to 20.

**Murdo Maciver:** The local authority in which I work has moved towards a proposed limit of 23 for P1 in the coming year, reflecting progress towards the 18 limit. Placing requests were refused on that basis, but an appeal made through the council's appeal mechanism was upheld.

**Jeremy Purvis:** Only two schools in my constituency have fewer than 18 pupils in P1. Parents in many areas will be making exactly those kinds of requests to the popular schools.

**Murdo Maciver:** I guess that, in the absence of legislation and regulation, case law will simply build up and eventually give us a more definitive position.

**Jeremy Purvis:** Has the Government issued directors of education with guidance on class sizes of 18?

**Murdo Maciver:** We are aware of the policy aspiration, but there has been no formal guidance.

**Jeremy Purvis:** None?

**Murdo Maciver:** No.

**Mary Mulligan:** The witnesses have already mentioned past instances of class size reduction. Are there any lessons that you would wish to share on previous attempts to reduce class sizes? Are there any challenges still to address?

**Greg Dempster:** I appreciate that the committee might have questions on this issue, but one thing that springs immediately to mind is the need for flexibility. If the class sizes in a school are very close to the 18 limit—or to a multiple of 18—groups might have to be broken up in a way that might not be particularly helpful either to pupils or to teachers.

**Brian Cooklin:** The major issue in secondary school is unfairness. English and mathematics classes in S1 and S2 might have been reduced to 20 pupils, but the same does not apply to languages, social subjects and religious and moral education. It is difficult for a child to adjust to such a situation. That relates partly to the earlier

question about groups within the class. Having children work in one setting for one period and move into a bigger, different setting for the following period is not necessarily the best way for them to learn. I have to declare an interest as an English teacher. The case was made that class sizes for English needed to be reduced, because it was beneficial for addressing the literacy issue, which is important. Equally, if you want to encourage children to learn modern languages, it makes no sense to say that although class sizes for English should be 20, class sizes for languages should be 30 or 33. The unfairness element is the biggest problem.

I hate to harp on about this, but there are practical resource issues to address. For some schools, accommodation was the issue. My school was fortunate; we just managed to reduce class sizes for English and maths. I seriously considered whether I could get any mobile classrooms or learning units—I do not think that I can call them huts anymore—but they are not popular with a lot of people, including parents.

It has to be borne in mind that for some teachers the reduction in class size has been a bit of a shock to the system. Previously, they might have had one first-year class, but now they have two first-year classes to prepare for. Teachers of other subjects have been used to that, so it was not a concern for them. However, for teachers who are not used to it, there is the boredom factor of teaching the same thing twice and going over the same work. They might have to consider how fresh material is for the group of children that they have in the next period, although those issues are not insuperable and can be dealt with.

Those are the kinds of issues that have cropped up.

**Murdo Maciver:** On the interface issue—whether secondary school youngsters have to go from a small English class to a large geography class—there are parallels between primary and secondary schools. The issue is particularly significant where the P1 to P3 limit is set at 18, space is at a premium and there is a large number of placing requests. There are educational issues in having children go from a class of 18 in P3 to a class of 33 in P4. The primary review that is taking place south of the border refers to the influence of smaller class sizes in the early years. There is nothing new in that. It is interesting that the review seems to define 25, rather than 18, as a small class size. It also refers to the importance of continuity, which backs up the point that I made earlier about the need for an overarching rationale and a general policy on class sizes.

**Mary Mulligan:** I will return to the issue of composite classes, but I am interested in the practical issues, because they will have a huge

impact. In my area, some schools will not get a hut in the playground, because there is not enough room. That issue needs to be addressed.

Will we see more composite classes? My experience has been that parents are concerned about that.

**Greg Dempster:** The answer has to be yes, we would expect to see more composite classes in primary. I wonder whether there will be more as the years go on, when the smaller numbers in P1 to P3 come out into the system, given that 18 and 18 does not make 30.

**Murdo Maciver:** I do not think that we should jump to the conclusion that composite classes are necessarily a bad thing. Given that youngsters have individual strengths and weaknesses, classes of youngsters at similar stages and of similar ages could also be considered to be composite. We could find the same thing in the upper stages of secondary school, given changes in the curriculum. The emphasis should be on the needs of the individual and on building on strengths and addressing weaknesses rather than having pupils of the one stage in the same teaching group.

