



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EDUCATION AND CULTURE COMMITTEE

Tuesday 17 September 2013

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EDUCATION AND CULTURE COMMITTEE

23rd Meeting 2013, Session 4

CONVENER

*Stewart Maxwell (West Scotland) (SNP)

DEPUTY CONVENER

*Neil Bibby (West Scotland) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)

*Clare Adamson (Central Scotland) (SNP)

*Jayne Baxter (Mid Scotland and Fife) (Lab)

*Colin Beattie (Midlothian North and Musselburgh) (SNP)

*Joan McAlpine (South Scotland) (SNP)

*Liam McArthur (Orkney Islands) (LD)

*Liz Smith (Mid Scotland and Fife) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Councillor Douglas Chapman (Convention of Scottish Local Authorities)

Martin Crewe (Barnardo's Scotland)

Greg Dempster (Association of Headteachers and Deputies in Scotland)

Joan Martlew (University of Strathclyde)

Clare Mayo (Royal College of Nursing Scotland)

Jackie Mitchell (Royal College of Midwives Scotland)

Robert Nicol (Convention of Scottish Local Authorities)

Purnima Tanuku OBE (National Day Nurseries Association)

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 4

Scottish Parliament

Education and Culture Committee

Tuesday 17 September 2013

[The Convener opened the meeting at 09:39]

Children and Young People (Scotland) Bill: Stage 1

The Convener (Stewart Maxwell): Good morning and welcome to the 23rd meeting in 2013 of the Education and Culture Committee. I remind everyone that all electronic devices, particularly mobile phones, should be switched off at all times while the committee is in session.

Our first item is continuation of our evidence taking on the Children and Young People (Scotland) Bill. Our first panel will focus on the issue of early learning and childcare, and I welcome to the meeting Councillor Douglas Chapman and Robert Nicol from the Convention of Scottish Local Authorities; Joan Martlew, course director of the bachelor of arts degree in childhood practice at the University of Strathclyde; and Purnima Tanuku, chief executive of the National Day Nurseries Association Scotland.

As we have a lot to cover this morning, we will move straight to questions. George Adam will begin.

George Adam (Paisley) (SNP): What effect will the change from 475 hours of mandatory pre-school education to 600 have on child development? Do you want to kick off, Douglas?

Councillor Douglas Chapman (Convention of Scottish Local Authorities): Thanks very much for the starter for 10.

As has been widely recognised in all the evidence that has been produced to date and all the discussions about preventative spend that the Christie commission and so on have had, Scotland's investment in early years will be important. Indeed, it is the main reason why we are pursuing more hours of education for the very earliest years. As the committee knows, the funding covers three to four-year-olds as well as vulnerable two-year-olds and, although I am sure that many people would like that provision to be extended, it is very much a welcome step in the right direction and something that we happily support in the bill.

Purnima Tanuku OBE (National Day Nurseries Association): We fully support this move by the Scottish Government, but the

question of how the funding is passed to front-line providers needs to be looked at very carefully. Private, voluntary and independent day nurseries care for 60,000 children or approximately half of the children in nursery places and, in fact, that proportion increases with the under-threes. There are 40,000 under-threes in care and early learning in private and voluntary day nurseries and with the local authority funding that they receive those nurseries are making losses of about £550 per child per year. Those cost implications need to be considered in extending the amount of mandatory pre-school education to 600 hours.

Joan Martlew (University of Strathclyde): I, too, welcome the additional hours of pre-school education. Those 600 hours are important because, as far as child development is concerned, additional time in a high-quality early years environment can only enhance children's social, emotional, cognitive and indeed all-round development. My concern, however, is where the 600 hours are going to come from, whether they are just going to be an add-on and how local authorities are going to manage all this if there is no direct guidance from the Scottish Government.

George Adam: Can you give us some guidance on those questions, Douglas?

Councillor Chapman: I will ask Robert Nicol to respond in a moment but, as members will see, flexibility is built into the bill with regard to the funding stream in the period up to 2020. I know that the Association of Directors of Education in Scotland is working up different delivery models and, as the funding streams come through, local authorities will be able to develop more flexible models in the interests of parents and—obviously—children. I take the point that the real focus for this should be high-quality education and care and I hope that, over time, we will see significant improvements in the development of young children in our communities.

Robert Nicol (Convention of Scottish Local Authorities): I can take the last couple of points, about the management issue, and where the 600 hours come from. We are not starting with a blank sheet of paper here. Local authorities have been delivering education and childcare for many years. We are looking to build on what has already been well established in Scotland.

As Douglas Chapman said, an element of flexibility is built into the proposal, so we are not looking for one particular model to be delivered; we are looking at adapting what works to local areas. There will have to be an element of flexibility for delivery.

The issue of management and guidance was raised. We are working closely with the Government on what will become the statutory

guidance for the act, although obviously the act has to be written first. The development of the guidance will be based on the discussions in this committee and in Parliament. That will inform what councils do. The element of flexibility is important, not just for authorities but for parents and families.

09:45

George Adam: Joan Martlew mentioned the high-quality environment that you were hoping for. Will the employment of a teacher rather than a childhood practitioner make a difference to that quality of environment?

Joan Martlew: Definitely. In any reports in the past couple of years, Her Majesty's inspectors of education have indicated that there is a difference where there is high-quality staff training. The effective provision of pre-school education—EPPE—study has indicated that where the lead professional is educated to degree level, children have a higher-quality and better learning environment.

The Convener: You mentioned the EPPE study. Is it not the case that the study did not compare teachers and childhood practitioners?

Joan Martlew: It looked at employees who had a degree qualification, not just teachers.

The Convener: It did not make a direct comparison between teachers and childhood practitioners.

Joan Martlew: No, it did not.

The Convener: We just have to be clear about exactly what was compared in the EPPE study.

Clare Adamson (Central Scotland) (SNP): I ask Joan Martlew to expand on her concern that the 600 hours would just be an add-on. What would your ideal be?

Joan Martlew: I would have great concerns if there was such a degree of flexibility that children could attend an early years establishment for education purposes for seven and a half hours a day over two days, which would be their 15 hours. Children would have difficulties settling and the continuity of their educational experience could be delivered in a patchwork manner.

My other concern is that if an extra half hour is added on to the two and a half hours that children receive when they go to mainstream nursery school, that has implications for staff planning and staff training. At the moment, the two and a half hours per child per day allows staff to undertake planning and additional training. I would have concerns if they were to lose an hour a day as a result of delivering another half hour per child. It is vitally important that early years professionals have planning time.

Purnima Tanuku: One of our major concerns about the bill is the lack of parental choice. Local authorities decide which settings get funding. A parent will take their child to a setting not of their choice but of the local authority's choice, which is funded. As a result, the parent has to take their child there first and then take them to an aftercare setting or another nursery to be looked after. If a parent wants to take their child somewhere nearer to their workplace, they sometimes do not have that choice. We operate across the three nations and we think that that is the biggest difference that is not covered in the bill. We feel that the funding should follow the child and that the parent should have a choice, provided the standards are met by the setting—whether it is private, voluntary or independent—and the quality is high. Unfortunately, that is not covered in the bill.

The Convener: I ask Douglas Chapman to comment on some of those points.

Councillor Chapman: That is something that we have not really looked at in any great detail because it is not part of the proposal that is before us. Local authorities already work with partner providers in the private sector and the third sector. A huge amount of early years work goes on in local authorities. The system that we have allows intricate planning of the places that are available to children and parents. If the money follows the child, that starts to eat away at the proper planning of early years provision across the board. That has been our view and that of local authorities across Scotland. I know that Robert Nicol has been in close contact with local authorities about the subject.

