EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

Wednesday 11 February 2009

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EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE
5th Meeting 2009, Session 3

CONVENER

*Karen Whitefield (Airdrie and Shotts) (Lab)

DEPUTY CONVENER

*Kenneth Gibson (Cunninghame North) (SNP)

COMMITTEE MEMBERS

*Claire Baker (Mid Scotland and Fife) (Lab)
*Aileen Campbell (South of Scotland) (SNP)
*Ken Macintosh (Eastwood) (Lab)
*Christina McKelvie (Central Scotland) (SNP)
*Elizabeth Smith (Mid Scotland and Fife) (Con)
*Margaret Smith (Edinburgh West) (LD)

COMMITTEE SUBSTITUTES

Ted Brocklebank (Mid Scotland and Fife) (Con)
Bill Kidd (Glasgow) (SNP)
Hugh O'Donnell (Central Scotland) (LD)
Cathy Peattie (Falkirk East) (Lab)

*attended

THE FOLLOWING GAVE EVIDENCE:

Wray Bodys (Her Majesty's Inspectorate of Education)
Annette Bruton (Her Majesty's Inspectorate of Education)
Graham Donaldson (Her Majesty's Inspectorate of Education)
Chris McIlroy (Her Majesty's Inspectorate of Education)

CLERK TO THE COMMITTEE

Eugene Windsor

SENIOR ASSISTANT CLERK

Nick Hawthorne

LOCATION

Committee Room 5

Scottish Parliament

Education, Lifelong Learning and Culture Committee

Wednesday 11 February 2009

[THE CONVENER *opened the meeting at 10:00*]

Her Majesty's Inspectorate of Education Reports

The Convener (Karen Whitefield): Good morning. This is the fifth meeting of the Education, Lifelong Learning and Culture Committee in 2009. I remind everyone present that mobile phones and BlackBerrys should be switched off for the duration of the meeting.

The first item on the agenda is evidence taking from Her Majesty's Inspectorate of Education. I am delighted to welcome Graham Donaldson, who is Her Majesty's senior chief inspector; Wray Bodys, Annette Bruton and Chris McIlroy, who are all chief inspectors; and Stuart Robinson, who is the corporate services director. The purpose of the session is to consider "Improving Scottish education: A report by HMIE on inspection and review 2005-2008" and HMIE's "Annual Report and Accounts 2007-08".

I thank the witnesses for attending and for providing supplementary written evidence in advance of the meeting.

Margaret Smith (Edinburgh West) (LD): Good morning, everyone. I will focus on local authorities and what they can do to improve performance. "Improving Scottish education" says that some local authorities are driving forward improvements but that, as with most things, performance is patchy. You identify the challenge that local authorities face in making use of the increased freedom that you say they have in innovative ways to improve performance. Why are certain local authorities doing that more effectively than others? What can the others do to bring themselves up to the same standard?

Graham Donaldson (Her Majesty's Inspectorate of Education): I will say a little bit before handing over to Annette Bruton, who has responsibility for our work in the inspection of local authorities and who will be able to give you some supplementary information.

Our work in examining how local authorities conduct their business in relation to education goes back to the Standards in Scotland's Schools etc Act 2000. For the period from 2000 through to 2008, we have undertaken a first round of inspection of local authority education functions and a second round that has been much more proportionate and selective. Part of the answer to your question lies in that second, more selective round. We have been able to build on the information about effectiveness to help us determine the nature of our engagement with specific authorities in the second round.

As you say, unsurprisingly, the overall picture that emerged from the first round showed a variation in performance across the 32 authorities. At best, authorities are making a real difference and demonstrably adding value through what is happening in their schools. At worst, it is sometimes difficult to identify whether an authority is making a difference or whether what is happening would have happened in any well-managed school.

We have tried to stand back and to look at the evidence to identify the factors that are associated with high-performing authorities and those aspects that could do with improvement in authorities that are performing less well. To use the cliché, much of that is not rocket science. Much of what makes a difference is about doing the simple things well, rather than doing terribly clever things to bring about improvement.

Leadership, from elected members and officials, is critical. In other words, that means an authority being clear about its purpose, understanding the nature of what it can and should do and having that understanding running consistently through elected members, officials and, critically, headteachers and staff in schools. That consistency of understanding running through an authority as a whole and a common sense of purpose is one of the features that distinguish the authorities that are performing very well from those that are performing less well.

Under that broad umbrella of an authority knowing what it is doing and achieving consistency of understanding, there is the balance that is set in what is described as support and challenge in relation to how an authority relates to educational provision in its schools. In the best authorities, a subtle balance is struck between support and challenge. Clearly, authorities have responsibility under the 2000 act to endeavour to bring about improvement in standards. The best authorities and the ones that are working well have a clear and specific understanding of how their schools are performing. Some authorities have information that goes right down to the performance of individual classes, so they can identify very particularly where high performance is taking place and then strike the right balance between intervening strongly and less strongly. It is about a combination of strong and clear leadership, with a balance between support and

challenge and good intelligence about what is happening in schools.

Over the period, there has been a significant improvement in all those areas throughout the 32 authorities. There is more consistency among the authorities, although we are still not by any manner of means able to say that every authority is performing to the level of the best. However, we have seen more consistency over the period. The follow-through and follow-up reports that we have done show that almost invariably, where we have identified significant areas that need to be improved, authorities have risen to that challenge and we have been able to disengage from the inspection process because the authorities have put themselves on an upward curve.

Annette Bruton (Her Majesty's Inspectorate of Education): I will add one or two comments, although Graham Donaldson has ranged across the key points. One of the key things that we find in the best-performing councils is their capacity to raise aspirations for children and their families. That is a key aspect of their work. As Graham said, we have seen an improvement in all local authorities. Since 2006, 14 of the 15 local authorities that we have inspected have been satisfactory or better at improving performance, which is certainly an improvement since the first round of inspections. One of the key factors in that is raising aspirations. That goes beyond the education departments. Many departments are more than an education department already, but that approach goes beyond the education department to working with partners in considering the economic regeneration and health of an area. Partnership working across the council and beyond it is increasingly important in raising aspirations for local people and for children in particular.

Graham Donaldson mentioned that some of the best local authorities do the simple things well. One characteristic of those authorities is that they are relentless in pursuing the detail. Having started a course of action, they stick with it. That stickability is a key attribute of high-performing local authorities. Part of that is building capacity in their schools. Graham Donaldson mentioned the support and challenge role. That has been increasingly important in local authorities that were already performing well, but which are trying to continue to raise their game beyond what is already a good level. In local authorities that were performing badly in the first round of inspection, significant improvements have occurred; much of that has come about because they know themselves and their schools better through self-evaluation. That extends to local elected members, as well as officials, understanding exactly what is happening inside their schools.

Margaret Smith: I will pick up on the point about self-evaluation, but first I want to discuss another point that you raised. Local authorities, education departments and schools are not in a vacuum—they work in a community, in which all sorts of other things go on. In your annual report, you mentioned an exercise in which you considered the situation for children in a particular community—I think that it was in the Scottish Borders Council area. It was obvious that your consideration had gone beyond the school environment. Will you tell us about that exercise? Are such exercises increasingly part of your work?

Graham Donaldson: The previous Administration asked the inspectorate to consider how we inspect services for children more generally. We were asked not just to focus on individual services, but to consider how services come together to support children. As committee members are aware, we have undertaken a programme of inspection of child protection, which was identified as a high-risk area on which we must make progress quickly. We will finish the first round of child protection inspections by summer of the current year.

On broader children's services, we have tried to learn from what we have done on child protection and ask a different question about the inspection process. Instead of considering how well a service is delivering for children generally, we start from individual children, in particular more vulnerable children, and work our way out from that starting point. We ask how well the services that operate in an area—not just local authority services, but health services and the police service—work together to meet the needs of young people who have particular needs. That is a powerful method of considering how well things work at the joins. As opposed to considering the rhetoric about joint working, we consider how the approach has delivered in practice for individual children.

In the Scottish Borders Council exercise, we looked generally at how services are operating. We also did pilot work recently with West Lothian Council, in which we used the occasion of a school inspection to look more widely at children who were identified through the inspection as being particularly at risk, or in relation to whom there were factors that meant that they needed to be looked at more closely, and we followed that through into the wider community. We used the school inspection as the trigger for a wider look at children's services. The pilot work went down extremely well and the local authority responded well to it, which has helped us to get at the issue of how well children who are not necessarily on the child protection register but are at risk are being served by services in the community.

Discussions are going on post-Crerar in the context of the decision to form two new inspectorates. When the Government considered the Crerar report, it decided that the proposed new care and social work inspectorate will take the lead on inspection of children's services. I am anxious that momentum should not be lost between now and when the new body is set up. We are discussing with ministers how to build up and, when the new arrangements are in place, pass on the model that we have developed for considering children's services, which has much potential.

We have done interesting and groundbreaking work on inspection of children's services. Because we are considering local services, the approach is not another strategic inspection of a local authority but involves asking how well services are delivering for young people. The work informs best-value audits and other strategic inspections by providing hard evidence of whether theories about joint working are delivering on the ground for young people. The model is promising and I hope to do more work on it during the next couple of years, until the new body is up and running. However, we will have to wait and see what decisions are made to give us the authority to do that. Annette Bruton might want to add something.

Annette Bruton: The only thing I would add—

Margaret Smith: We have a lot to get through, so before you start, I would like to put a question on self-evaluation. You can roll both your answers together.

You noted that there has been good progress on self-evaluation. Can you give us more detail? What differences have you seen? How can things be improved?

10:15

Annette Bruton: I have one point to add to Mr Donaldson's previous point. The methodology that we have piloted—looking at specific children and their families—has now been brought into our education authority inspections. When we inspect a local authority, we drill down and consider, for example, the impact that family work has on particular families or on adult learners as well as on the children and young people. Although we still have some way to go in developing the inspection of children's services, we are adopting that kind of approach in several of our inspections.

We have seen improvement in self-evaluation across all sectors. In our 2005-08 report, we noted particular improvement in community learning and development. There had been weakness there, as noted in our report three years previously, so we are pleased that councils and their partners are beginning to improve their self-evaluation.