**Mary Mulligan:** Please do not misunderstand me: I have been reassured by teachers' responses to composite classes and how they are managed. However, you would accept that it is one issue that parents often query and need reassurance on.

**Murdo Maciver:** Absolutely.

**Mary Mulligan:** I notice that in the ADES submission you suggest that composite class sizes would be limited to 18, just as single stage class sizes would be 18. Is that the guidance that the Government is giving? Composite classes, because of their nature, have always tended to be smaller.

**Murdo Maciver:** In the absence of more definitive guidance it is my interpretation, on behalf of ADES, that any class with P1, P2 or P3 youngsters in it, including composite classes, would be limited to 18.

**Mary Mulligan:** I just wanted to clear that up—thank you.

**Elizabeth Smith (Mid Scotland and Fife) (Con):** There are two givens this morning. The first is the general agreement that class size reduction is a good thing. The second is that, in the best educational interests of the child, we want individual needs to be looked after. In that context, who is best able to decide what is best for class sizes in a particular school: headteacher, local authority or national Government?

**Greg Dempster:** I do not think that the answer is any of those. Decisions should be made by the

whole school rather than the headteacher on their own, in conjunction with staff and in the context of the resources available, so the local authority is in the frame as well.

**Murdo Maciver:** I would back that up. Various interests are at play, including the individual teacher, support staff, perhaps psychologist colleagues, the headteacher, the local authority and the Government. Such decisions are a shared responsibility and a consensual outcome would be useful.

**Brian Cooklin:** That would be ideal, of course. It is natural to say that those decisions involve everyone and that there is a partnership, but we have to ask who knows the child best. The person who knows the child best is often the parent, but they do not necessarily know best how the child is coping in a classroom situation, so clearly the class teacher has an input.

Ultimately, however, a decision needs to be made, which is often where the headteacher comes in. In reality, headteachers have to take soundings, look at the situation in the round and then decide where best to put the resources. What we are talking about in a school setting is a microcosm of what happens in local authorities and Government.

**Elizabeth Smith:** That said, Mr Cooklin, are you as a headteacher constrained in deciding what best suits your school because the national Government, through the local authority, is asking for a specific class size?

**Brian Cooklin:** It is our job as headteachers and employees of the local authority to implement the policy. We are practical people. If the policy is laid down, we have to make it work for the benefit of the children in the school. That is our job.

Of course, if one particular policy is laid down and has to be implemented, it may be at the expense of other things. It must be recognised that, if something is the top priority that must be delivered, that will be at the expense of something else. The previous reduction in class sizes for S1 and S2 in English and maths had to be implemented at the expense of other things in school. Sometimes advanced higher classes did not run and sometimes more rotations needed to be introduced.

Whatever the policy, it is our job to implement it. However, it must be recognised and understood that that will have consequences. There is a finite budget and limited resources and we need to deploy resources to make things happen.

12:00

**Elizabeth Smith:** You said that you would like more flexibility for headteachers and that flexibility

underpins the whole outcome. I appreciate that your experience is in the secondary sector. Is there a hint that current Government policy puts too much constraint on headteachers, whether they are in the primary or secondary sector, and that headteachers have to adhere to policy rather than do what they consider to be in the best interests of the children in their school, which might be different from what would be in the best interests of children in a neighbouring school?

**Brian Cooklin:** As I said, there is universal support for the principle of reducing class sizes. We are not in the kind of situation that has happened before, in which Government or local authorities introduced policies that generated a great deal of opposition or simmering resentment. Class size reduction is a positive policy and people want it to work.

The constraint is resourcing, which is an issue in some areas but not in others. Major decisions are made at local authority level that can ease the path, enhance the situation or add to difficulties. The situation is different in different parts of the country, because of the financial constraints on local authorities.

**Elizabeth Smith:** I am sure that my colleagues will talk about the financial constraints. Does your answer imply that there is a fundamental difficulty in matching the policy to current resources? In general we agree with the principle of reducing class sizes, but an ambitious and prescriptive target has been set, which we will not be able to meet, given the current resources. That puts pressure on local authorities and headteachers who want to be flexible and address pupils' needs.

**Murdo Maciver:** No policy is an island that can be considered in isolation. We should consider policies in the context of a range of sometimes conflicting policies and priorities, whether they are set at class, school, local authority or national level.