Robert Nicol: I will back that up. Our point, which touches on what the other panellists have said, is that quality is the important thing. We absolutely want to deliver quality; we do not expect the flexibility or the options that are delivered to be pursued to the extent that they start to erode the quality of the service that parents and families get. Any educationist—I have spoken to them while the bill has been developed—would share the concern about pursuing options that would deliver a poorer-quality service. That is the bottom line for local government.

As for money following the child, an element of planning must go into all education delivery, as Douglas Chapman said. After all, the curriculum is for children from three to 18. It is important that local government can look at the best way of delivering in its area, which varies according to the partner providers that are present and the area's geographical make-up.

It is important that planning can take place to ensure not just quality but improvement. Registration is important, but on-going planning,

development, staff development and improvement are all part of education delivery at pre-school, primary school and secondary school levels.

The Convener: Can I clarify something with Joan Martlew? You said that you do not support the idea of extra hours being split over two days, for example—correct me if I am wrong. I think that you said that that would be disruptive. Last week, parents told the committee that such an arrangement was exactly what they wanted, because they wanted to be able to get a part-time job. They could get a job for two days a week, but it is almost impossible to get a job that is for an hour and a half a day.

Joan Martlew: My concern is that, if children attended nursery only for two full days, they would put in longer days in an educational establishment than their counterparts in primary and secondary schools do, and they would not have access to provision for another five days. I understand that parents would like flexibility but, if we put the child at the centre of their learning, attending for only two full days would be detrimental to their development.

Joan McAlpine (South Scotland) (SNP): I will return to the point that the convener made about childhood practitioners and teachers. In the past, outcomes for children were far better if they had access to a teacher, but I understand that that has changed now because of courses such as the University of Strathclyde's degree course. Will you tell us a little more about that and about what childhood practitioners bring that perhaps teachers do not bring?

Joan Martlew: When childhood practitioners do the BA in childhood practice, they must have their initial childcare qualification, whether it is a higher national certificate in early education and childcare or a Scottish vocational qualification at level 3. They must also have two years' post-qualifying experience of working with children who are under five.

Teachers do not have to have such a background. In their training, teachers have only four weeks' practical student experience in a nursery. Teachers who exit with a BEd might have worked only as a student with children who are under five.

BACP practitioners have their initial qualification and they attend university to undertake a degree course that provides them with the opportunity to be more critically analytical of what they are doing and to investigate a wide range of topics, such as psychological approaches to working with children. Most of their outcomes relate to their workplace practice, so they must reflect on the theory and demonstrate the ability to apply it in their workplace practice.

Joan McAlpine: It seems from what you are saying that, if a child is being educated at nursery stage by people who have a degree in childhood practice, the obligation to give them access to a teacher is perhaps not as important as it has been in the past.

Joan Martlew: I do not think that it is as important, particularly given that—as I mentioned—not all teachers who are placed in nursery have experience of working in a nursery situation. Childhood practice practitioners have experience, as they must have it before they are able to take the course.

One recent addition that we have made to the University of Strathclyde's BA in childhood practice is that we have revalidated the degree and included the option of an additional honours year, which means that students can exit with the same level of qualification as teachers.

Joan McAlpine: Is there a difference between what we are providing in Scotland on those types of courses and what is provided in England?

Purnima Tanuku: A highly skilled qualified workforce is crucial to child development. However, it is not just having teachers and graduates that is important but having teachers and graduates with early years experience. Approximately 98 per cent of the early years workforce is female, and it includes mature people who may not have the qualifications but who are wonderful at caring for young children. We need to consider the balance between having a highly skilled qualified workforce and employing mature people.

If a parent goes into a nursery, they are not looking for it to be staffed purely by 18 or 17-year-olds—they want a balance between experienced practitioners and a mature workforce. That needs to be recognised, and there must be some support for the workforce. At present, given the local authority cuts, the availability of training providers has been cut at a local level, but that type of investment needs to be made.

To answer Joan McAlpine's question, there is definitely a difference between the situation in England and Wales and that in Scotland. The Government in England is moving towards introducing early years teachers and educators, which are a slightly different level of practitioner, and there are already early years practitioners working in early years settings. The key is people with early years experience, and not just teachers per se.

Colin Beattie (Midlothian North and Musselburgh) (SNP): I want to focus specifically on resources. Part 6 is probably the most expensive part of the bill, as it will cost approximately £100 million. We have heard

comments about the increase in qualifications and so on for nursery staff, and about their wages. The increase in qualifications has presumably created hierarchies in the nurseries. How has that affected the wage structure in a nursery?

Purnima Tanuku: It certainly has affected the wage structure. The cost of childcare is increasing all the time, and you will have seen the statistics in the annual Scottish childcare costs survey. The cost—certainly for private and voluntary providers—includes rates, rent, utility bills and everything else, but 80 per cent of the costs in a nursery is workforce and staffing costs. In Scotland, business rates have increased by 100 to 150 per cent, making them highest in the UK, so that has become the second biggest cost for day nurseries.

All of that has an impact on the parental fees and on the salaries that are paid to staff. When we conducted our recent survey, we found that the amount of funding that is allocated differs a great deal between local authorities. It is laudable that the Scottish Government is investing huge amounts of money, but it is important to ensure that the money is spent on early years provision for childcare on the front line. That is the biggest challenge for day nurseries.

A lot of day nurseries are struggling, and sustainability is a big issue. The occupancy level is only between 70 and 80 per cent, depending on where a nursery is located. In isolated rural areas—in the Highlands, for example—parents need to have a choice but, unfortunately, people are not able to set up a nursery there because it is not a sustainable business.

Colin Beattie: A comment was made earlier about nurseries being underfunded by an average of £550 per child. Can you explain how that figure is worked up?

10:00

Purnima Tanuku: Yes. There is a cost per hour per child. Sometimes nurseries offer very good flexibility, such as half-day sessions and full-day sessions, and they all have a cost that the nurseries need to recover. That cost is based on all the other costs that the nurseries have, including staff wages.

There is a big difference between the rate that the nurseries charge parents and the rate that they are getting for funded hours. The Finance Committee will consider that issue tomorrow. The assumption is made that places are funded at £4.02 per hour, but since the advisory floor targets were introduced in 2007, the funding has not kept up with inflation. People are still getting the same level of funding. On average, it works out at around £3.40 to £3.50 per hour across the

country. There is no way that that is adding up to the cost of childcare. Nurseries therefore end up subsidising that from the parents who are using the nurseries more than the funded hours or full time. There is no such thing as full-time day care any more. Parental choice is very different now. A lot of children are being cared for by friends, relatives and grandparents because of the cost of childcare, and that is the big conundrum.

Local authorities need some very clear guidance. I agree with my COSLA colleagues about flexibility, but there is capacity in the PVIS, so let us not reinvent the wheel. Where there is capacity, we should use it. Many local authorities work very well with PVI providers, but when some local authorities see the private sector with a big P, they still see the stigma, even though the nurseries are very small and community based.

Colin Beattie: Mention was made of the advisory floor. What would the resource implications be if that was reinstated?

Purnima Tanuku: When it was introduced in 2007, the assumption was made that if we put in a minimum level of funding, all local authorities would give a little bit more than that and pay the real cost. That did not happen. We would strongly advise the introduction of that level because the rate that is paid across the different local authorities is very different. People pay a lot more than £3.40 per hour for babysitters.

Colin Beattie: You must have some sort of a figure in mind that would be a reasonable floor.

Purnima Tanuku: That needs to be worked out across the board, taking into consideration the actual cost of childcare. We would be very happy to be part of that dialogue.

Colin Beattie: What would the cash implications be if we used childhood practitioners rather than teachers?