We know that self-evaluation has improved because we can see tangible benefits. Audit trails and investigations show that the work of teachers and local authority officers to evaluate the effectiveness of their provision is not simply validating their own view of themselves but is leading to improvement in areas in which they had identified weaknesses. They have also been able to build on their strengths.

There is still some way to go, but we have moved considerably over the past five years. Self-evaluation is leading to improvement.

Graham Donaldson: Self-evaluation is a success story in Scottish education, and that is not as well understood as it should be. We work internationally, with countries across Europe and beyond, and we know that the work on self-evaluation in Scotland is regarded as being at the leading edge. That is a tribute to Scottish schools, teachers and education professionals. They have embraced an approach to self-evaluation, and countries across Europe would give their eye teeth to have their professionals adopting the same kind of attitude.

The trick will be to ensure that self-evaluation does not become a routine or an end in itself. As Annette Bruton suggests, it must lead to demonstrable improvements. The test is whether it makes a difference, not whether the procedures are right.

Margaret Smith: We have been talking about the whole of a child's experience, as opposed to simply the child's experience at school. In our surgeries, most of my colleagues on the committee and in the Parliament see parents and children who are at crisis points. Families often come to us with problems related to transition; it is a very important time—especially for children with special needs, or who are at special schools, or whose parents have made placement requests.

If you are considering children's services more widely, it would be useful for you to draw on the experience of members of the Scottish Parliament. We know where the difficulties lie, and we know how children are often treated by local authorities and others. You might not get such information directly from the local authorities.

What are the strengths and weaknesses of transition? Issues arise for children with particular needs, but issues also arise in the transition from primary to secondary school. My colleagues may pick up on this subject, because the early years of secondary can raise general concerns.

Graham Donaldson: I agree completely with your view that points of transition are key points of vulnerability in the general education process. Although they impact on all children, they impact on the most vulnerable children to a greater

extent, and we are, therefore, in danger of losing such children at those points.

We can address that issue partly in a cultural sense by not putting education in compartments, which is a big cultural issue. The aim—which is not wholly unrealistic—should be to view the whole process of a youngster's education through to further education as the collective responsibility of a team of educators, rather than as a baton that is passed from pre-school to primary to secondary to further education, with each compartment being sealed. Creating an environment and a culture in which there is a team approach to the education and care of our young people is a challenge for us all.

The potential of the curriculum for excellence in that regard is considerable. If we get it right, it will create the reference points for that culture, which the previous arrangements have perhaps not succeeded in doing. The five-to-14 curriculum was intended to deal with transitions from primary to secondary, but in reality it continued to be viewed as a primary development with a bit of secondary tagged on. It was never as successful in secondary schools as it was in primary schools.

The curriculum for excellence has, from the outset, explicitly mentioned the outcomes that we want to achieve for young people throughout their time in education, and it goes into further education and community learning and development. It therefore provides an opportunity for us to address that cultural issue, and there are some structural implications that flow from it. There have already been structural changes, and many of the arrangements that are being put in place for transfer are much better than they used to be. However, if those changes are not accompanied by the right cultural attitudes and approaches between the different sectors, they will not be anything like as successful as they should be.

Chris McIlroy may want to add something to that.

Chris McIlroy (Her Majesty's Inspectorate of Education): I will expand on that slightly. The evidence in the report confirms what Graham Donaldson has said. During the past 20 years, a lot of good work has been put into improving the pastoral arrangements for transition, and, in our evaluation, it works well in most cases. A lot of work has been done on familiarising children with the move to secondary school by giving them opportunities to visit the school and meet the staff; to get to know the layout of the building; and to have some of the myths and worries about the transition dispelled. The effectiveness of that work depends on the individuals and the culture, and there is still some variation, but in terms of progress that has been a positive development.

The business of ensuring that children's learning continues smoothly from one sector to the next has been much more stubborn to address. That applies to some extent to the shift from pre-school education to primary 1, in which we found that prior learning in pre-school is sometimes not being built on in the early primary years. It also happens significantly in the transition to secondary school. The authorities and schools, having been stimulated by our comment, have been trying to improve in that area.

There are structural and cultural issues and, as Graham Donaldson said, there is the curriculum framework. We hope that the curriculum for excellence might create a climate in which the continuum of learning can be improved.

Elizabeth Smith (Mid Scotland and Fife) (Con): When you attended the committee 18 months ago, your comments were very specific: you were trying to improve not only outcomes in Scottish schools and other learning institutions, but the inspection process, which is important. Do you feel that you have managed to better engage headteachers and the teaching profession in the inspection process?

Secondly, and perhaps more important, do you feel that local authorities are using the inspection process to flag up any problems that they find in specific schools adequately and in good time, so that you can take action?

Graham Donaldson: I am pleased to report that, since I last spoke to the committee about the issue, I have made some quite radical changes to the inspection process. In the course of last year, we undertook a major re-engineering of how we go about inspection, with the particular aim of creating an inspection process that those who are being inspected feel is done with them, rather than to them. That is at the heart of the changes that we have introduced.

Crudely, the changes fall into three broad areas. The first is self-evaluation, about which we were asked earlier. We start all our inspections with the explicit assumption that the school, college or authority concerned knows itself. Self-evaluation is the starting point for inspections. Where the self-evaluation process is strong and robust and has clearly been carried out not just to please inspectors but to make a difference inside a school, the evidence that the school has gathered can become part of the evidence that we use in the inspection—we do not have to gather it separately. Previously, we looked at how good self-evaluation was; now we are looking at the extent to which we can incorporate that into the work that we do. There is an emphasis on the partnership between us and schools in identifying improvements. That is an important part of what we do.

The second area is proportionality in the inspection process. What we do is not the same in every school—we respond to what we find in schools. What happens in the course of an inspection week is designed to follow through on issues that have been identified in self-evaluation. We say that we will complete inspections within five days. Inspections figure in the national performance framework, so we must be confident that our evaluations in that area are robust. However, if the combination of the quality of the school's self-evaluation and the work that we have done to corroborate that shows us early in the week—by Tuesday or Wednesday—that we can be confident about our judgments, and the school agrees that the evidence that we have is robust and that it will not challenge our evaluations, we make an offer to the school, perhaps with two days to go before the end of the inspection. At that point, we have done what we need to do for the inspection process. If the school wishes, the inspection can stop and we can leave. However, if it thinks that it would be helpful for inspectors to remain in the school, we can stay and work with it to take forward its improvement agenda. That is one of the most significant changes that have taken place.

The process has been under way since August last year, and we have done some interesting work with schools, especially on the curriculum for excellence. Using their knowledge of a school, inspectors can move into a different mode and help staff to understand the implications that the curriculum's implementation will have for the school.

The third area is attitudes to inspection. There is a great deal of mythology around that issue, which is not surprising. Part of it is due to teachers winding up other teachers, which is understandable. Often the media report the outcome of inspections that have proved difficult and challenging, but the vast majority of inspections are affirmatory, help schools to understand where they are strong and point the way ahead. The evidence that we have from inspections that have been undertaken since August last year shows that there has been a positive response to the new inspection process, but there was also a positive response to the old process. The main difference is that people feel that they are more part of the process, rather than that they regard the process as more or less humane—the previous process received a lot of support.

We practise what we preach about self-evaluation, in that we commission external surveys of our work that are available as evidence. We are just about to receive a report from an independent research company on the first tranche of inspections that were undertaken under the new inspection model. Wray Bodys will be able to give a little bit of information about the flavour of the initial feedback that we have received on that.

10:30

Elizabeth Smith: I would welcome that, but I have one more question for you first.

I agree entirely that the vast majority of inspections are extremely successful, although that fact never gets out into the media. Nonetheless, without asking for comments on any specific case, I am aware that the inspectors' job is sometimes made quite difficult by the fact that local authorities do not always provide information about the school at the time of the inspection. Is the inspectorate looking at how that process might be improved so that inspectors who are going into a school have all the facts to hand, particularly if there are sensitive issues that might involve individual members of staff?

Graham Donaldson: Clearly, I will not comment on any specific case.

The process of determining an inspection sample involves our district inspector network. Every local authority has a designated inspector who is responsible for linking with that authority. One of the discussions that take place between the district inspector and the authority is whether there are any reasons why the inspection should not take place at the given time. That is a normal part of our procedures that allows things to be drawn to our attention at that time. We then take a decision on whether the inspection should go ahead, based on our judgment of the circumstances that have been given.

We need to remember that the purpose of the inspection is for the children. If there are concerns about the quality of a school's education, pulling out of an inspection is a very serious decision for us to take. The decision not to proceed with an inspection is not taken lightly. However, if there are clear reasons why it would be inappropriate for us to proceed, the inspection is cancelled. A significant number of inspections are rescheduled or cancelled for that reason.

Wray Bodys will say a little about the data that we have received from the George Street Research survey.

Wray Bodys (Her Majesty's Inspectorate of Education): Clearly, the George Street Research work that we receive next week will complement information that we already hold. Headteachers and staff have been proactive in giving feedback on the new inspections, which has been very positive indeed. The feedback testifies to the view that the new process engages staff much more as part of a genuine dialogue. The new process is

less intrusive in the period when inspectors are in a school and it involves less preparation for staff before the inspection. The new process also maintains the previous positive pattern, in that staff and headteachers continue to consider that the inspection has been helpful to the school in complementing the picture that the school holds of itself and in contributing to improvement planning.

We have received a similar picture from several of the teachers associations and from our routine evaluation questionnaires on the new inspections, which are beginning to come through in numbers. Those complete the picture. We understand that the George Street Research report will confirm the same sort of pattern. The report will include the views of headteachers, teachers, education authority staff—including quality improvement officers—and parents on the new concise form of inspection report.

Claire Baker (Mid Scotland and Fife) (Lab): "Improving Scottish education" identifies key strengths in the pre-school sector, which are very much to be welcomed, but recognises that private and voluntary sector provision is generally less effective than local authority provision, particularly in respect of leadership. The report comments further that weaknesses in leadership often lead to weaknesses in delivery of education. How can we address that? To what extent might the early years framework help to address those problems?