I welcome any evidence of flexibility in the interpretation of the policy on class sizes. There is universal commitment to smaller classes, although there is debate about what the limit should be. The issue is youngsters' needs. We should explore the potential for adjusting the allocation of dedicated teachers, perhaps in learning support, to allow for a pupil teacher ratio of 18:1 in P1 to P3. The resource should be deployed with the school's individual circumstances in mind and in the best interests of the youngsters. Such an approach would reflect the approach to classes of 20 in English and mathematics in S1 and S2, meet national aspirations to a great extent, devolve decision making to school level and give flexibility to authorities, particularly in relation to schools in which it would be impossible to adhere to a strict formula that required classes of 18 in P1 to P3.

**Elizabeth Smith:** In your submission your blunt assessment is that current resources will not allow the flexibility that you describe.

**Murdo Maciver:** I am happy to talk about that now if you want, convener.

**The Convener:** We will come on to resources, so I ask you to hold off until then. We might have to have a drum roll when we get to the subject.

**Jeremy Purvis:** What guidance has been provided on class size in composite classes of P3 and P4 pupils?

**Greg Dempster:** As far as I know, none. My assumption is the same as Murdo Maciver's, which is that if a composite class has P3 pupils in it, the class should not have more than 18 pupils. I think that that would be applied.

**Jeremy Purvis:** You are just guessing. Many of the schools in my area are small rural schools that—

**Greg Dempster:** I would not say that it was a guess. I would say that there is a commitment to have class sizes that are no larger than 18 for pupils in P1 to P3. The pupils that we are talking about are still in P3, even if they are in a composite class with pupils from P4.

**Jeremy Purvis:** Right. Guidance from the Government has stated that.

**Greg Dempster:** No, not as far as I am aware.

**Jeremy Purvis:** What is the ADES view on that?

**Murdo Maciver:** My position on that is the same as Greg Dempster's.

**Jeremy Purvis:** So, no guidance has been issued.

**Ken Macintosh (Eastwood) (Lab):** Is the next question about funding, convener?

**The Convener:** Oh, yes.

**Ken Macintosh:** I apologise for my earlier absence. My question is for all panel members. Do you believe that there are sufficient funds in the system to meet the target that has been imposed on local government?

**Murdo Maciver:** For as long as I can remember, the answer to that question has been no. On the question whether we have funding for the most effective education system that meets all aspirations, the answer will always be no. In the current context, there are, as always, competing claims on resources. For example, authorities are under pressure to improve the school estate. In my paper, I raised the point that, in many instances, the policy of class size reduction requires changes to the school estate in the form

of improvements, extensions or temporary classrooms. Which is more important: extending or adapting schools to meet the target of class sizes of 18—on a strict interpretation of the policy; or spending the money on addressing condition and suitability issues in schools? Are there enough resources? No.

**Greg Dempster:** Ken Macintosh's question is similar to Elizabeth Smith's earlier question. Our members across most authorities have reported to me that they are faced with reduced budgets in their schools. Given that, my answer on resources has to be no as well.

**Brian Cooklin:** I have not known a policy in 30-odd years of teaching that has been universally matched by resources throughout the country. As an exercise for myself, I was just trying to think of one. Most policies have been implemented for most people in most parts of the country. However, we must bear it in mind that, when it is decided politically that a particular objective is important, that cannot be isolated from everything else, as Murdo Maciver pointed out. For example, it is not just about improving the quality of a school building's fabric, which is still a major issue in many parts of the country, because there are legislative priorities as well. For example, the requirements of the Education (Additional Support for Learning) (Scotland) Act 2004 and the Disability Discrimination Act 2005 must be met.

For example, a hut—I use that term as shorthand—in the school playground must comply with requirements, including health and safety regulations that we must ensure are met. When people make a political decision, they often forget that they have made previous decisions that continue to have an impact—all the decisions must be considered coherently. If an authority has met a particular policy objective, that is fine. However, if a school is trying to address existing policies when a new policy objective arrives, that is an additional burden.

Our recent experience is that the implementation of policies such as the McCrone agreement on class contact hours or the limiting of S1 and S2 class sizes has not been fully funded in every instance. That is the case for schools across the country. Further, under the euphemistically titled efficiency savings regime, schools can find that they lose the resource that was given to reduce class sizes, being told that it was transitional. As far as I am concerned, however, reducing class sizes is still a "huvtae"—we must make it happen. If so, it is extremely difficult for a school in that situation to meet those policy objectives. There needs to be wider recognition on all sides politically—at Government level, Parliament level and local authority level—that all such decisions have resource ramifications and result in competition for resources.