Joan Martlew: A childhood practitioner in a lead practitioner role might earn up to £25,000. Teachers who have years of experience might earn up to £30,000. There might therefore be some cash saving at the current rates. Again, I would need to look at more detailed figures to be able to provide that information. I do not know whether COSLA has any more information about that.

The Convener: Does COSLA have any view on the views that have been expressed by Purnima Tanuku? Do you have anything to add, or agree or disagree with?

Councillor Chapman: The advisory floor has been discussed within COSLA. As the bill is currently framed, no resource would be available to adjust the floor. Each local authority comes to its own agreement with its partner provider and we

would endorse that arrangement remaining in place, unless additional resources or funding are made available to cover the additional costs.

The Convener: The minister sent a letter to the convener of the Finance Committee on 12 September, which said:

"The Financial Memorandum includes an estimate of £1.2 million for uprating partner provider payments in line with inflation from 2007."

It goes on to say:

"We now think this figure should be in region of £2 million".

We received that letter only this morning, but it sounds like there is a recognition of the situation and an increase in the amount of money that will be available for partner provider payments.

Councillor Chapman: Robert Nicol has been in close discussion with civil servants about the bill.

Robert Nicol: We are aware of the increase that you mention. The important point is that there is money within the costings in the financial memorandum for a variety of things, including staffing costs. However, delivery costs will always be slightly different. It is important that councils have the flexibility to judge for themselves, with their partner providers, what is a fair settlement locally in terms of investment and funding. You are right that there is money within the costings in the financial memorandum. However, as our submission highlights, the actual cash that local government will get in future years cannot always be determined, so it is important that, at the time of delivery, authorities are able to weigh up all the options and the issues that they face before they decide what they can afford to invest.

Jayne Baxter (Mid Scotland and Fife) (Lab): Good morning. I will ask about flexibility and parental choice. We have already talked quite a lot about those matters, but I will ask my questions anyway for the record. If you feel that you have given a sufficient answer, do not feel obliged to say more.

Section 48 requires that local authorities

"must have regard to the desirability of ensuring that the method by which it makes early learning and childcare available in pursuance of this Part is flexible enough to allow parents an appropriate degree of choice when deciding how to access the service."

COSLA has stated that, although there are timescale and resource implications, it feels that it can take a reasonable approach. Given what we heard last week from parents about the importance of flexibility, how quickly can local authorities move towards implementation?

Councillor Chapman: Again, the issue is resource based. Even in your own region of Mid

Scotland and Fife, there are some areas that are hugely rural and centres of population where delivery of early years education will be totally different. We need to think about having the flexibility to deal with those differences.

Local authorities have the professional expertise to ensure that the service is provided as flexibly as we can. That means that, for most local authorities, the number of hours will be increased from 475 to 600 in year 1, in August 2014. I am not sure how much flexibility will be available in that first year but, as you can see from the resource flow, as more resources come in we will be able to make more changes to the service delivery available to parents. I hope that each local authority can have a discussion with parents in its area to ensure that it tries to meet the need.

I am not sure that, at the end of five or six years, we will be able to satisfy absolutely everyone—you never can—but, as I said, the increase in the number of hours is a step in the right direction. Some people might want to take another step, but that is very much in the future.

Purnima Tanuku: Flexibility and parental choice as very closely linked together. COSLA's submission agrees and also states that

"increased flexibility is more complex and costs more money as a result".

The PVIS sector has been delivering such flexibility for a number of years, but the bill does not give a parent the right to use a particular provider. That is the big difference.

If I am a parent who works across the border in a different local authority—let alone across the border between the countries of England and Scotland—there are already issues about how the child is funded. Some providers operate across those borders, so there are big issues about cross-border funding for children. Parents cannot take the child to the provider of their choice based on where they live or work, because the local authority has decided to use a certain provider. That is the biggest problem, so flexibility is very much interlinked with parental choice.

Joan Martlew: I think that a lot of local authorities are already moving towards more flexibility through the closure of nursery schools and the expansion of family and day centres, which are open for extended hours and are not restricted to term time. Such a move helps with flexibility and with upholding the rights of parents as well as the rights and needs of the child.

Robert Nicol: On that last point, it will be interesting for the committee to know that—certainly from our experience—authorities are thinking ahead about what it will mean to deliver flexibility in the future years. As Douglas Chapman

was saying, the very first year will probably be about 600 hours with no additional flexibility. However, authorities are now thinking about flexibility and about whether they can perhaps move more quickly than is set out in the bill. Obviously, they will want to do that, but it will be a local choice and it will depend on the resources that they have available.

An important point to get across is that authorities will, we hope, be funded through the money that is within the financial memorandum and they will have to work within that budget. There is no more money available to deliver the flexibility, so we will just have to deliver what is possible.

Jayne Baxter: If resources allowed, do you think that parents should be able to choose which days and which nursery their child attends for the 600 hours?

Purnima Tanuku: I do not think that it is a question of “if resources allowed” because that choice happens in other countries. Every parent is different; every child is different. Parents’ circumstances and working patterns are different, so they should have a choice, provided that the provider delivers high quality.

From a resource point of view, it does not matter which setting the child goes to—a maintained nursery or a private or voluntary day nursery—as long as that setting is funded accordingly to deliver the high quality because, at the end of the day, what is important for children is achieving the best outcomes for all children.

Joan Martlew: I agree with that. Flexibility is of crucial importance and parents should have the right to choose, but we should not lose sight of what is best for the child.

Robert Nicol: The only thing that I would add is that we have to be careful in advocating such a position. We do not want to end up undermining the position that we have already established in Scotland through high-quality local authority early learning and childcare. The quality element is obviously the number 1 priority from a local authority point of view.

Yes, we absolutely want choice for parents, but not if it comes at the expense of quality. There is the importance of being able to plan across an entire area. What is being advocated is akin to a market-delivered solution and that approach does not always work out in the long run, as we have seen with other market-delivered solutions. Such a position would have to be very carefully considered so that it did not end up undermining the success that we have already been delivering.

The Convener: I will pick up where Robert Nicol left off. Is there not a danger of the law of

unintended consequences kicking in here? Clearly, there are popular and less popular areas for parents. For example, many primary schools have nurseries attached to them. Children will go to the nursery and then move on to the primary school and the secondary school.

I live in a very popular area where there is huge demand. There is demand from parents outwith that area—parents who do not live in the council area—to get their children into the nursery school, so that they can then move on to the primary school and therefore be in that particular education system.

How do you deal with those pressures and deal with that kind of difficulty if you go down the market-driven route that Robert Nicol mentioned, when the local authority has to manage the level of demand with the level of supply in its area?

Purnima Tanuku: It is important to look at the mixed economy that already exists in Scotland. As I said, more than 60,000 under-twos and 40,000 three and four-year-olds are being looked after in the PVI sector.

As regards the unintended consequences, we need to be careful that we do not reinvent the wheel—we have given some relevant case studies in our submission. Where there is high-quality provision, we should be able to use that provision. We must be very careful: in the case of some local authorities, the providers are being told, “Thank you very much, we don’t need you any more because we are going to set up a nursery within the school,” or within the local authority catchment area. That threatens the sustainability of the high-quality provision that already exists.

When we are looking at limited resources, we must consider how we spend those resources and where there is existing provision. There must be gaps. In some areas there will be gaps; in others there will be overprovision or underprovision. That mapping needs to be done very carefully.

10:15

As an example, in England, when the children’s centres agenda first started about four years ago a lot of capital funding was spent on building brand new children’s centres right next door to existing high-quality provision. I am sure that the committee is very aware of what happened to those centres: less than 2 per cent of childcare is now delivered through them. It is important to learn the lesson not to duplicate provision but to make sure that the existing provision is utilised, provided that it is of high quality and that it meets all the standards.