Graham Donaldson: I will ask Chris McIlroy to respond in detail, but I will preface his remarks by noting that we have seen an enormous expansion in pre-school education over the past 10 years. As we have reported, the quality of what has been happening in the pre-school sector is very impressive, given the transition from a standing start with fairly episodic nursery education, to virtually universal pre-school education for all three to five-year-olds. The general picture is very positive, although the issues that Claire Baker has identified undoubtedly exist.

Chris McIlroy: Claire Baker has summarised some of the key issues very well. As we stated in our previous "Improving Scottish education" report and in our aspect reports, there are differences between the overall quality in the private and voluntary sectors compared with the education authority sector. That does not mean that there are not some very good examples of practice in each of those sectors, but variation exists over the piece. There have, over the three-year period, been some improvements in leadership in the voluntary and private sectors, which is to be welcomed. As has been suggested, there is a direct relationship between the quality of leadership in learning and the quality of children's learning experiences, as you would expect.

The biggest factors in progressing the pre-school sector include improving training and qualifications and improving education authority support for the voluntary and private sectors. As members know, the voluntary and private sectors provide pre-school education in partnership with local authorities, which have responsibilities for support, for training, for knowing what is happening in voluntary and private provision and for working towards improvement in that partnership. The main factors also include leadership and self-evaluation. A lot of work has been done on those over the three years across the local authorities. You will note from the section of our report on local authorities that their work is often picked out for commendation following our inspections.

In broad terms, the impact of all of that has been that the quality of pre-school education in Scotland is now quite strong, with a basic level of provision for all children. A tiny number of places do not reach that level, but it is just tiny. Over the period of expansion, remarkable progress has been made, as Graham Donaldson indicated.

There is still an issue about how we make the good pre-school provision the best. All the longitudinal studies on early years show that we get really powerful and lasting effects on children's learning if—but only if—their pre-school education is of a very high quality. For the coming years, the agenda is to push more of our pre-school provision into that territory.

Claire Baker: There is a difference in provision at the pre-school level compared with primary schools—the private and voluntary sectors are involved at pre-school level. Have you identified any issues around parental choice? I do not know whether the remit of your inspection extended to that, but are there any issues around what nursery provision parents can access?

Chris McIlroy: It is very much a choice model that applies to pre-school education, in that the parents may decide where in their local area to place their children. There are geographical and practical limitations on choice, however. The lives of parents with very young children are complicated when it comes to accessing that provision, so it is not a totally open choice. We do not comment on that factor in our reports. Surveys show that parents will, if they can, by and large make pre-school education provided by the education authority their first choice, although because of their need for extended care and education, the demands of work and so on, some parents opt for private sector provision, which is probably the most developed in the provision of extended care.

Claire Baker: Page 30 of "Improving Scottish education" states:

"The level of challenge is sometimes not high enough, particularly for more able children."

What are the reasons for that? Is that linked to improved training for nursery staff?

Chris McIlroy: It is, but it is also linked to two other matters: staff observation of children and staff picking up on the potential of some children. At pre-school stage, children are eager learners and it is a positive learning environment. It is a crucial stage and, on their visits, inspectors feel that some children show skills and talents that could be developed further. To do that, you must observe and interact with the children. You have to get to know them so well that you can see their potential and can support them.

The other aspect is to have rich and challenging activities that will stretch the children—that is to do with the point about going from good to excellent provision. We see a lot of pre-school provision in which children are happy with interesting activities in a nice climate, but ensuring that their potential is realised is a very important and tricky challenge. We have pushed and encouraged staff development around that territory in our last two "Improving Scottish education" reports.

The Convener: How important is the use of qualified nursery teachers in pre-school education in improving children's attainment and their learning experience? Is it a key factor?

Chris McIlroy: We published a report on that, partly because there was such a national debate about the ingredients that go into quality. There is a range of variables in respect of the quality of any provision. At the heart of it is the quality of teaching and learning that leads to strong outcomes for children.

We see examples where non-teaching staff are working in pre-school provision and the quality is very high, but overall our data show an undoubted positive relationship between teachers in pre-school and quality. When we take the teacher factor out of the equation and look more generally at training and qualifications, there is again a relationship between that and quality.

The answer to the question is that there is a powerful relationship between the background, qualifications and training of the adults who are interacting with children and the quality of the provision. It is not a simple one-to-one relationship, but it is a powerful factor.

Elizabeth Smith: I will turn our attention to primary education, in which there have been some very encouraging developments over the past few years. Sadly, there are two real problems. First, when it comes to basic literacy and numeracy skills, we are not doing as well as we should be. It does not matter what evidence we look at—Scotland is not doing as well as it could. Secondly, there is concern, which my colleague Mr Macintosh will probably come back to, about children's health and physical education.

I will ask you first about literacy and numeracy. I am sure that you must see best practice in schools. Can you tell us a little bit about the schools in which there is a very high standard of performance in those basic skills? What are they doing that the other schools are not?

10:45

Chris McIlroy: First of all, it is important to get the position clear: we value the international benchmarking that we use in Scottish education, but it is not absolutely consistent in the messages that it sends. For example, the recent Organisation for Economic Co-operation and Development report refers to the programme for international student assessment, which talks about primary education being Scottish education's greatest strength, part of which are the standards of literacy and numeracy that come out of PISA comparisons.

Scotland does much less favourably in other international studies, such as the progress in international reading literacy study and the trends in international mathematics and science study. To some extent, complex factors are involved. For example, one of the factors that came from both PIRLS and TIMSS was that on average, our children are almost a year younger at the point of testing than children in other countries are, so we have to make some adjustments for that.

What is crystal clear from all the studies is that children in other countries are improving faster than Scottish children—we have to be concerned about that. Members know from experience as parents and citizens about the important role that literacy and numeracy play in education, life, and about the chances that they open up and they know about the difficulties that they create when not present.

To answer the question on best practice, a variety of factors form a virtuous circle of best practice in attaining high standards in literacy and numeracy. They include teachers who are confident and competent in the subject matter with which they deal; teachers being relentless in what they expect of the children; and—probably the biggest single factor—the quality of teaching and learning that is focused on developing good standards, understanding and application of literacy and numeracy. Application is one of the areas in which our children do less well than children in other countries—for example, in how they apply the mathematics that they have learned in a different context, such as social subjects,

science or everyday life. Careful tracking of progress and feedback to the youngsters is another factor in best practice. When those things come together in a virtuous circle, Scottish schools achieve very high standards.

Elizabeth Smith: From what you have said, it is logical that you might be concerned where the teachers do not have the basic skills or the confidence to put them into practice with their pupils. Do you find that that is an extensive problem in Scottish schools?

Chris McIlroy: It is more significant in science subjects, but it exists to some degree in mathematics, particularly at the upper stages. It is less evident in language, although we sometimes find it in the developing stages of English language. To address that problem, we have to give CPD support to the willing, conscientious and good teachers in our primary schools. We need to help them to get to that position.

Elizabeth Smith: Would HMIE recommend that the General Teaching Council for Scotland should, although it has done a huge amount very successfully over the past while to improve teacher training, focus more on the basic skills?

Chris McIlroy: Teaching training is an important part of the issue, but thousands of teachers who have passed that stage are out there and a lot of work is being done in that territory. Wray Bodys might speak about preparation of teachers to teach numeracy in initial teacher education, but the bigger issue is how we address the needs of those who are in post.

One of the big shifts that we are trying to make in the report is to get every teacher into the frame of mind in which they take responsibility for extending and updating their professional knowledge. We must ensure that opportunities are available for them to do that. Increasingly, opportunities can be accessed online or through teachers in a school getting together in groups. We also need major courses. An interesting difference between science in England and Wales and Northern Ireland and science in Scotland is that the previous TIMSS report led to major thrusts on staff development in science in England and Wales and Northern Ireland, which has paid dividends in improved attainment. There was no parallel massive-scale CPD here.

Elizabeth Smith: Am I correct in thinking that, where local authorities such as West Dunbartonshire have had huge success in improving literacy rates, one reason is that they have focused specifically on those issues?

Chris McIlroy: West Dunbartonshire has a virtuous circle in a number of areas, one of which is high-quality training.

Graham Donaldson: It is important to put on record that literacy and numeracy are not solely a primary school issue. There is real evidence that young people leave primary school with a level of competence in literacy and numeracy that is not improved, and which even regresses, as they go through secondary education. An important part of the curriculum for excellence development and the separate identification of literacy and numeracy outcomes is that teachers in secondary schools see their responsibility for continuing to develop young people's competence in literacy and numeracy. There is interesting evidence, although it is not wide scale, that even youngsters who have highers or advanced highers in mathematics do not have high numeracy competence. That is to do with how we develop the specific skills that are associated with numeracy as children move through secondary education.

Elizabeth Smith: I think that in the foreword to "Improving Scottish education", you made the point that there is a problem in the top years of primary and going into secondary. Is there a specific reason why we have a problem at that age? Is that an issue from the days of the five to 14 curriculum that the curriculum for excellence might solve? Is there a specific reason why some children who come out of primary school seem to slip back a bit in the early years of secondary?

Graham Donaldson: As Chris McIlroy mentioned, there are issues to do with expectations and there are challenges as young people move into the upper stages of primary and on to secondary education. The point that was made about transition is also important. At one time, we had a strong belief that secondary education was a fresh start—all that had happened in primary school was ignored, and secondary teachers started from scratch in thinking about youngsters' learning. The reality is that we need to ensure that the secondary process builds significantly. We also need to inject, particularly into the early years of secondary education, much more purpose about the nature of those years. The schools that have decided to bring forward examinations and to go for earlier presentation have done so partly to inject a greater challenge into the early years of secondary education.

My belief is that one key test of the success of the curriculum for excellence will be whether we have an expectation about general education for all young people—an entitlement that will pervade their education from three to 15. That will give us, for the first time, an understanding of the entitlement of all young people to high-quality general education. At present, they go up a ladder and get on to the examination diet when they have reached a certain point on the ladder. We need to turn that round. Part of the reason why secondary

1 and 2 lack purpose is that they seem like a waiting room for examinations. We must stop thinking of the purpose of education as being solely to pass examinations. We need to achieve a much better definition of general education for the population as a whole, and that will provide a much stronger platform from which qualifications can flow thereafter. When I look at the curriculum for excellence, I am not sure whether that important message about high quality in, and high expectations of, general education has got across sufficiently.