**Ken Macintosh:** I thank the members of the panel for their answers. Mr Maciver has provided a useful estimate of some authorities' costs. I want to explore how much progress we are making on the targets, especially those that relate to teachers. Is it your experience that local authorities are taking on more teachers? Are all the probationers who are coming out from teacher training colleges being employed? Is the teaching workforce increasing?

**Murdo Maciver:** The teaching workforce is increasing—the commitment to provide 53,000 teachers has almost been met. One occasionally hears complaints about the difficulty that probationers experience in winning permanent jobs. However, the prospects of obtaining a teaching job are bright, even if some appointments will not be made immediately. We are approaching the targets. Probationers will be employed on a permanent basis sooner or later.

**Greg Dempster:** As well as hearing from members about their budgets, I am hearing about staff losses. Unlike Murdo Maciver, I do not have an overarching picture; I see only little parts of it. However, the reports that I am getting from some members are about staff reductions rather than staff increases.

**Brian Cooklin:** That is certainly the picture that we have nationwide. We are extremely concerned about the situation for probationers. The programme for probationers, the excellence of which is internationally recognised, was one of the major benefits of the McCrone agreement. The quality and calibre of probationers is often outstanding, so it is a great credit to the Scottish education system that we have a programme that is universally regarded as being highly positive.

It is dispiriting, to say the least, for the quality year of probation that Government and local authorities invest in to be followed by the prospect for probationers of not having a job or having to do supply teaching. We are extremely concerned about losing high-calibre people from the profession. As an organisation, we are gathering evidence from across the country; at the moment it is still anecdotal. We are concerned that efficiency savings are leading to schools having staff numbers cut, with the result that vacancies that would have been filled by probationers are being filled by surplus teachers from other schools.

A significant number of probationers will not find jobs, although the situation is a bit better than I thought it would be a few weeks ago. In my school, we have 10 probationers. It looked as if only two or three of them would gain employment, but the figure has gone up to five or six. However, it is still the case that not all of them will gain employment. I would employ all of them tomorrow if I had the opportunity to do so but, unfortunately,

I do not and, sadly, nor do my colleagues at present.

The concern is driven by the pressures that exist in various parts of the country but, again, the situation is not universal. That is the problem. Different local authorities have been able to make different decisions. Some authorities have been able to enhance staffing and improve the situation. We face the difficulty that there is a preponderance of probationers in the central belt. Even though a large number of them might well be left without jobs, they might not be prepared or able to travel to the Highlands, the north-east of Scotland or the Borders if that does not suit their family circumstances. We must bear in mind that a large number of probationers are mature entrants, many of whom have given up careers and jobs to go into teaching. They are particularly disheartened at the prospect that there might not be a job at the end of their probationary period.

12:15

**Ken Macintosh:** I understand that as a result of the budget settlement the protection that was previously afforded to local authority education budgets has been removed. I do not know whether that protection was nominal. How protected from efficiency savings were education budgets in the past and what is the impact of removing that ring fencing or protection?

**Murdo Maciver:** Authorities need to live within their means. I think that all the witnesses would say that education is by far the most important service that authorities provide, but one must be corporate and acknowledge that councils have other priorities.

Our cautious position, based on our experience, is that the removal of ring fencing, in particular the national priority action fund, has not in the round been detrimental to the allocations to education services in year 1. Chief executives and directors of finance are no doubt more supportive of the removal of ring fencing than are directors of education, who traditionally benefited greatly from ring-fenced allocations. The situation is one to watch.

**Brian Cooklin:** The removal of ring fencing is a double-edged sword. On one hand, people are delighted not to have to jump through bureaucratic hoops that involve filling in and tracking forms and making submissions, which was a burden in local authorities and in schools. To some extent, that distorted schools' activity, because headteachers had to follow the resource and ensure that a particular aspect of activity was the priority. Of course, that was the intention of ring fencing. We understood that perfectly. On one level, we are happy to be rid of ring fencing.

On the other hand, although Murdo Maciver was right to draw attention to the fact that there has been no difficulty in year 1, because removal of ring fencing was announced during the financial year, financial planning requires us to look ahead and we are concerned that factors will compete for the budget. When that happens, who will win? It might depend on how effective a particular director of education is in the bun-fight at local authority level. Some local authorities are not meeting the costs of the increased need for social care and will naturally want to make social care a budget priority, which will mean that budgets elsewhere will be trimmed. Such decisions must be made locally, but we are concerned about the impact on education budgets in the future.