Joan McAlpine: I would like to talk about some of the differences in England that have already been brought up. The Family and Childcare Trust has suggested that many nurseries in England are closing and that the targets that the United Kingdom Government set for educating children—two-year-olds in particular—may not be met because of the nursery closures.

Purnima Tanuku: Absolutely. Sustainability is a big issue across England, Scotland and Wales for the reasons that I highlighted earlier. It is the same in England in terms of the hourly rate that is paid to the nurseries in some areas. That is why the minister recently introduced a minimum level of funding for two-year-olds, and we have monitored that quite closely. There is a huge capacity issue for two-year-olds: in some local authority areas the targets can be met; in others they cannot.

It is really important that, when the 600 hours extension takes place, it is properly financed and calculated. A mapping exercise needs to be done to see where there are gaps in provision. I am sure that local authorities are already doing that work. It is important that they work together in strong partnership with the PVI providers across the country.

Joan McAlpine: You are quoted today in *Children & Young People Now* as saying that the proposals for one-year-olds to get 10 free hours of childcare a week are “unsustainable”.

Purnima Tanuku: The Lib Dems have just announced that as their aspiration for the next general election. What is important is that, if the current extension is not properly funded, we will increase that problem. We have estimated that in Scotland, if that level of funding does not improve, the figure for the extension will increase from a loss of £500 to a loss of £750 per child per year. We need to look at why the rates have not even kept up with inflation, never mind increased over the past four years.

Joan McAlpine: The Child Poverty Action Group and Barnardo's have criticised some of the UK Government's initiatives, such as income tax breaks to fund childcare, as being biased in favour of wealthier families while the poorer families are missing out. Would anyone care to comment on that criticism?

Robert Nicol: We are more interested in what happens in Scotland, and we are especially interested in making sure that the bill is funded as we have received agreement from Government for that. It is dangerous to make too many comparisons with the rest of the UK. Scotland has a different education system and rightly so. We do things because we think that they are best for Scotland, and that breaks down to local level.

I agree with the other witnesses about the planning matters. We do not want to create a great number of white elephants. It is important that planning happens at the local level to ensure that the mixed market that COSLA supports can be best utilised. We argue that local authorities are best placed to do just that.

Liam McArthur (Orkney Islands) (LD): I assure Mr Nicol and the rest of the panel that the majority of this committee is interested in the bill rather than in necessarily spurious comparisons with other parts of the country.

Earlier on in today's evidence we touched on the benefits—which came up in the evidence last week—of some exposure to nursery and early education in the pre-three-year-old age group. The EPPE study, to which Ms Martlew referred, suggested that

“Duration of attendance (in months) is important”

and that

“an earlier start (under age 3 years) is related to better intellectual development.”

That was substantiated by Professor Lisa Woolfson's evidence to the committee.

Although the bill will provide additional free provision for those who are looked after or subject to a kinship care order, concerns have been raised about the relatively small number of children who will be covered. Do you have observations on how that number might be increased, now or in future, and on where the priority areas might be? We need to recognise that, although a substantial number of two-year-olds already have access to nursery education, the presumption is that they are more likely to be from better-off backgrounds than from poorer backgrounds.

Purnima Tanuku: The fact that the Government is targeting looked-after children brings in a lot of issues for practitioners, because many of those children come with behavioural issues and a host of other issues. Practitioners have to attend case conferences and have meetings with the local authority about child protection and safeguarding people. Some two-year-olds therefore require time-consuming and intense activity. We must not underestimate the amount of time that is needed to support those children.

Liam McArthur: Does that perhaps in part explain the comment in the letter from the Minister for Children and Young People, which the convener mentioned earlier, on an increase in funding following discussions with COSLA to help cover the costs of provision for two-year-olds who are looked after or subject to a kinship care order? Is it your understanding that the additional funding reflects the additional workload that goes into delivery for that particular group and that the

money is not for an expansion of the overall numbers or the coverage but simply reflects a more accurate cost basis for delivery?

Purnima Tanuku: Absolutely. It has to be recognised that those children need a lot of one-to-one care. As well as that, a lot of support for parents is required from early years practitioners. Working with the families and not just the children is time consuming and requires a lot of skill and expertise.

Liam McArthur: The point has been made that, beyond those who are looked after or subject to a kinship care order, there are other children who have additional support needs but are not covered by the bill. Have any of our witnesses been involved in discussions on that? Everybody recognises that we are talking about a first step, and I presume that there is an aspiration to go further in due course. Has there been discussion about whether we could do more now, as part of that first step?

Purnima Tanuku: Absolutely.

Joan Martlew: I have a concern about the expansion of nursery provision for looked-after two-year-olds, as I do not know whether that is necessarily the best solution. Looked-after two-year-olds will come with a degree of disruption and separation in their families. If we place them in a nursery setting, where they could be cared for by a large variety of people, that begs the question of whether that is the best place for them. I suggest that it might be better for the child to consider a more flexible provision with supported childminding that is attached to a local nursery, so that children can form close relationships and bond with a carer rather than have a variety of carers.

Liam McArthur: So, in your mind, there is not sufficient flexibility in the bill to deliver that.

Joan Martlew: There might be flexibility. Again, it depends on how local authorities interpret the bill.

The Convener: Let us ask them, then.

Robert Nicol: I was just looking at the bill. I am not a draftsman, but section 45(2) gives an element of flexibility, although whether it satisfies colleagues is for them to say. Our reading is that it gives local authorities the ability to tailor support for looked-after children if, for instance, it would not be appropriate to give them the same level of childcare that a non-looked-after two-and-a-half-year-old would receive.

The Convener: For everybody's benefit, section 45(2)(b), to which I think Mr Nicol is referring, says that a local authority

"must make such alternative arrangements in relation to the child's education and care as it considers appropriate for the purposes of safeguarding or promoting the child's wellbeing."

Robert Nicol: My other point is that it is important that we do not regard this as being a specific or single service. Obviously, there is a section in the bill relating to corporate parenting. We would argue that it is the community planning partnership that would have ownership of support for the looked-after child. The breadth of the support that can be brought to bear is obviously highly important.

Purnima Tanuku: I urge the committee to consider the importance of giving clear guidance to local authorities. Unfortunately, the inconsistency comes from how different local authorities interpret the guidance. That is why it is very important to have clear guidelines. I agree that local authorities must plan according to what is required in their local communities, but the guidance is absolutely crucial. We would be happy to work with the Convention of Scottish Local Authorities and others to provide support on the guidance.

Liam McArthur: The letter from the minister to the convener of the Finance Committee alludes to the additional funding, which appears to have been drawn from the early years change fund. I do not know whether COSLA can shed any light on whether that means that something that was going to happen is now not going to happen. We are constantly told that there is no additional funding. I am delighted that, if this area was underresourced previously, additional funding has been found to ensure that at least it is delivered.

In terms of the bill and the fact that we are going into a budget process, we heard from Save the Children last week that it felt that extending the provision to a wider group of two-year-olds, particularly those from more disadvantaged backgrounds, should be a budget priority. Do you share that view?

Purnima Tanuku: Absolutely.

Liam McArthur: Are there particular groups within the more disadvantaged groups that we should prioritise first, whether it is those with additional support needs or those identified on the basis of the Scottish index of multiple deprivation? Have you given any thought to that?

Purnima Tanuku: There are different ways of looking at deprivation: for example, in other countries, free school meals are used as a guideline.

The professionals who work with young people in early intervention can spot the warning signs. Things might look absolutely fine on the surface—we heard earlier about the unfortunate case in

Birmingham—but there might be a number of issues underneath. A lot of skilled practitioners in the workforce are required in order to be able to identify and highlight such situations.