Elizabeth Smith: Mr Macintosh will ask about physical education in schools in general. As you know, the Health and Sport Committee heard evidence that suggested that the inspection process has in some quarters fallen short on PE. I will ask about PE in primary schools. Can good practice examples of PE in primary schools be followed, so that we do not hit the problem in secondary school that too many youngsters are disengaged from PE and physical exercise? That applies particularly to girls.

Chris McIlroy: I do not know whether you want me to respond now to the suggestion that there are shortcomings in inspections. It would be good to be able to respond at some point, but I will talk now about good practice.

There is good practice in physical education in some primary schools, which offer a variety of activities that stretch from the core PE activities to sports, games, dance and movement activities that make links with drama. In those schools, staff very much encourage participation, because even in the upper primary stages, interest in physical activity can drop among some youngsters. If the range of activities is right—if it is broad and includes activities that are attractive to some groups, such as swimming and dance—that works well.

Elizabeth Smith: Is staff involvement a problem?

Chris McIlroy: Where good practice exists, staff tend to be enthusiastic and willing. Problems of staff, parental and community involvement arise in some schools, but sports co-ordinators have helped with that in some parts of the country. Provision is uneven.

Graham Donaldson: The critical test of successful physical education in schools is not what happens inside school, but what children do outside school. If PE works properly, young people engage in physical activity in a range of ways outside school. If activity is confined to what happens in school, that is not enough.

Elizabeth Smith: Hear, hear.

Ken Macintosh (Eastwood) (Lab): This is an appropriate time to ask about PE, as Liz Smith has raised it, but I will not repeat all the questions that the Health and Sport Committee asked. Does HMIE take a consistent approach to assessing physical education in schools? Why does it not rank schools on whether they have achieved the target of two hours of physical activity per week?

Graham Donaldson: I will let Chris McIlroy answer the specific question, but I will make a general point about inspection that is important to understand. The inspection process is not regulatory; it is not about ticking off 50 different items that ought to be present in a school. It is critical that inspection is about outcomes for children—the quality of the education and the experience for children. When that experience is not of high quality and is not doing the job that it should do, we trace that back to find what has contributed to the fact that children are not receiving the quality of education that they require.

The proportionate scrutiny agenda has run for a few years. We have been active in that and, in the post-Crerar landscape, that agenda is important. Because of that, inspections have been shortened dramatically. We would have to return to much longer inspections—I am not talking just about PE—if we were to examine a list of aspects that were seen as input measures that had to be present in every school.

There is a general question about how inspection goes about its business. We work back from outcomes for children and consider the impact on children. We take that as far back to the various inputs as we have to—that varies from school to school. If that is inconsistency, it is inconsistency. We are trying to be proportionate to the quality of the experience for children.

11:00

Chris McIlroy: We attach a high priority to examining the provision of PE in every school. As Graham Donaldson said, we have to consider a huge range of issues in inspection. A much longer inspection process and much more detailed reporting would be needed if we were to cover each and every one of those aspects. The direction of travel of the Crerar review and of the stakeholder engagements that we have had with parents has not been in that direction.

That said, in every school a conversation takes place between the inspection team and the senior staff in the school about progress towards the target of providing two hours of PE a week. It is not simply a case of saying, “Yes, the target has been met,” or “No, it has not,” because, as you know, there are local issues that have a bearing on a school’s ability to make progress towards the

target. Such issues might be to do with facilities, staffing or resourcing, which might not be under the school's control.

PE teaching is covered in every inspection—it is one of the few parts of the curriculum in relation to which we lay down that that happens. In addition, the inspectors take account of other evidence, such as extra-curricular activities that they might see, which could include sporting activities, and conversations with children and staff, and they come to a professional view on progress towards the target.

The inspectors are conscious, too, that the target is one that schools and authorities are being encouraged to move towards. There is no absolute deadline on it, nor is there a sanction if schools do not achieve it. A supportive but sometimes critical conversation takes place that is about helping schools to make progress. We use all the data to publish aspect reports on PE, of which we have produced two over the past year or two; to comment on it in "Improving Scottish education"; and to feed back to policy colleagues and education authorities on progress. In addition, district inspectors have conversations with their directors of education about progress towards the target and what barriers are getting in the way of that.

In schools in which we think that sufficient progress has not been made, we include a comment in the published report. If a professional judgment is made that the school could have done more to make progress, we put that in the report. When the practice is extremely positive, we will praise the school. That is our position at the moment, given the context of public reporting and the Crerar review, but if the Parliament, politicians and others decide to attach a different level of priority to PE, our reporting and our inspection will reflect that. We can be confident about how schools' performance on PE is inspected. We have thought through our approach extremely carefully.

Graham Donaldson: We can reassure Parliament that we will be in a position to report on the trend in progress so that those who have to take decisions about whether a firm date should be set and whether the provision of two hours of PE per week should become mandatory will be able to determine whether the current process is providing sufficient momentum. We are monitoring the situation in every school. We will be able to report on progress but, as Chris McIlroy says, how we report on PE school by school will take account of the school's circumstances.

Ken Macintosh: I have a brief follow-up. The target of providing two hours of PE per week is a specific measure, but my perception is that a school's approach to PE and to sport in general is one of the most obvious ways of assessing the school. There is a wide variation between schools that are extremely supportive of PE and very into sport and those that are not—such issues matter to parents—and that is reflected in whether the school has competitive games. I put on record my pleasure at the fact that we are moving back towards having competitive games; I do not know whether HMIE has a view on that. The variation is also reflected in whether the school runs a school team. Many schools do not have school teams. Such things are very important. What role does HMIE play in this regard? There is a national policy to promote PE and the importance of physical activity for all young people. Is it not part of HMIE's function not just to inspect schools but to promote and encourage the policy in primary schools and therefore to comment on it rigorously and in depth?

Chris McIlroy: I certainly accept that it is our role to promote the policy and to promote improvement, and we do that. Our conversations during inspections focus on that. We also promote the policy through good-practice conferences and discussions with authorities, and by publishing a portrait of current practice in PE. However, it is difficult for us to go beyond certain parameters. For example, if a particular school has made strenuous efforts in extra-curricular and sporting activities, but those are not supported by the community, parent group or local authority resources, we cannot do much more. In our inspections, we certainly encourage that action to be taken.

You are right that this is an important issue to us as a society. We know that childhood obesity and levels of inactivity are increasing. We know that across the whole area of health, including nutrition, schools and local authorities are competing against social pressures and changes in families and so on.

We promote our messages strongly. We also have to make a fair professional judgment about how well the school is progressing in the context that it is in. To report negatively on schools that are making strong efforts in this area but have not achieved as much as we might like might not be the most helpful way to promote the physical activity policy. This is an issue for the Parliament and it is of national concern. If the health and PE policy develops in a different direction or gets a higher priority, we will reflect that.

Graham Donaldson: To be clear, Scotland's health record is a matter of great concern. Education has a major role to play in addressing some of the issues involved. I agree that physical education is part of a bigger issue to do with health and wellbeing. The fact that health and wellbeing are identified in the curriculum for

excellence, with specific outcomes expected for young people, is a major step towards clarifying the education system's responsibility in the area. I give you my absolute assurance that we will give top priority to ensuring that those outcomes are delivered for our young people.

Ken Macintosh: Thank you. I look forward to reading more in the reports.

Kenneth Gibson (Cunninghame North) (SNP): As a parent, I have never given a moment's thought to PE, which I hated at school. My children eat sensibly, walk to school and do not spend all night sitting in front of a computer and the telly. They are out playing games with their peers. That makes as much difference as anything else.

I have a number of questions about the secondary school estate. The discussion so far has been fascinating. One of the things that I picked up on was that you said that education is not just about passing exams. Frankly, I dispute that. My son is sitting his highers this year and, when he applies to university, he will not be asked if he had a fulfilling and holistic education; he will be asked how many As and Bs he got in his highers.

Parents decide what schools to send their children to. They often vote with their feet, as Mr Macintosh will confirm. His local authority is under siege by parents from Glasgow and elsewhere making placing requests to some of the excellent schools in that authority. We have to be realistic about what parents want. They want their children to do well academically, so that they have opportunities. I am sure that no one here would send their child to any of the schools that are performing appallingly badly.

I have seen schools with very low levels of academic attainment getting really good HMIE reports. On page 46 of "Improving Scottish education" it states:

"For many schools, improving the consistency of the quality of learning and teaching remains a priority."

Of course it does. On page 51, it states:

"Leadership is consistently good and improving in secondary schools … staff at all levels pursue a shared strategic vision in a collegiate way".

I am not convinced by that last point, because I do not think that many teachers have the time to share a strategic vision in a collegiate way.

Why is there such monumental disparity in attainment throughout Scotland? Even within local authority areas, there will be one school that is doing tremendously well and another school, with a broadly similar catchment in relation to the social and economic background of the pupils and parents, that is doing dismally. The teachers go to the same training colleges. What is HMIE doing to try to change the situation?

Graham Donaldson: That is an interesting line of questioning. The accusation that is thrown most consistently at me and HMIE is that we are obsessed by attainment. Schools will say that we do not pay sufficient attention to the other things that they do and that we are always talking about attainment. I have a great deal of sympathy with what lies behind your question. At the end of the day, the thing that will influence young people's life chances will be the formal recognition that allows them to get to the starting gate for employment and other aspects of life. Formal qualifications—and the kind of things that society recognises through those qualifications—are critical and form a significant part of our discussions with schools, no matter where they are. You should not assume that we downplay the need for high attainment in our inspections.

We are seeing interesting things happen in schools that serve deprived areas. An inspection report that we published recently showed that a school serving the fourth most deprived area in the country was producing an examination performance way above what you would expect. We are continuing to try to draw out those examples of outstanding practice in schools that are operating in challenging circumstances. We are trying to work out the kind of things that are making a difference in those schools, so that we can encourage other schools to engage in them, too. Some of those things are not dissimilar to the things that we talked about in relation to local authorities.