It is increasingly the case that directors of education are not just directors of education. Different models operate throughout the country. Someone who is a director of education and social work will have to have an argument with themselves about what bid to make and how best to proceed. People will face such difficulties and we are concerned about the consequences on the ground. It is about how we square the circle and continue to deliver the curriculum and the education that children in our schools need, when services are competing for budgets.

**Greg Dempster:** I agree that education budgets have been protected in the past, perhaps through ring fencing to a degree. There has been media comment that the removal of ring fencing is to blame for the pain that is currently being felt in school budgets, but I am not convinced that that is the case; the pain is just the result of a tight settlement. As Murdo Maciver said, we will need to watch this space.

**Brian Cooklin:** Kenneth Macintosh asked about what used to happen in relation to efficiency savings. In a variety of authorities it was necessary to impose what were called management savings. I am headteacher of an average-sized secondary school and my budget is about £4.7 million. About £250,000 of that is available for virement and can be moved from one budget heading to another. The bulk of my budget is taken up by salaries and fixed costs, such as rates and energy costs. In the past 10 years, it has been necessary to identify £36,000 of management savings as part of efficiency savings. Then, of course, there are costs such as those for the development of managed services for information and communication technology, which is about £30,000 a year in a school the size of mine.

There are different arrangements, but you can see that £66,000 out of the £250,000 that is available to be moved around is a major impediment to flexibility and delivering other

things. That has been the case for 10 years. We need to be clear that efficiency savings, as they are now being called, are not a new thing and that different authorities have managed them in different ways. They have reinvested those efficiency savings for the benefit of the estate in many cases—in improvements in primary and secondary schools. That has been a tremendous boon for education in Scotland. You have to look at both sides.

**Murdo Maciver:** My two colleagues are doing a good job of arguing the toss for maximising school budgets, which is absolutely appropriate. There is a similar process among competing services at local authority level.

In principle, efficiency savings are a good thing if they encourage us all, no matter what post we are in, to reflect on the service that is delivered, how it is delivered and its role in relation to others. It is important to be corporate in such matters, whether in relation to the education service across secondary, primary and early years, or in relation to services across councils.

**Rob Gibson:** I turn to the ADES survey of authorities and, in particular, the suggested £360 million of capital for additional classrooms, which was mentioned in the media this morning. What is that £360 million of capital as a percentage of the total education budget?

**Murdo Maciver:** I am sorry but I cannot answer that question; perhaps I can look into it and feed back to you.

**Rob Gibson:** That would be helpful because people see the figure of £360 million and think that it is an awful lot of money, so it would be interesting to see it in the context of what the Government has allocated to the education budget, which is the biggest settlement so far. We are trying to get an idea of how the expenses stack up within the settlement.

**Murdo Maciver:** In anyone's language, £360 million is a lot of money, particularly given the needs of the school estate in Scotland—£360 million is probably the equivalent of 10 secondary schools.

**The Convener:** I listened carefully to what has been said about resources—Mr Dempster described it as being a “tight settlement”. I also listened with interest to the cabinet secretary on the radio before I came to the meeting. She said that she and John Swinney had delivered the best ever local government settlement to local authorities and that the money was there to deliver the full implementation of reductions in class sizes to 18 for primaries 1, 2 and 3. Do your organisations agree that the money is there and that you can see it?

**Murdo Maciver:** The paper from ADES indicates the costs of the policy, both recurring and capital, although paragraph 3.1 shows the health warnings about those figures. It shows what the costs would be across the 22 authorities that responded to the question of immediate implementation of the limit of 18. Are there enough resources—more than 2,000 teachers and a number of additional classrooms, leaving aside the schools where no change would be possible—to implement the policy in August 2008? Even if buildings could be put in place, the answer would be no.

**Greg Dempster:** I cannot add to that.

**Brian Cooklin:** We cannot judge whether the money exists because we do not have full information. The local authorities have the information, so I respect their opinions. However, looking again at the situation historically, I have never known a Government not to tell authorities that they have plenty of money to deliver a particular objective.

Ultimately, choices have to be made, and the difficulty is, traditionally, the gap between grant-aided expenditure from the Government in its settlement and actual expenditure, which in some authorities is verging on crippling. There will be authorities—they have already been highlighted in the media—in which there will be major difficulties just to deliver the existing service.