We need to ensure that, because of the intense nature of the work with some young children and their families, any extensions of support are properly costed and funded. It is important that local authorities and providers work closely together to support the children and families.

The Convener: Can we hear from COSLA on the issue that Liam McArthur just raised of where the money referred to in the minister's letter comes from?

Councillor Chapman: With your permission, convener, I want to refer first to the point that Robert Nicol made about the community planning partnerships. As all committee members will be aware, the CPPs in their own areas are at various stages of development and success. However, local authorities are working closely with the national health service on matters such as the early years collaborative work. All such work is pushing the whole agenda in a direction that, from our point of view, is very positive.

To answer your specific question, convener, I believe that the funding was additional funding to take nursery provision from 475 hours to 600. I do not know whether Robert Nicol has any further information on that.

Robert Nicol: I do not have the letter in front of me. However, my understanding is that local authorities have been funded for a year or two now for the delivery of early learning and childcare for looked-after two-year-olds. I assume that the letter refers to additional moneys in order to bring the provision up to the 600 hours.

Liam McArthur: What the letter refers to is

"an estimate of £1.1 million for extending funded early learning and childcare to two year olds who are looked after or subject to a kinship care order. Following helpful discussions with COSLA we have decided to increase the amount allocated to local government for this priority area by £3.4 million to total £4.5 million."

The letter goes on to suggest that that is from integrated moneys via the early years change fund.

That appears to be where it has come from. Given that this support was previously underfunded in the financial memorandum, it is welcome that it has been addressed at an early stage of scrutiny of the bill. However, we are constantly told that there is no further funding. Given that this funding appears to have been brought in, does that mean that something else is not being done elsewhere, or was that always the intention?

10:30

The Convener: If you do not have the facts in front of you, I am sure that the committee would be very grateful if you could write to us with the detail of how the extra money has come about. I do not want you to jump in with an answer if you are unsure. If you can answer the question, please do so, but if you need to write to us afterwards, that would be helpful.

Robert Nicol: I would be more than happy to clarify the position. The point to make about the financial memorandum is that we want to ensure that the delivery on the ground is achievable—we have said that it takes a number of years for some implementation issues to be worked out—but we are satisfied with the resources, certainly for the 600 hours element. I will go away, check the letter and come back to the committee.

The Convener: It would be helpful for the committee if you could clarify the position in writing.

Clare Adamson has a brief question.

Clare Adamson: I think that this has partially been answered, but I just want to check for complete clarity. We are not suggesting that this funding is intended to cover everything in the bill. Early intervention and other necessary work with looked-after children will still go ahead. It is not expected that all that will happen in the context of the nursery.

Councillor Chapman: From your constituencies, you will know of local authorities that are setting up family centres and so on to support nought to three-year-olds. That is an important departure from what has happened in the past. They are there to support this agenda as well.

Joan Martlew: That is a very welcome move. When it comes to looked-after children, a lot of family support is required, which mainstream nursery very often cannot provide.

Liz Smith (Mid Scotland and Fife) (Con): I turn attention to the issue of the named person and the implications for resources and communication between the respective professionals. On resources, we have had a variety of submissions and I know that some people on the second panel will provide more evidence on this. There is concern about the degree of additional resources that will be required to implement the named person provisions satisfactorily. The Royal College of Nursing made it clear in its submission that

"health visiting capacity across Scotland needs to be reviewed. The number of health visitors must reflect the workload associated with the Named Person role".

The Association of Headteachers and Deputies in Scotland has said that it is very concerned about the

“additional burdens on school leadership teams”.

Groups such as Barnardo's Scotland have made it clear that they have concerns about resource, too.

What are the panel's thoughts about the extent of the additional resources that will be required and how that can be funded?

Robert Nicol: We know that a number of assumptions have been made in order to try and cost up the totality of the bill. That is set out in the financial memorandum.

On the named person, which COSLA supports in principle, we do not know for sure whether the assumptions are accurate. We hope that they are and, if they are, the costs of the bill will be met. One of the reasons why we have argued that we need to keep a close eye on expenditure on the bill is that although some of the assumptions are as well made as they can be, some of them are difficult. It may yet be that, on delivery, the implementation costs will outstrip what is in the financial memorandum.

Liz Smith: Can you be a bit more specific about why you think that those assumptions are particularly difficult?

Robert Nicol: The costs are trickier to estimate, because they come down to the number of hours that we expect to be spent carrying out the role and because there is an element of travel for rural areas. There are a few elements to consider. We know that the Government has made its best estimates, but they might be slightly off the mark when it comes to delivery. That is what worries us. When local authorities and other parts of the public sector come to implement some of this—which might be in 2017 for some elements of GIRFEC, which is some way off—we will need to be absolutely sure that there are sufficient resources to match whatever the requirements are.

Purnima Tanuku: Many day nurseries in the PVI sector already operate a key worker system, whereby a child is looked after by a key person. That operates across all three nations and is a standard procedure in many nurseries.

Under the bill, for the early years, I believe that the health visitor will be responsible for under-fives. We fully support that, but we need to consider the skills, expertise and training that people will need to be able to identify not the health and wellbeing issues that a health visitor would normally need to identify for a child, but the added difficulties that families have and that a child might have.

That is a huge responsibility for one individual. I agree with what the other submissions say about the importance of communication between different professionals. Whenever there is an unfortunate incident, everything falls down because of a lack of communication between professionals. It is really important that capacity be considered and that the individuals' training and expertise be examined.

Liz Smith: What must be achieved to ensure that the communication between the lead professionals—particularly communication between the health visitor and the nursery teacher or, on going into primary school, the transfer of information on to the named person in primary school—is better than communication in the existing system?

Purnima Tanuku: Throughout Scotland, there are PVI provider networks that work closely with local authorities. Sometimes, local authorities co-ordinate those networks locally. Those are the kinds of places where people communicate about some such needs. We must appreciate that some of the information that needs to be shared is confidential, but there are existing forums. However, there needs to be a much more structured and streamlined system at a local level to enable such communication, because the transition from an early years setting to primary school is really important.

Liz Smith: How do you envisage structure developing to produce that?

Purnima Tanuku: It can happen. We have worked with local authorities in a number of areas. Setting up a network in a local authority area can work, as can two or three local authorities working together to establish a network to enable the sharing of best practice and not-so-good practice, which is how we learn.

Liz Smith: You mentioned the possibility of problems arising, which they inevitably do from time to time. Do you have any concerns about who is liable for passing on information about a problem in the new set-up? You said that the communication would have to be first class to ensure that there is not a problem. What is your understanding of the process for spreading the named person principle throughout all Scotland? Is there any issue related to liability for passing on information?

Purnima Tanuku: Absolutely, there are issues with liability, and not only around the legal implications for individuals. Many practitioners are scared to highlight to a parent that Johnny is having problems because the parent might react completely differently and said, “How dare you suggest that my child has an issue.”

Practitioners have to have confidence and think about how they are going to get the message across. If there is a named person, that is a good route. The professional can have a dialogue with that individual, say that they are really concerned about something and ask how they should handle it and get the message across.

Many early years practitioners are really worried about the legal implications, legal challenges and complaints to the regulator as a result. That happens regularly.

Liz Smith: Do the local authorities have concerns about the legality of that aspect and about what happens with confidentiality?

Robert Nicol: No such issues have been highlighted to us. For some time, local authorities have operated a variety of approaches to integrate services, so the approach does not come straight from leftfield, so to speak; it builds on what councils have been operating.

Those two particular issues have not been highlighted to us.