Schools that perform well in challenging circumstances in disadvantaged communities have high-quality leadership. That is not just about having a charismatic headteacher; the staff members as a whole share a common sense of purpose about their responsibilities to the children. They are convinced that they can make a difference to those young people, and that attitude pervades the school. Critically, they are relentless in dealing with the kind of things that get in the way of children performing well—all the things that are going on in their lives outwith school, some of which make it almost miraculous that they get to school in the first place, let alone perform when they are there. There is a relentless commitment to doing everything possible to raise the expectations of those children and ensuring that they succeed.

One of the first reports that we published when I became head of the inspectorate was "Count us in—Achieving Inclusion in Scottish Schools", which was about the process of learning from best practice to ensure that young people who are experiencing difficulty outwith school are able to

perform to the highest level in school. I agree absolutely with the thrust of what you said, but I do not accept in any way that the inspectorate has not been forceful in taking forward that agenda.

11:15

Kenneth Gibson: It is important to share ideas, attitudes and ethos. Ambition in a school is also important. I have never met a teacher who does not want to do the best for children. However, in some areas of education, it is difficult for teachers to do everything that they could do. A secondary school English teacher who has four classes and must spend every Sunday marking 120 essays will be ground down after a number of years. That teacher is paid the same salary as a PE teacher is paid, who has no work to do at home—although they might have to take a rugby or football team out on a Saturday morning.

Numeracy and literacy are big issues. How can we ensure that the burden on maths and English teachers, for example, is not overwhelming, so that we can attract the right people into teaching and ensure that teachers who are energetic and enthusiastic in their early 20s are not burned out and counting down to their retirement by the time they are in their 40s? That is what happens to some teachers.

Graham Donaldson: It is true that some teachers burn out, but of course many do not. Teachers who have retained their commitment to and enthusiasm for teaching and who are not just open to but committed to innovation in services for young people—the silver revolutionaries—will play an important part in taking forward the curriculum for excellence.

A key point is that literacy and numeracy are not the responsibility only of English and maths teachers, which is part of the problem. Instead of literacy and numeracy expectations being embedded in our English and maths curricula, it has been made clear for the first time that delivering on those outcomes is the responsibility of every teacher. That is one way of ensuring that that critical responsibility is shared more than it has been up to now.

I am a former history teacher, so I sympathise with teachers who have endless essay marking to do. However, teachers develop techniques that allow them to do that. It is even possible to enjoy marking essays. Sometimes we are surprised by what we read. Part of our professional fulfilment comes from finding that a kid has written a really good essay. Marking might look like drudgery, but it is not necessarily so.

Kenneth Gibson: My history teacher got fed up with giving me 20 out of 20 for my essays. He gave me 19.5 once, just to keep me on my toes.

Graham Donaldson: Was that man GTC registered? [*Laughter.*]

Kenneth Gibson: Education is not a priority for many parents, but that is often not addressed. I think that there is a direct correlation between a child's ability to read at an early age and the existence of books in their house—whether or not the parents read to the child or encourage them to read. In too many households in Scotland, education is not valued. How can HMIE help schools to reach out to such households and ensure that children have the educational opportunities that they should have?

Graham Donaldson: You said that teachers want the best for children. There are few parents who do not want the best for their children, too. Families' circumstances can be complex. I agree that many children come from backgrounds in which literacy is not developed in the home. Indeed, developments in society and the prevalence of information and communication technology are such that some things that reinforced literacy in the past are no longer there, even for children whose background might be regarded as more favourable.

We have done work on identifying barriers to learning, many of which lie outside the school. The key is for us to become a great deal better at providing direct support for children in the family setting, so that they are better equipped to learn when they come to school and so that what happens in school is reinforced. Annette Bruton will talk about family support for learning.

Annette Bruton: A public report should be available in June on one of the pieces of work that we are doing at the moment. It is on the impact that family learning and engagement with vulnerable families are having on children's attainment in primary school. Our community learning and development staff, along with early years and primary specialists, have for over a year been looking into the interventions that local authorities are making to support family learning. Working with mums in particular is making a big difference to the children's learning in some areas. We are doing important work on raising mums' qualifications, on making family learning part of a package for vulnerable families, and on studying how long the impact lasts into primary school. That work will provide examples of good practice that local authorities can use in targeting their resources.

This is a resource-intensive area. Our report tries to identify best practice and identify what measures are making the biggest difference to children's learning. The June report will go into that in more detail.

Kenneth Gibson: Colleagues have mentioned the boundary between primary and secondary. In some local authority areas, primary 7 classes actually go to the secondary school, to see what the big school is all about and to meet the pupils and teachers. That is an excellent practice, which should be encouraged.

How can I put this as diplomatically as possible? Some secondary schools have expressed concerns that some primary schools exaggerate the attainment levels of some of their children. Children who are barely into level E or level F are sent to secondary school, where it is then realised that the children are not actually at that level. At S1 and S2, a lot of effort is needed to try to bring the children up to the level that the primary schools say that they are at. HMIE has a role there. Secondary schools can feel that they are blamed for what is happening in S1 and S2.

There can be a variety of reasons why primary schools claim that the kids are at a certain level. Schools will want to show that a high proportion of kids have reached a certain level, so at the earliest possible moment they push them up, even though they are not really ready.

Graham Donaldson: I know that that claim is sometimes made, but I could not comment on whether it is generally true.

If we are to have a three-to-18 curriculum in which youngsters genuinely make progress, the information that passes across points of transition at all the various stages must be good. For example, even within a primary school, the information passed from the P5 to the P6 teacher must be good and reliable.

An important challenge in the curriculum for excellence will be to ensure that the approach to assessment commands the confidence of teachers in both primary and secondary and produces valid and reliable information. At points of transition, we have to have continuous learning. Sometimes people worry about the quality of the information that passes over from primary, and they then ignore that information and start from scratch.

Cultural questions arise. Secondary and primary teachers should see themselves as a team responsible for children's learning. Secondary teachers should not say, "Primary have done this, so we'll now do that." There is a tradition, which goes back a long way, of a sharp divide between primary and secondary teachers. We need to get rid of that sense of division and have much more joint working and much better understanding. There should be a shared sense of purpose. That will require confidence that good data are being passed across.

Kenneth Gibson: When I was at school, there was an adage that bad teachers teach teachers. If a teacher was not cutting it in the classroom, they were promoted. The chartered teacher certificate is being brought forward in order to keep good-quality teachers at the chalkface. However, that will be burdensome for teachers. How can we make going for the chartered qualification less onerous for teachers who have other responsibilities—families or high levels of out-of-school work, such as marking? I refer to teachers who want to stay in the classroom and do not want promoted posts. How can the process be streamlined? Should the cost to teachers be reduced or removed? What impact might the qualification have on efforts to keep our best teachers where we need them?

Graham Donaldson: Your question addresses one of the issues that we have identified in the report—our understanding of what is meant by professionalism in teaching. Part of being a professional is taking personal responsibility for ensuring that you are ready to do your job. Instead of saying that someone needs to train them or pay them more so that they can do a full job or stay in the classroom, teachers must take responsibility for ensuring that they can do their job; that is a critical part of the culture that we need. The curriculum for excellence is partly about the nature of the curriculum, but it is also about teachers taking ownership of the curriculum. It is important that the curriculum is not passed on or handed down to teachers by someone else—they should be much more involved in shaping it than has been the case hitherto.

Kenneth Gibson: We all have mortgages to pay. If a classroom teacher can get a significant salary increase by taking a promoted post, where they do not have the same day-to-day contact with pupils, many of them will take it—that is human nature. Teachers will not sit in a classroom for their whole lives just because they have the professionalism that you describe; they can be professional at a higher level, as many people strive to be. How can we keep teachers in the classroom?

I realise that I am taking up a bit of time—thank you for your indulgence, convener—but I would like to ask a couple more questions. First, how do we ensure that the standard of highers is retained and that their quality is not eroded? When, over the years, kids have found aspects of a subject difficult to deal with, there has been a tendency to remove those aspects from highers, rather than to help the kids to learn them.

Secondly, we have already touched on the issue of teacher training. I know that you do not have direct responsibility for that, but should teachers not have to be able to spell, for example? It is all

very well for people to have a degree when they go into teacher training college or for them to be asked about what have they have done in the past 10 years, but surely basic literacy and numeracy are fundamental. I have seen a teacher—who was reading from a book—write on a board seven words for kids to spell, three of which were wrong. When I challenged them, they said that they had read the words in a dictionary, to which I replied that they had not read them properly. How do we ensure that basic problems are remedied?

Graham Donaldson: Incidents such as the one that you describe are not common. I agree that, if teachers do not have the basic competences that they require to do the job for which they are employed, that issue must be addressed. That should be done in schools, through schools' procedures for dealing with teachers' competence.

Promotion does not mean teachers leaving the classroom. The only promoted post in a secondary school that does not involve teaching is head of school; even then that is not invariably the case. Teachers stay in the classroom to a significant extent as they go through the structure of promoted posts.

I am not competent to talk about changes in standards for highers—that is a matter for the Scottish Qualifications Authority. I know that it would say strongly that its procedures are designed to maintain the standard of national qualifications.

Kenneth Gibson: When a school knows that the inspectors are coming, there is a big kerfuffle and everyone tries to ensure that the school is all shipshape and spanking for your arrival. Do you believe that you get a realistic picture of schools when so much notice of your arrival is given? The first thing that schools do is hold staff meetings, where people identify the things that need to be done. Do you get a true picture of what schools would be like if they did not know that you were coming through their door some weeks hence?

Graham Donaldson: I am certain that we do. We give schools three weeks' notice—I defy anyone in three weeks to transform a school that is not performing well into one that is. The people who are clearest about how well a school is performing are the children. If they are not doing what they normally do and things change suddenly, they will say so quickly.

The Convener: We have covered a fair amount of ground so far this morning, but there are still a number of subject areas that we want to address. I suggest a short comfort break of five minutes.

11:30

Meeting suspended.

11:40

On resuming—

The Convener: We now move on to the subject of special education.

Aileen Campbell (South of Scotland) (SNP): Good morning. I will focus on special schools. There is a great deal that is encouraging in "Improving Scottish education" with regard to what is going on in special schools. However, as with anything, there are some areas—which you have identified—that need a wee bit of improvement. Those are, specifically: the shortage of qualified staff; the lack of sufficient improvement in English and maths; and the weakness of the curriculum in around 60 per cent of residential schools. Can you give some of the reasons why you identified those issues?