It is also perhaps worth reflecting that there are different priorities. We are talking about class sizes, but my understanding is that the original settlement was enhanced to ensure that council tax was frozen. If that is the priority given to a local authority, clearly it will impinge on the other decisions that the authority makes—especially given the traditional gap between actual and grant-aided expenditure.

In the real world, people have to implement policies to the best of their abilities, given their circumstances, their area and everything else that pertains. I have no reason to dispute any of the figures that ADES has produced or to demur from the overall statement about the settlement as it stands. That is the real world; we are living in it, and we have to do our best.

**Jeremy Purvis:** I think that the witnesses can share committee members' frustrations. We hear the cabinet secretary saying that the settlement is the best that local government has ever received, but you have told us this morning that schools are reducing teacher numbers—which is not an efficiency but a staff cut—and that they do not have the funds to implement a new policy.

I have a simple question. If the Government says that it has funded the policy in full, do you expect it to provide an estimate of how much

funding has been provided in the local government settlement in order to demonstrate that the funding for the policy exists?

**Murdo Maciver:** On the policy, the understanding is that it will be implemented over time, depending on prioritisation by authorities and the resources available. It is not a policy in relation to which the intention or advice is to have immediate implementation. Some funding, both capital and for more teachers, was made available towards the end of the previous financial year to start the move towards smaller class sizes.

**Jeremy Purvis:** But we do not know how much of that capital funding went to additional classes. A freedom of information request showed that more was spent on car parks, roofs and toilets than on additional classes.

**Brian Cooklin:** You have no idea how important toilets are.

**Jeremy Purvis:** That point has been made, but I do not think that Mr Maciver answered my question. The cabinet secretary said that there is enough for local authorities to deliver the policy in full—not gradually or over time—so you will be on the front line. Do you not expect the Government to be able to say how much it has allotted to the policy in order to demonstrate that, as far as the Government is concerned, it has provided the money needed to deliver the policy in full at a local level?

12:30

**Murdo Maciver:** That information may well be useful, but such an approach is not in the nature of the settlement or the concordat. We are not back in ring-fenced funding circumstances. ADES is providing information about the full implementation of the policy, but the information is not yet complete. Individual authorities have to do a lot of work on surveying schools to test feasibility, reconsidering catchment areas and considering other possible strategies for delivering the policy. It is early doors for implementation, and ADES welcomes the fact that things are seen in that way nationally.

**Greg Dempster:** I share the committee's frustration and confusion and do not know the answer to the question. However, it is probably not a question to put to us; rather, it is one for COSLA and the Scottish Government. It is not only the Government that is involved; COSLA signed the concordat and it is clear that it had discussions with the Government about how much money was needed to implement what local government was being asked to do. COSLA signed on the dotted line and agreed to take the money and implement what was asked of it. I presume that it discussed matters; therefore, it may be able to help the committee.

**Jeremy Purvis:** It may have helped us if COSLA had accepted our invitation to attend a committee meeting.

**The Convener:** We will return to that matter once our witnesses have left the table.

**Christina McKelvie (Central Scotland) (SNP):** Is it not the case that COSLA has stated publicly that it thought that sufficient funds were available to deliver the policy? Mr Dempster touched on that.

**Greg Dempster:** I am not entirely sure about that. I have been a bit confused by the messages on funding the implementation of the class size part of the concordat. COSLA signed up to the concordat and the resource package, so I presume that it will implement the agreement.

**Brian Cooklin:** It is difficult to be definitive on the matter, because we are operating in a different situation, as Murdo Maciver said. The concordat and the single outcome agreements are new developments, and it is not possible to identify how much in the budget is intended for particular objectives. Neither the Government nor COSLA can easily identify sums of money that were specifically intended for the policy objective in question. I do not know how we can see how much is available for individual local authorities or individual schools. I do not think that such a causal link exists.

The issue must be set in the context of the statements that have been made about the aspiration that is being worked towards. The understanding on the ground is that people want class sizes to be reduced, and they are working towards doing so. Any suggestion that such an objective is instantly achievable or that all class sizes will be quickly reduced would be wide of the mark. We must consider the resources that we have to work with. An intention has been declared, but there is a deal to be done to deliver the policy on the ground, as members can see clearly from the ADES submission.