Liz Smith: A reasonable number of submissions to the committee have raised that concern. Should local authorities be in the front line of addressing that or should it be left to lawyers and solicitors?

Robert Nicol: I have to be careful—I am not sure that much should be left to lawyers. If there are genuine issues, they have to come out in the debate in committee. That concern in particular has not been highlighted to us but if it was, we would want to take the issue up with Government to ensure that the implementation of this happens as smoothly as possible because, in the end, that is what we would want.

Liz Smith: Finally, broadly speaking, there is a reasonable degree of support in the submissions for the principle of the named person. That is less true when it comes to the practicalities; in fact there is a lot of concern about those. Are local authorities comfortable that they can overcome those difficulties without substantial additional costs? There are also issues with confidentiality around data sharing. Are you confident that the practicalities can be overcome?

Robert Nicol: As I said before, to some extent it is in the implementation that many of the issues might come to the fore. Obviously, we want to iron out any issues as quickly as possible, but we will need to keep a close eye on all the implementation costs so that local authorities have sufficient resources to implement the bill.

Purnima Tanuku: The private and voluntary providers will feel very vulnerable because it affects their business—their livelihood. If a child is funded and goes into a setting, there needs to be

some support from the local authority to help providers through the process.

Joan Martlew: Could I make a comment?

The Convener: If it is a brief one.

Joan Martlew: When I worked in family centres, they had a link health visitor and a link social worker who were the first point of contact. It would be quite a good idea if the key worker in an establishment could approach their link or liaison person, who could transfer the information. All key workers are bound by confidentiality and are used to working in those situations.

The Convener: I thank Purnima Tanuku and Joan Martlew for the moment. We have some specific questions for COSLA on other aspects of the bill, so, if you do not mind, we will direct some questions to Douglas Chapman and Robert Nicol.

Neil Bibby (West Scotland) (Lab): I have some questions on the relationship between local government and national Government. COSLA has raised concerns about the effect on local democracy, particularly of section 17 in part 3 and the proposals to give ministerial powers to establish joint boards for the planning of children's services. Ministers could also transfer property assets and staff without the agreement of the local authority. COSLA has stated in its evidence that it understands why the Government wants to implement its policies successfully but that it does not support those provisions.

What other options or penalties would be available to the Scottish Government to enforce implementation of its policies if local authorities are not following guidance?

Councillor Chapman: First, there has been considerable movement from the Government since the report was submitted. We have had a fairly robust debate in COSLA on that section of the bill.

Where we are now is that the Minister for Local Government and Planning, Derek Mackay, wrote to the president of COSLA on 28 August to say that that section of the bill would be withdrawn. I think that Robert Nicol is still in discussion with civil servants about that. We are in a much better position now than we were before, when the bill contained unacceptable conditions for the imposition of joint boards and so on. It was never clear how those boards would be set up and who would drive them forward.

That is where we are on the bill, but obviously other amendments will come forward and we will wait to make sure that the letter that we have had from Mr Mackay is followed through in amendments.

10:45

Neil Bibby: Okay. So you are happy.

George Adam: Sorted.

Neil Bibby: Everyone is happy with that.

George Adam: That is how COSLA works.

Robert Nicol: I have one last point to make. In terms of our desire for integrating services there is not much in part 3 that we would not want to support. There is a strong desire on the part of local government to get the integration of services, planning for children and community planning absolutely right. The main reason for not supporting the section of the bill that you referred to was that we felt that the position would be worse than we wanted. We are in discussion with the Government on some remaining issues; as Douglas Chapman said, we have made significant progress with the Government and we hope that the remaining issues will be resolved.

Neil Bibby: Another area that I wanted to ask about is the children's hearings system. During the passage of the Children's Hearings (Scotland) Bill, the Scottish Parliament gave local authorities the right to reach agreement on resources for children's hearings and area support teams. The bill would remove this and give the national convener the power to compel local authorities to provide resources. Have the current arrangements made implementation more difficult or has that been sorted as well?

Robert Nicol: Sadly that one has not been sorted. Members who have been involved in this area for some time will remember that we did not support many of the changes in the Children's Hearings (Scotland) Act 2011. One of our chief concerns, which we have highlighted in our submission, was the ability of the national convener in effect to compel authorities either to become part of an area support team or to transfer staff and budgets. We recognise that the act is in force and authorities have been working with Children's Hearings Scotland to put the new arrangements in place. However, we would argue that it is far better to reach mutual agreement with the various parties than to have any one side try to compel the other to do something that for good reasons they do not think is appropriate. We think that the 2011 act should be left as it is and that certain sections of this bill should not go forward. However, we understand that the Government takes a different view. I dare say that we will still be making these points and presenting our evidence at stage 2.

Neil Bibby: On part 11 of the bill, COSLA has raised concerns about the requirement that local authorities use the national adoption register. In what circumstances would it not be in the interests

of the children to have access to the largest pool of adoptive parents?

Robert Nicol: On this issue our position is a pragmatic one. We certainly have no problem in principle with the national adoption register. However, we recognise that there are some local arrangements that work well and believe that if such arrangements are meeting the needs of children, they should be able to continue. Obviously there will be times when it will be important to be able to access a larger group of potential families. We are saying that if local arrangements work well, we should not be compelling people to change to something else unless that can be demonstrated genuinely to add value.

The Convener: We look forward with interest to the amendment that the Government will bring forward on the joint boards issue. I am sure that you do, too. Are there any other issues that you want to raise at this point?

Robert Nicol: No. I think that we have covered most of the issues. The chief issue that we have highlighted is that although we are satisfied that there are sufficient resources for the 600 hours' provision, there are other parts of the bill where the financial assumptions are genuinely complex. Only when we start to deliver on the ground will we realise what the resource implications will be. The point that we will need to keep a close eye on things is the single most important one from our point of view.

The Convener: Okay. Thank you very much. I thank all the witnesses for coming along this morning. This has been a very helpful evidence session. I will suspend the meeting briefly so that we can change witness panels.

10:49

Meeting suspended.

10:54

On resuming—

The Convener: I welcome to the committee our second panel of witnesses, who will, in the main focus, on the issues of the named person and the child's plan, although I am sure that we will also cover one or two other areas.

I welcome Martin Crewe from Barnardo's Scotland; Greg Dempster from the Association of Headteachers and Deputies in Scotland; Clare Mayo from the Royal College of Nursing Scotland; and Jackie Mitchell from the Royal College of Midwives Scotland.

Given the length of our agenda this morning, we will move straight to questions.

Liz Smith: I return to the theme of resources and named person issues. There has been huge variation in the evidence. Some people argue that, effectively, existing practice is being formalised so there is not a huge extra cost, whereas others argue that substantial extra resources will be required. I ask the witnesses to comment specifically on their concerns about the resource aspect to the introduction of the named person universally across Scotland.

Greg Dempster (Association of Headteachers and Deputes in Scotland): Our concern is about the projections in the financial memorandum that accompanies the bill. With reference to training, it says that there are no costs associated with backfilling for headteachers, and there is a backfill assumption of 10 per cent for depute posts and 30 per cent for principal teacher posts. That last estimate might be accurate, but deputies around the country are in class a lot more than they were in previous years. In recent years, a couple of authorities have increased the threshold for the number of pupils in a school before the school qualifies for a depute or a second depute, which means that people spend more time in class and there is less scope to get management time out for free than the financial memorandum supposes. We are talking about two days of training.

Highland Council, for example, moved a couple of years ago from a position in which teaching heads had three days of non-class-contact time to effectively one day of non-class-contact time. It surprises me somewhat that it is being suggested that there is no cost to a two-day training course for those staff. At a very simple level, the assumption must be that everybody would take a flask and a packed lunch to the training, and there are no costings for meeting rooms, trainers and so on. The financial memorandum does not seem to get into the detail.