Annette Bruton: There is a lot of good practice in special schools, and there have been some quite dramatic improvements over the past three years in particular, and over the past decade in general. The biggest problem, which we identified in the report, is around recruiting specialist staff, particularly in schools and in provision for children with social, emotional and behavioural difficulties. Those children have very complex learning difficulties, their backgrounds are often complex, and they are very vulnerable. They are, without a doubt, children who require a lot of very careful teaching and a great deal of continuity, which they have often lost in their learning.

Special education is a difficult area, and one in which not everyone feels that they want to teach. That is why there are recruitment difficulties in specialist areas in provision for children with social, emotional and behavioural difficulties. The children themselves and the context in which they have been placed mean that they have often had a very disrupted education. The reasons for underachievement are often related not to the specialist provision that the children are receiving at that point in time, but to the fact that their education has been disrupted throughout their school careers.

There is very good provision in some local authority areas—the quality of provision tends to centre more generally on a local authority area than on an individual school—and we have seen improvements. I spoke about partnerships earlier. People are making a real difference where the curriculum is suited to the needs of the children and young people; where the staff receive continuous support and training that is in addition to the training that they need to be classroom teachers; and where the staff who work with young people in specialist provision are working with other key professionals, such as social workers, the police, health professionals and, often, the

voluntary and non-statutory sector, to provide a wide-ranging and flexible curriculum.

These are the young people in Scotland for whom—as you will know from our report—we are not closing the gap quickly enough. It is still the most vulnerable group of pupils. We have seen some improvements, but there is a fair way to go.

Aileen Campbell: Are schools that have such well-developed partnership working better able to attract staff? The report notes that improvements need to be made in developing partnership working among the staff from the key agencies that you mention and with local businesses to develop work experience. Do schools that are doing well in those areas have a problem in attracting staff? How do you ensure that that best practice is shared with other schools that have fallen a wee bit behind on the partnership working ethos?

Annette Bruton: The retention of staff is certainly better in schools and in specialist provision—which is often a unit or a part of a school rather than a freestanding school—in which a wider range of professionals work together to support the children.

Another key area is high-quality training for staff on top of their initial teacher training. Training in classroom management and in planning to meet specific special educational needs also helps with staff retention.

11:45

Aileen Campbell: The report states that there is weak leadership from the headteacher in one in 10 special schools. What are your recommendations for improving that situation? I guess that lack of staff guidance might have a knock-on effect on other issues such as staff retention.

Annette Bruton: Local authorities can do a couple of things that make a difference. They can build better networks for headteachers of special schools both across and within authorities. If a specialist provision is the only service of its type in a local authority, the authority can build networks across the country to share good practice. That is one thing that we as inspectors do, particularly in the special school sector, where there is weak leadership and a need to develop the curriculum. If a special school is the only provision of its type in a local authority, we link them with another local authority. We will also suggest other places that the staff could visit and work with to get support and help in developing the curriculum.

As was pointed out earlier, an important point is that leadership must be expected at all levels. Many difficult decisions need to be made every day when people are working with children with special educational needs, particularly those with social, emotional and behavioural difficulties. We need to build the leadership capacity of all the staff in the school, not just the headteacher.

We also need to ensure that staff are well engaged in curriculum development programmes. Previously, a characteristic of such programmes was that they involved subject teachers from secondary schools but not teachers from special schools. Under the curriculum for excellence, we need to ensure that staff from special schools receive the same high-quality training in subject areas, as well as pastoral training, which tends to take up the bulk of the focus on staff development.

Aileen Campbell: The report's section on special schools also comments:

"In some schools, staff do not have sufficiently high aspirations for young people's achievements."

When I read that, I thought that that was a wee bit worrying. Can you explain that a bit further for us?

Annette Bruton: In a sense, a trap that teachers can fall into is that, in taking into account the young person's educational, social and family background, they run the danger of overcompensating for that by assuming that the young person cannot be expected to achieve good passes in their examinations or to study for eight standard grades or equivalent qualifications. That has certainly characterised special school education in the past: people have had lower expectations of what young people can achieve because of their difficulties.

In our inspections, we encourage schools to look at each young person's capacity and to push them on at that level by providing the necessary support to overcome the barriers. The schools should not let the barriers get in the way of the young person's achievements. Rather than saying, "What can you expect? This young person has not achieved up to this point," the school should say, "We can aspire for more from this young person." That is what lies behind that comment.

Christina McKelvie (Central Scotland) (SNP): I will move on to the section of the report that deals with the college sector. In most, if not all, areas that were inspected, the colleges fell into the category of "good" or "very good". That is quite heartening, so I hope that we can be given some insight into that. Key strengths that were identified in the college sector include the motivation of learners, staff knowledge, good CPD and good buildings and information and communication technology facilities. Having undertaken a site visit—with my wellies and hard hat on—to the new Motherwell College campus, I appreciate what a new building can do for staff motivation and the quality of learning. Can you elaborate on how

schools and colleges can learn from one another in the way that they provide education?

Wray Bodys: Schools and colleges are increasingly working together to provide programmes. They do that in various ways. Some colleges provide support to pupils in the early stages of school. Substantial numbers in S3 and S4 go to college for a small amount of their education, perhaps replacing a standard grade. Alternatively, college staff visit schools or local centres that are provided by the education authority. That continues into the later stages of secondary. A small number of S3 and S4 school pupils are on full-time college provision. Many of them are children who have social and behavioural difficulties, who get a personalised experience in college. A fairly substantial proportion of provision that is much less in the public eye involves pupils in S5 and S6 enhancing their programmes by taking highers that cannot be done in school or by undertaking project work.

Overall, there has been growth, both in policy and in the initiatives that authorities, schools and colleges have taken. Towards the end of last year, we published a major report on school-college partnership provision, which highlighted the general gains that young people get through that provision. It also highlighted several areas in which development is still required. There are practical difficulties that schools and colleges need to resolve. Based partly on the number of colleges in Scotland, their geographical distribution and the specialist provision that some make, in some cases, it is simply not possible for schools and colleges to work together comprehensively in particular areas.

The experience that young people have in college can often be detached from their school experience. We highlighted the need for school and college staff to work together more closely to consider what young people pick up in college. College is often motivational and provides an experience that would not otherwise be available. Schoolteachers need to consider how to capitalise on that experience in the rest of the young person's curriculum. We found a number of cases in which schoolteachers were not aware of what young people were doing in college or even of the certification that they were obtaining. We highlighted the need for more joint working and joint training.

The issues that arise depend very much on the model of delivery. The predominant model involves young people going to college, which is perhaps the model in which difficulties with information flow are more prominent. However, it is also the model from which young people gain the most, as they see real work-related situations and genuine current kit and work with people who are employed part time in industry. They also see the role models of older students. When college provision is on school premises, with lecturers coming in, it is much easier for lecturers and teachers to meet and work together—information flow is easier.

We have a further task this year that involves examining provision, whether outwith or in school, that involves partners such as employers, universities and private training providers. The work that schools and colleges do together is only part of the potential for expanding young people's experience through the curriculum for excellence. Later this year, we will put together what we know about school-college partnership with what we know about how young people gain by those other experiences and provide further insights into what works well and where. We hope that, in other settings, providers will pick up on that and develop it.

Christina McKelvie: You mentioned kids who disengage from school and said that the college atmosphere and structure can address such issues. Will you expand on how colleges meet the diverse needs of learners across the spectrum? Obviously, young people use the service, but so do adult learners and other people. How do we meet their needs?

Wray Bodys: Ideally, school-college partnership working should be available to enhance the curriculum for all young people in a year group, not just those who are disengaged or who have turned off, although, in several areas, colleges and other providers have good provision for that.

Colleges serve hugely diverse populations, not just young people. The average age of a learner in Scotland's colleges is somewhere in the 30s. Some people—particularly given the current economic climate—are trying to pick up new skills and change their areas of work; others are doing training and education as part of their work. Some young people come directly from school. Pupils can go to a college during their school career to see what is possible, and some might choose it as their means to get ahead.

Colleges are very flexible organisations. By and large, colleges in Scotland are able to sort out what they offer and match it to the needs of the particular groups that they serve—importantly, they can also match it to the needs of local employers and others who contribute to the planning of programmes. The answer to your question is that colleges need to be flexible organisations, which most of them are.

Christina McKelvie: I agree. Over the past few years, such provision has been delivered much more competently, and colleges have become a bit more focused.

I want to touch on some aspects of the inspection process. I picked up on this point when HMIE last gave evidence to the committee, about 18 months ago: I refer to issues around how destinations for learners can be monitored once they have left a college course. You mentioned the current climate and the impact of good data on competent workforce planning, while efforts are also made to address economic strategy in Scotland and the United Kingdom more widely.

Wray Bodys: There is no comprehensive set of national data on the destinations of college leavers. Under the national performance framework, there has been some development of data on school and university leavers, but it is generally for colleges themselves to gather data on leavers' destinations. It is a complicated area, because some students are employed when they come in and when they go out. During our college reviews, we look at and engage with the destinations data that the college gathers. In order to gather that information, work is done with Skills Development Scotland; there is also direct working with local employers, and follow-up surveys are carried out with students.

Because of the nature of the sector, the data can never be as firm as those for people leaving schools and universities. It is vital that we examine the collection of information. We regularly indicate that a college is pursuing that well, or we might say that it would be good if a college could adopt a more rigorous approach. Colleges do what they can in that regard, but the area is complex.

Christina McKelvie: Do you agree that it is HMIE's responsibility, almost, to ensure that the best use is made of such data and to work with colleges to ensure that they carry out worthwhile data-gathering exercises?

Wray Bodys: One of the commonest recommendations that we leave after a college review is for that college to make fuller or better use of its performance indicator data, in order to look back at how it has designed courses and provided support for learners. The leaver destinations data that the college holds will be part of that post-course data.

Margaret Smith: In a previous existence in the Parliament, I held a justice portfolio. As a result, I had the chance to go into prisons—most times, they let me back out again. I have been to Edinburgh, Polmont and Cornton Vale prisons, and I always found a real commitment on the part of education staff. They obviously face a particular set of challenges, and I want to ask you some questions about that.