**Murdo Maciver:** The agreement on the local authority, ADES and COSLA side is for year-on-year progress to be shown in reducing class sizes rather than an immediate big bang this year or in the next part of the implementation of the policy.

**Christina McKelvie:** I do not think that anybody thought that a magic wand would be waved and all classes would contain no more than 18 pupils when people returned to school in August. Instead, people have worked on the aspiration to make progress over a number of years.

On seeing progress on the ground, South Lanarkshire Council announced a few weeks ago the provision of 11 additional teachers to reduce class sizes in 11 primary schools. It managed to

do that because of its freedom from ring fencing and because COSLA supported it and gave it a commitment that money was available to deliver the policy progressively.

**Murdo Maciver:** I am in no position to comment on the school staffing policy of South Lanarkshire Council. I do not know whether its decision was a reflection of falling rolls, so I would not want to comment.

**The Convener:** Aileen Campbell has a final question, which I understand is for Mr Cooklin and is not related to resources.

**Aileen Campbell:** You say in your submission that using falling school rolls to implement the policy on reducing class sizes would be a “blunt instrument”. How should the Government take account of the different demographics throughout the country?

**Brian Cooklin:** We should not depend on falling rolls. The expectation was that the budget settlement, together with demographic change, would cover the difference. However, that is a blunt instrument. In some parts of the country, rolls have fallen dramatically, but in other parts of the country they have not—for example, in the Borders, the Lothians, parts of the north-east and specific areas that have had a large influx of immigrants for one reason or another.

The Government will need solid information about the changes and moves that are taking place. In my experience, we have not been good at predicting what we will need and where we will need it. Better information would help the Government to decide how the policy can operate. The Government will have to be flexible and alert to changes. If the policy is to be effective across the whole country, it will have to be based on sound information.

**The Convener:** That concludes our questions. I thank the witnesses very much for their attendance today.

I suspend the meeting very briefly to allow the witnesses to leave.

12:37

*Meeting suspended.*

12:38

*On resuming—*

**The Convener:** Before we move to the next agenda item, I want to mention COSLA. From papers circulated before the meeting, committee members will know that COSLA kindly gave us a written statement. I will be keen to hear the views of others, but I feel that COSLA’s evidence,

although helpful, still leaves us with some issues that we should have the opportunity to ask about. From what we heard in evidence last week and again today, it is clear that questions arise for COSLA in relation to the concordat and the financing of the policy.

Should we write to thank COSLA for its written evidence but ask it to reconsider its decision to decline our invitation to give oral evidence? If so, we should ask COSLA to reconsider urgently, so that it can give evidence before the cabinet secretary comes to the committee at the end of June.

**Mary Mulligan:** I, too, think that COSLA's written submission was helpful. However, last week the EIS wanted us to ask COSLA about outcome agreements. I would like an opportunity to do so.

I would also like to ask COSLA about other issues that came up today, such as placing requests, and about general financing. We should ask whether enough financing is available across the board in Scotland. We should also ask how we have arrived at the figure of 18 for class sizes in P1 to P3, and about the impact that that will have on the other classes in schools. Such issues arise because of what COSLA has said in its submission, so it would be helpful if someone from COSLA could come to the committee to discuss the issues with us. That would give us the information that we require to consider the petition fully.

**The Convener:** It is agreed that the committee will write to COSLA in those terms.

## Subordinate Legislation

### Designation of Institutions of Higher Education

**(The Scottish Agricultural College)  
(Scotland) Order 2008 (SSI 2008/163)**

### Designation of Institutions of Higher Education

**(The Scottish Agricultural College)  
(Scotland) (No 2) Order 2008 (SSI  
2008/177)**

### Central Institutions (Recognition) (Scotland) Revocation Regulations 2008 (SSI 2008/178)

12:39

**The Convener:** The next item on our agenda is consideration of subordinate legislation. A cover note on three related Scottish statutory instruments was circulated to committee members before the meeting. Because of technical drafting difficulties, SSI 2008/163 is to be revoked and will be replaced by SSI 2008/177 and SSI 2008/178.

No motions to annul have been lodged, and the Subordinate Legislation Committee has decided that it does not require to draw Parliament's attention to the instruments.

It does not appear that members have any comments, so are we agreed that the committee has no recommendations to make on the three instruments?

**Members** *indicated agreement.*

12:41

*Meeting continued in private until 14:25.*

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