I was interested in COSLA's comments in the previous evidence session that it knows that costs around the named person are hard to quantify and so the figures in the financial memorandum are less reliable than the figures for the 600 hours for early learning and childcare. Some elements of the costs could certainly be quantified a bit better than they are now.

Moving on to how the system will operate, going by the projected costs, the suggestion seems to be that they are one-year costs and that the approach will then be rolled forward, so there will be no renewed costs for training and so on. That seems wholly unlikely—

The Convener: Can I interrupt briefly? On the specific point about renewed training costs, surely in future years such training will be rolled into the normal training that individuals undertake—they

will not have to undertake additional, separate training. Therefore, the costs are effectively start-up costs.

Greg Dempster: What other training will be dropped to make that cost neutral? If you are saying that this is an additional thing that people need to be trained to do, a cost is associated with that. I do not see that the fact that it becomes part of people's normal training somehow makes it free in future years.

The Convener: Part of Liz Smith's original question was whether you view this area as part of somebody's job now. We are not starting from year zero; surely a lot of the work is already done.

Greg Dempster: Absolutely. I agree with that point in part—well, I wholly agree with the first part. We are not starting from year zero. Scotland is on a getting it right for every child implementation journey. Different authorities are at different places on that journey and will therefore have different training costs. However, there is a difference between the landscape now, the landscape in which people have been trained and the landscape that will exist after the bill is enacted. The bill could force changes in practice in different authorities and could certainly mean that there would be a need for more training for those who have already been trained—and, indeed, for new training to be developed on things such as information sharing protocols, which I am sure we will come on to.

The Convener: Indeed.

11:00

Liz Smith: Does anyone else want to comment on resources?

Clare Mayo (Royal College of Nursing Scotland): The Royal College of Nursing welcomes the Children and Young People (Scotland) Bill and the opportunities that it presents to make a real difference to children's rights and children's services.

The implementation of the provisions in the bill on the named person and the child's plan requires significant funding to enable the named person to form a meaningful relationship with families and children. That also requires time.

We welcome the figures that are set out in the financial memorandum. The Scottish Government has worked hard to come up with figures that represent the time involved. You may have seen our evidence to the Finance Committee. We have some comments about the way in which those calculations were developed. The first and most important one is that there is an insufficient number of health visitors in Scotland to undertake the role, so a significant sum needs to be made

available to train more health visitors. That is not taken into account.

There is no allocation of implementation costs until 2016-17 and all the professional time has been calculated on an hourly basis, which does not take into account associated employment costs. The Scottish Government's calculation for the employment costs of going from hourly rates to developing a workforce is an additional 22.5 per cent, which allows for annual leave, sick leave, maternity leave and so on. That 22.5 per cent has not been factored in and therefore a further 22.5 per cent is required if the number of additional hours mentioned in the financial memorandum is to be made available.

We have questioned other assumptions. No additional administrative support is budgeted for NHS staff. As the GIRFEC approach beds in, it is anticipated that costs will decrease year on year at a rate of about 20 per cent. We believe that that overstates the reduction as time goes on because the level of funding that is allocated in the first instance will need to be sustained for a significant period before we see the benefits of the GIRFEC approach.

Jackie Mitchell (Royal College of Midwives Scotland): I echo a lot of that. The position is quite similar for midwives. Obviously, midwives do not have much input with the child after it is born; we look after it for only about the first 10 days and then hand the care over to the health visitor. However, we have a significant input in the antenatal period, which is where, through the GIRFEC programme, we are looking at doing a lot of the initial assessments and identifying needs.

GIRFEC is not being rolled out in maternity services unilaterally across all health boards. Some use the programme particularly well, but in other areas, there is not much input into GIRFEC. Midwives will tell you that they know what GIRFEC is about but are not using it. That is partly because they have not been trained in its use or the systems are not there. Training needs to be accounted for.

Martin Crewe (Barnardo's Scotland): There has been somewhat of a mixed message here. As the other panellists have said, there is an initial training period. One of the things to get into perspective is how much GIRFEC is being rolled out now. As well as my Barnardo's experience, I am deputy chair of the GIRFEC programme board. We have recently assessed the current state of roll-out across all 32 community planning partnerships.

With regard to the named person, two CPPs describe it as embedded, another four talk about being well on the way to implementing it, and another 19 are in the development phase. Clearly,

CPPs are now moving ahead with named persons and addressing some of those issues as part of what they are doing.

In the longer term, we are seeing in Highland and elsewhere that resource demands move in the system. One of the most powerful arguments around GIRFEC is that non-offence referral rates to the reporter have dropped significantly, which means that there is less pressure on some parts of the system, so the system is more efficient for children and young people. However, in the short term, there will be pressure on other parts of the system. It is worth remembering the comment of John Carnochan, the head of the violence reduction unit, that in the long run, having 1,000 extra health visitors is more effective than having 1,000 extra police officers.

Liz Smith: You mentioned 19 local authorities, plus four, plus two. That leaves seven, I think. Have some not responded, or is there a problem with them?

Martin Crewe: Everybody responded, but they are at different stages of development. GIRFEC has been around for a number of years. One thing that is absolutely clear is that the bill has galvanised people's efforts to implement GIRFEC. I would say that we have made more progress in the past year than we did in the previous five years.

Liz Smith: Is there any concern about the seven authorities that you did not put into one of the categories?

Martin Crewe: They are further back in the process. It is a self-assessment process, but everybody is now focused on how they are going to make things happen for 2015.

Liz Smith: I will ask the second question that I asked the previous panel. Will you comment on the need for more effective communication between the named person and the professionals? Mr Dempster, I know that you have concerns about data sharing. What do we have to do to make the system work better?

Greg Dempster: It looks like I will answer first again.

A lot of concern has been expressed about information sharing, both in different pieces of evidence that have been submitted to the committee and in the media. As an association, we do not share a lot of those concerns; our concerns are slightly different. We do not think that issues of confidentiality are huge issues that cannot be overcome. To me, the response from the Information Commissioner's Office to the committee highlighted that it was talking about the bill requiring minor tweaks rather than wholesale

changes on information sharing and confidentiality.

The information-sharing protocols that are put in place and the guidance that accompanies the bill about sharing information with the named person and what the named person does with that information will be very important. Beyond seeking clarity on that, I do not have a great deal more to say on that issue.

Martin Crewe: It is important to remember that there is a presumption of confidentiality when information is shared with the named person. They are then the gatekeeper of that information. One of the problems in the current system is that because people are less certain about whom they should take the information to—I am thinking particularly of agencies that do not share information regularly, such as the fire brigade—they will end up sending the information to four or five different agencies. The advantage of having a named person is that they are clearly the person who coordinates the information. That professional then has to make an informed decision about whom they share that information with. There are presumptions of confidentiality all along the way, so what is proposed is potentially a better system than what we have currently.

Liz Smith: Is that because under the present system there is a lack of clarity about how or with whom to share information, or because people are not sufficiently aware of their responsibilities?

Martin Crewe: I think that people lack confidence. A subgroup of the GIRFEC programme board met Ken Macdonald from the Information Commissioner's Office at the end of last year to clarify some of this. People do not know how the Data Protection Act 1998 works. We got very useful clarification, which was sent out to statutory agencies in March and which says very clearly that if professionals believe that there is a risk to a child or young person that may lead to harm, they should share that information. That very much supports the move to more of a wellbeing approach.

It was said earlier that, whenever there is a significant case review, it always seems to come out that somebody had information that, had another professional known about it, would have affected how they would have behaved.