Given our knowledge of the educational needs of the prison population, I would like to focus again on literacy and numeracy, which we have touched on a number of times already today. It seems strange that we have not taken further advantage of the fact that the prison population is—literally—a captive audience for literacy and numeracy provision. Could you give us your thoughts on what is happening in that regard, and on how such provision in our prisons might be improved?

12:00

Wray Bodys: In the report, we identify improving literacy and numeracy among offenders awaiting release as an area for further development. Provision of learning, skills and employability in prisons is a complex area. Although we have a captive audience, we do not have an audience that needs to involve itself. Prisoners engage in those areas through choice, but for many of them, the choice is simply not available. Overall provision is limited; for prisoners who are on remand or serving short sentences, the issue does not arise. The choice of learning, skills and employability is in competition with other choices, such as work parties, which involve payment. Prisoners make judgments for a number of reasons.

Given that choice is involved, provision of physical education and overtly vocational education goes down particularly well. Literacy and numeracy are less contextualised, so they are harder to sell as attractive options. However, there are ways in which prisons can do that. There is not much sharing of educational practice across prisons—certainly not in vocational areas, where the staff of individual establishments are involved. Some education provision in prisons is delivered by staff from two of Scotland's colleges, which allows messages to be taken from one setting to another. However, overall the report identified that college and prison staff do not work together sufficiently to improve provision and that there is not enough sharing of practice across prisons.

Partly because of the situation that I have described, as we moved towards producing the prisons section of the report last year, we looked at good practice in the delivery of skills, learning and employability in prisons. About six months ago, we published a report on that, in which we highlighted the general barriers that exist, the approaches that tend to work well and 14 case studies, some of which were consciously about literacy and numeracy. We have commended those examples to prison staff and to the Scottish Prison Service, with the aim of extending good practice.

There are a number of ways in which literacy and numeracy can be advanced. One of the most successful is by focusing on links with the family. The prisoner can put together a story sack—written material, such as letters, through which

they communicate with their children. That provides a real use for the literacy that the prisoner is developing. We are looking to pick up more examples of good practice and hope that we are contributing to prisons doing more in the area.

Margaret Smith: You highlighted the issue of access to provision. Short-term sentences may be anything under two years, which is not very short—many college courses do not last two years. Prisoners serving such sentences do not have access to provision, which is available only to prisoners serving medium and long-term sentences. However, we know that there is a lot of churn among short-term prisoners. Have you formed a view on whether it would be reasonable to extend provision to those who are in prison for short periods—up to about two years—or do you think that services are already pretty much at the level of what is possible, given the resources with which the Scottish Prison Service has to work?

Wray Bodys: The two parts of your question need to be read together. The extent of provision depends on the resources that are available and the priority that the Scottish Prison Service accords the issue.

HMIE's role in prisons inspection is undertaken as part of the wider work of Her Majesty's inspectorate of prisons for Scotland. At the launch of this year's HMIP annual report, Andrew McLellan, HM chief inspector of prisons for Scotland, said that, based on HMIE's input and evaluations, there is much educational provision in prisons about which we should be pleased. He also said emphatically that there is not enough of that provision.

Educational provision will always have the potential to improve prisoners' life chances and transitions into employment and to reduce the likelihood of their reoffending, regardless of the length of the sentence. However, there are issues to do with physical facilities, staffing and resources in prisons, which can be addressed only by the Scottish Prison Service.

Margaret Smith: I might be asking you to talk about matters that are outside your remit. Joint working with prisoners and staff is critical. Is the involvement of the two colleges that you mentioned spread across all prisons, or are some prisons not buying into the project? When you said that links with colleges should be improved, were you talking about just those colleges or were you suggesting that there should be more links between prisons and colleges throughout Scotland?

Wray Bodys: I was not talking about the spread of provision, although that varies, depending on local arrangements with prisons. The two colleges that I mentioned hold contracts with the SPS that run across all the prisons that the service operates—therefore, privately operated prisons are not included. I was talking about working links and how people work together on programmes, options, transitions and learning for individuals. There is a practical approach at the operational level, which is aimed at improving provision.

The Convener: There will be scope for committee members to ask about such matters at next week's meeting, when Scottish Government officials and others will talk to us about prisoner education. Those witnesses might be better placed to answer some of our questions than HMIE is.

Margaret Smith: Does Dr Bodys think that the working links that he talked about could be improved through the contract, or is it a question of having a better culture of people working together?

Wray Bodys: It is the latter. The contract is a negotiated contract, under which people do specific things.

The Convener: It is after 12 o'clock and the witnesses might have forgotten what they said in response to questions that they were asked earlier. You talked about HMIE's important role in child protection and said that you have nearly concluded the cycle of inspections of local authority child protection services. What are your main findings about the state of child protection services in Scotland?

Graham Donaldson: Annette Bruton will talk about the specifics of the process. At a general level, it is clear to me that the programme of child protection inspections that we have undertaken during the past three years has provided us with the opportunity, for the first time, to pick out examples of good practice across services and to get an understanding of effective ways of approaching a difficult area of public policy.

The inspection process has involved consideration of what is happening in particular areas of the country, using the local authority structure as a basis. There is good evidence that we are beginning to distil from that work examples of good practice that can be generalised across the system. An important part of our current work involves trying to pull out such messages and ensure that they are widely understood.

Annette Bruton: The findings in "Improving Scottish education" are based on our inspections of about half the local authorities in Scotland and their child protection committee areas. Subsequent inspections have identified good practice and less-than-effective practice but have confirmed our overall findings.

One characteristic that we found in the first round of inspections of child protection—which it is not unusual to find in the first round of inspections—was great variation across the country. Some of that is about opening up and sharing practice, because there is a big difference between excellent practice and other practice in this difficult and complex area. Children were left too vulnerable because of specific aspects of some child protection practice.

It might help the committee if I run quickly through the key strengths and the areas where we think significant development is needed. I will not expand on them at length, but I will give the committee a feel for our overall findings. On strengths across the country, we found that there is good initial help and support to keep children safe when an issue is raised or a child protection issue is identified. People move into action quickly to provide initial support for vulnerable children. However, there is a caveat, which I will talk about shortly.

Children and their families are listened to well by, for example, children's hearings, which allow children to have their say. We saw such good practice in most places across the country, which allowed children to attend meetings and be involved in key decisions about themselves. Children and young people are well respected and professionals make an effort to understand the perspectives of children and their families. There is good practice in that area, as well as in promoting public awareness of child protection, throughout the country.

However, the caveat is that, despite local authorities and their partners doing a lot to inform the public about child protection, that information is not always put into practice by the public, so there is a wider concern about how much the information has penetrated public awareness. Even when the public know what to do about child protection, there is concern about the extent to which all citizens will take up the suggestions in councils' promotional material and awareness-raising campaigns.

So we have seen several key strengths across the country, but we have identified a number of areas in child protection that worry us, because significant improvement is needed. I will pick out two of those for the committee, because they put vulnerable children most at risk. There is a requirement to develop the recognition and assessment of risk and need. I said earlier that, when there is a child protection issue or a concern is raised about a child, the initial analysis of risk is good. However, there is a problem in the longer-term with on-going planning for changes in circumstances. Concerns can accumulate for children, but they are treated as if they are the same initial concern, which is a weakness.

We are therefore concerned about longer-term planning and the need to take more account of children's changing circumstances, including things that happen in their family background or social context, and their changing needs as they get older. We are concerned most about the recurring weaknesses in that area across the country. We highlighted in the report specific aspects of variable practice across the country that we think we can change. For example, when a serious child protection issue is raised, the child will routinely be seen by a paediatrician in some local authority and health board areas but not in others, because of resources or policy. That is an example of the kind of variability across the country whereby not all of a child's initial needs are well understood or forward planning is not done effectively.

We know that child protection is difficult and complex. However, in our follow-through of the initial inspections of local authorities and their partners, we have seen significant progress being made and our recommendations being addressed. We have also seen some very good practice, so we know that it can be achieved effectively in this difficult area.

A key part of our work—as for all professionals who work in the area—is to ensure that best practice is well understood and replicated, and that the front edge keeps moving forward. For example, we are currently producing support materials for corporate parenting to ensure that there is continuity in the care and support that children receive.

There have been improvements in child protection, but we know that a great deal still needs to be done. In particular, we need to share best practice and use it as the benchmark to bring everyone's practice up to that level.

12:15

The Convener: I accept that when you begin a series of inspections you see some variability in service delivery. However, as a national inspection body, do you think that it is good enough that the quality of the services that protect Scotland's most vulnerable children is so variable across the country? In recent months, there has been a damning report into Aberdeen City Council's child protection services, which followed a damning report into Aberdeenshire Council's child protection services. Although you might not want to talk about the report that will be published tomorrow, *The Press and Journal* has leaked it today; and Ipsos MORI has an equally damning report that states that no service is rated any

better than satisfactory. The satisfactory rating means only that the service's strengths just outweigh its weaknesses. That is a pretty terrible situation for child protection services in this country to be in.

Annette Bruton: The cases that you cite provide examples for the committee of the variability throughout the country. To make it clear, I was not saying that it is okay for things to be that variable in a first round of inspections. In fact, our view is that we should not rely on inspection to find out those things in the first place: that is what self-evaluation, control measures and risk assessments are for.

I stress that we do not think that such variability is acceptable, and that what we consider to be best practice at the moment should become the benchmark for everyone. Inspection adds to improvement by uncovering areas of weakness and identifying areas of strength, so that we can get them out into the open and share them throughout Scotland.

Graham Donaldson: The fact that we are still identifying significant areas of weakness towards the end of the inspection cycle is worrying. I make it clear that it is imperative that quick action is taken when we identify issues at this stage. Almost invariably, once findings have been made clear at the verbal stage of feedback, the response in local areas has been to take quick action. However, as Annette Bruton said, it should not take an inspection to find out that that is needed.

The Convener: I am concerned that it is your inspections, rather than authorities' willingness to improve services because they have a responsibility to protect children and their families, that appear to drive changes in child protection. If that is the case, how confident are you that local authorities will treat child protection as the priority that it should be?

Graham Donaldson: I have no doubt that, whatever truth there might be in your perception, all local authorities and their partners are seized of the need to be very good in the area of child protection. The collective impact of the child protection inspections has been to shine a searchlight on an area in which there was not a lot of good data or evidence about what was happening.

The evidence that we have now is that it is universally understood that child protection is a very high priority that needs to be addressed. We will see—I hope—a significant improvement in the whole area during the second round of child protection inspections.

Annette Bruton: We have seen some good practice, where local authorities and their partners demonstrated that, before the inspectors came, they were able to deliver the services that were needed to protect children and keep them safe.

The Convener: Some local authorities adopt good practice, but too many of them do not meet the standards that we should confidently expect from them.

The graphs on child protection services in section 3 of the ISE report show that only between 10 and 20 per cent of local authorities perform in the excellent or very good categories. The graph on whether children's needs are met shows that just under 50 per cent of services were either unsatisfactory, weak or satisfactory. We might think that satisfactory is okay, but it means that strengths just outweighed weaknesses and no more. In other words, almost 50 per cent of children in those local authorities are being short-changed by the system. They are not being protected effectively and their needs are not being met.

Graham Donaldson: You are right to suggest that satisfactory is not good enough. Our aspiration for child protection should not be that it is just satisfactory; it really has to be of a very high quality.

We published a report a week ago that contained some positive messages about child protection in a particular local area, but it received virtually no publicity. I suspect that the report that is published tomorrow will receive a lot of publicity, which is understandable. When young people are being let down by public services, the issue has to be addressed instantly.

The Convener: We should highlight it when local authorities do a good job, but such stories do not always hit the headlines.

We must ensure that child protection services are given priority. Have you picked up anything from your cycle of inspections that would make a difference? What about leadership? How can we give local authorities the confidence always to strive to do better in relation to child protection?

Annette Bruton: We see ourselves highlighting good practice, and we see professionals joining us in that. At conferences and through the support materials that we provide, we should explain how good practice came about and how it works. We have already produced support materials on child protection, and, as I said earlier, we are developing with other colleagues materials on corporate parenting, which will be helpful.

Joint self-evaluation will be important. We are at an early stage. Individual services can self-evaluate and identify their strengths and weaknesses, but the success of that is variable across child protection services. There is not much evidence of services getting together to consider

their joint impact. We could support people so that they target the areas that they need to improve.

Ken Macintosh: Have any parents or parent councils referred issues or schools to you under the new powers in the Scottish Schools (Parental Involvement) Act 2006?

Graham Donaldson: Yes.

Ken Macintosh: How many?

Graham Donaldson: One.

Ken Macintosh: Are you able to comment on the case?

Graham Donaldson: No. One issue that has arisen concerns which referrals come within our competence and which do not. We are still considering whether this particular case comes within our competence.

Ken Macintosh: Earlier, you mentioned the new and more proportionate inspection regime. You say that your training for inspectors is working on the highest possible level of interpersonal skills. A new, cuddly inspectorate—I quite like that idea.

Is there still a seven-year rotation for the inspection of primary schools and a six-year rotation for secondary schools?

Graham Donaldson: Yes. Under the requirements of the national performance framework, we have a programme over the reporting period that broadly corresponds to the previous rotation periods of six and seven years.

Ken Macintosh: I think I know the answer to this question, but do you assess the quality, quantity and range of teachers' CPD? Do you comment on teachers' CPD?

Graham Donaldson: We do not comment directly on teachers' CPD, because it is difficult to pin down. You will see from "Improving Scottish education" that we identify the professional development of teachers as crucial to how things move forward, so we will place a greater emphasis on the professional development of teachers in our inspection programme. As one of my colleagues said, it is not about how many courses a teacher has gone on; it is about what is happening inside the school. One of the key tests of the leadership of a headteacher is how they take forward professional development of their staff. Professional development will be a focus for our inspections, because it is an aspect of leadership, and part of creating the culture that will be required in school if the curriculum for excellence is to be successful.

Ken Macintosh: It is good to hear that. I ask because, as you can imagine, the issue of CPD is continually raised with us as elected representatives, but it is difficult to get to the bottom of, given CPD's scope and the range of ways in which it is provided. Will you produce single reports on CPD rather than mention it in school reports?

Graham Donaldson: Yes. As a follow-up to our report on the teaching profession in the 21st century, which we spoke to the committee about some time ago, we are looking at CPD as one avenue for taking forward the report's approach.

Annette Bruton: Later this year, we will produce a follow-up report to "Teaching Scotland's Children". You will remember that one of the recommendations was that local authorities should have better systems for tracking the impact of CPD. The closer that you are to the teacher, the better a handle you can get on the difference that CPD has made in their classroom. We asked local authorities to do that and have been following it up with them through a task that we have been doing. We are bringing together a new report on CPD, collegiality, chartered teachers and newly qualified teachers, based on some inspection evidence and on answers that we have asked our inspectors to find out. The report will be published towards the summer.

Ken Macintosh: That is good to know.

Returning to the theme that I mentioned in respect of PE, my next question is about school buildings. The quality of the school estate is occasionally referred to in school inspections, but certainly not always. What is your approach to mentioning the quality of school buildings? Do you, for example, accept local authorities' annual assessments, which use a range of indicators from A to D?

Graham Donaldson: The response is similar to the one on PE. We look at the environment and how it influences the quality of the experience that children receive. We do not comment on the accommodation in every school, but we do so if we identify in the course of inspection any issues to do with health and safety. We are not health and safety inspectors, so we do not purport to perform health and safety audits of schools, but if we identify in the course of our inspection health and safety issues that give us cause for concern, we clarify them with the school and take them up with the local authority. Such issues do not always appear in published reports.

As you know, we worked with Audit Scotland on a fairly major piece of work that it undertook on the school estate. We tend to consider school estate issues in the round, rather than school by school, but when we have health and safety concerns about a school, or when, in extreme circumstances, the learning environment is deleterious to children's education, we mention it in the report.

Ken Macintosh: A similar area—in this case perhaps more similar to the issue about PE—is your role in promoting policy. Play has moved up the political agenda and now features strongly in the early years strategy. You refer to it in passing in your report. Can we expect play to feature in individual school inspections?

12:30

Chris McIlroy: Yes. It already does in a number of inspections. Often, the language refers to active learning—a phrase that is used instead of play in some of the curriculum for excellence documentation. However, in a number of early years reports, we have said that there are insufficient opportunities for learning through play. In some reports, we refer to active learning in that way; in others, we refer to the discontinuity between active learning in, for example, nursery classes and in the early primary stages. So references to play do appear in school reports.

Ken Macintosh: You changed school reports several years back to make them more accessible to the public, apart from anything else. Clearly, the use of the phrase "active learning" as a substitute for "play" has passed me by.

I do not want to repeat all the questions about local authorities, which you have answered fully. They are all improving. However, on HMIE's role in relation to the concordat, the foreword to your annual report refers to the changing environment, including the successes and challenges. I am not sure about HMIE's role in that. Let us consider a relatively contentious issue—class sizes. Do you have a role in commenting on whether local authorities and schools are on track to meet their class size commitments? Do you look into that?

Graham Donaldson: We are not involved in that directly. It partly goes back to an earlier question. If we were directed to do so, we would go into that, but in inspections, we start from the quality of the child's experience and work back from it. If the way in which a school organised children into classes was an issue for their learning, that would figure in our report.

Ken Macintosh: So you would comment on whether a school was delivering on the commitment to provide two hours a week of PE, but you would not comment on its class sizes.

Graham Donaldson: We are monitoring the commitment to two hours of physical education a week. Class sizes are a much more complicated issue to do with the way in which children are organised and the compositing of classes. We tend to report specifically on the quality of learning in a school instead of drawing class sizes out as a separate issue. It is a much harder issue to pin down. Not to put too fine a point on it, the quality of what is done in a class is as important as, if not more important than, the size of the class.

Ken Macintosh: I do not disagree. That is one of the reasons why class sizes are such a contentious issue. There is a specific commitment to classes of 18 pupils, which increases the number of composite classes in some areas. You have been given a directive to inspect subjects such as play and PE, but you have not been given a directive to talk about class sizes.

Graham Donaldson: No. There has been no directive in either case. Our inspections look at the context of learning on a school-by-school basis and determine the quality of children's experience, whether that is to do with play, PE or anything else. Inspections take a general approach on a school-by-school basis. There is then the question of the contribution that the inspectorate can make in helping people to understand whether the agreed Government priorities, whatever they might be, are being delivered. An annual survey is undertaken on class sizes, which gives the information that is required. It is not an area that we need to get involved in directly, as those data are available and decisions can be taken on class sizes on the basis of that annual survey. The issue relating to physical education is about the quality of children's experience, which is a different kind of issue.

Ken Macintosh: There is an annual survey, but more important for us, as representatives who are trying to follow class sizes and monitor spending commitments, is whether some local authorities are attempting to drive class sizes down, whether they are paying lip service to the policy, whether they are making no attempt to implement the policy or whether class sizes are going in the opposite direction. We are trying to get to the bottom of the direction of travel and the interpretation of the policy. Perhaps you can comment on that specifically. It is possibly too early to say but, in broader terms, is there any evidence of the impact of the concordat on the willingness or otherwise of some schools or local authorities to implement national policy initiatives?

Graham Donaldson: Anything that we would want to say about that is for ISE 3, rather than the ISE report that we have just published, because it is work in progress.

The Convener: That concludes the committee's questions. You have been more than indulgent with your attendance at the meeting. I am sure that committee members would like to pursue many other issues with you, so I am sure that you will return to us.

12:35

Meeting suspended.

12:36

On resuming—

Subordinate Legislation

Protection of Vulnerable Groups (Scotland) Act 2007 (Transitory Provisions in Consequence of the Safeguarding Vulnerable Groups Act 2006) Order 2009 (SSI 2009/4)

The Convener: The second item on the agenda is a negative instrument. The papers have been circulated to members. You will be aware that the Subordinate Legislation Committee determined that it did not need to report the instrument to this committee and the Parliament, on the grounds that it has outlined.

Are members content with the Scottish Government's response to the points raised by the Subordinate Legislation Committee?

Members *indicated agreement*.

The Convener: In that case, does the committee agree to make no recommendation on the instrument?

Members *indicated agreement*.

Meeting closed at 12:37.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

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