Liz Smith: So from your discussions with the Information Commissioner's Office, is it your understanding that, if a problem arises, it is the responsibility of the named person to explain why it arose in the final result?

Martin Crewe: The named person has responsibility as a professional to make an informed decision on whom to share the

information with. That is effectively greater clarity of the current position.

The Convener: I want to clarify a point that I raised with Greg Dempster. Is the named person approach brand new, does it effectively quantify what staff and professionals already do, or is it somewhere between the two?

Greg Dempster: I suppose that it is the third option—it is somewhere between the two. Every authority is at a different point in the implementation of GIRFEC, as Martin Crewe said, so the named person role is new, or newer, in some areas. Largely, what a person would do as a named person would be expected to have been done previously, but there is a training aspect because a legislative aspect is coming in, and there will be specific provisions around information, for example, that will need to be addressed and which people will need to be made aware of so that they can be the new version of the named person, as it were.

The Convener: Does that sum up the position for others?

Clare Mayo: Yes, I think so. The role has been developed within getting it right for every child. As Clare Simpson said last week, the request for a single point of contact came from parents, who said that they did not know whom to get in touch with in a complex, multi-agency landscape. The request for a named person—a named midwife, a named health visitor and a named teacher—was made so that there is clarity for everyone about who the first point of contact is.

The Convener: We started to talk about information sharing a little bit earlier than I intended. I will bring in Clare Adamson to expand on that issue.

Clare Adamson: The bill requires service providers to share information with the named person and vice versa where “it might be relevant” to a child’s wellbeing and “ought to be” shared. Are you content that we will reach a common understanding of a child’s wellbeing in the process? Is there a danger that that might mean different things in different local authority areas?

Clare Mayo: A huge amount of work has been done in GIRFEC implementation on development, training and consistency. In the areas in which GIRFEC is well implemented, there have been significant improvements in information sharing, and professionals are now confident about what needs to be shared with whom and how that is to be done.

One of GIRFEC’s real successes is the way in which professionals work together and share information effectively. We need to be quite careful about how the bill is worded, but we need caveats

and clarification around confidentiality, consent and involving children and families in what is shared. In practice, a huge amount of work has been done, and there is good guidance and good training that we can build on as the implementation rolls out.

Jackie Mitchell: Building on that in the rolling out is important. Midwives are quite clear about their responsibilities on information sharing, particularly in child protection cases, but sometimes when needs or vulnerability issues are not quite as severe as child protection issues, people are perhaps not quite sure and perhaps they give too much information. There is still a bit of a learning curve out there.

11:15

Martin Crewe: I echo some of Clare Mayo's comments. GIRFEC has been around for some time. There is a danger that, for those who are coming to it fresh, "wellbeing" sounds a rather fluffy, ill-defined term. In fact, the definitions of wellbeing are very clearly established around what are called the SHANARRI—safe, healthy, achieving, nurtured, active, respected, responsible and included—indicators. The tools that have been developed have been widely accepted across agencies. Having a common language is a real benefit.

On the threshold issue, working at a wellbeing level addresses some of the issues around the fact that we are not always sure when something relating to a child is a matter of concern. If we have such a high threshold that something has to be harmful, that gives rise to a concern that we will not pick things up early enough.

Greg Dempster: I echo what has been said. When I speak about the bill with my members—school leaders from primaries, nurseries and special schools—they often refer to difficulties with the current delivery of GIRFEC. They struggle to get other partners to share information or get round the table. The duty to share information and help the named person is one that they welcome.

Clare Adamson: You mentioned training and training requirements. Is it necessary to ensure that all front-line staff will be able to make good judgments about the information that ought to be shared? Is there a significant amount of training still to be done, or is that very much established, because of GIRFEC?

Greg Dempster: There is training in place and we have covered that point to a degree. However, my concern is that the bill changes the landscape—depending on what ends up in the bill and in the guidance. Revision and further training may be required.

Liam McArthur: Jackie Mitchell mentioned potential problems with an excessive amount of information being provided—although everybody has alluded to problems in serious case reviews where not enough information was provided, or it was not provided in a timely fashion. Is there a risk of creating a degree of white noise, so that filtering out the most relevant information becomes more difficult? Could a quantum of information be created that adds further time and resource problems for other professionals involved in the process?

Jackie Mitchell: That was indeed the point that I was trying to make. That can sometimes be the case. With education and training, however—and initially with support mechanisms, as the measures are rolled out—things will improve.

The Convener: I wish to clarify a couple of points in this area. Last week, we had some evidence—I will call it evidence, but there was confusion over whether or not parents would be able to access the information that is in effect being provided by professionals about their child. What is your understanding of the issue? Will parents be allowed to access that shared information? Will parents be among the people with whom information is shared?

I detect the same level of confusion, given the silence.

Martin Crewe: It will depend on the circumstances. We would want to give due regard to parental views and the views of children, but it will depend on the circumstances.

Clare Mayo: There is current guidance around access to medical records. That is already there—that stands.

Another thing to say in this context is that GIRFEC principles are about involving parents and children. No one is trying to hide information. The whole ethos of getting it right for every child is to have the child and family at the heart of everything that is planned. Everything is done collaboratively as far as possible.

There are clearly circumstances when things get complicated, and that takes us into different territory but, as a principle, GIRFEC and, I therefore assume, the named person approach, is about working with children and families, so information is always shared in the spirit of partnership and working together in the best interests of a child.

Jackie Mitchell: Certainly from a midwifery point of view—of course the child has not yet been born—the assessment is in the woman's hand-held maternity records, which she carries about with her. She has the full information and can input into it.

Liam McArthur: Clare Mayo said that much of the approach to access to information is established in precedent. When Professor Norrie gave evidence, he said that there is a fear that section 27 will override data protection rules and all the rest of it, so the bill might go considerably further than established practice on information sharing. Is that a risk? Do section 27 and aspects of section 26 need to be amended?

Clare Mayo: The language of sections 26 and 27 needs to be tightened up. We need absolute clarity. I understand that all existing data protection law stands and that everything in the bill is compatible with existing legislation, but it is for the lawyers to ensure that the wording is clear. I would like additional caveats around consent to and permission for information sharing.

The Convener: I presume that the other witnesses agree—I see that you do.

Clare Adamson: In a previous evidence session we were given the example of a teenager who had said that they were lesbian or gay—I cannot remember the circumstances—and the information was imparted to the parents without the young person's consent. Are you content for such issues to be resolved through guidance and some tightening up of the wording, or is there a danger that under the bill the balance in relation to a child's right to privacy is out of kilter?

Clare Mayo: It is hard to legislate for such practice issues. There should be clear guidance, to ensure that the situation that you described would not happen. We cannot legislate for every eventuality.

Joan McAlpine: Mr Crewe said that wellbeing is assessed by using the SHANARRI indicators—I understand that that stands for “safe, healthy, achieving, nurtured, active, respected, responsible and included”. Someone could come along and say, “This child is not achieving, so there is a threat to their wellbeing. That is a trigger for information sharing.” Surely that could apply to every child in the country.

Martin Crewe: It could do, potentially, but we need to consider how our systems currently work. They tend to work well at crisis points. We have good crisis intervention and we have good universal support, but we are less good at the gap in between, when we want to go beyond universal support and give a little extra help to families as early as possible. If concern about a child's achievement can be addressed by offering a bit of support, that is absolutely appropriate.

Joan McAlpine: What if someone decides that a child is not active enough? It is all quite subjective, is it not?

Martin Crewe: There is a degree of subjectivity. However, we are talking about a professional assessment from agencies. Our experience is not that there is a flood of white noise, as Liam McArthur described it; people have their professional standards.

A concern of Barnardo's over many years is that when we report a certain level of concern about a family to social work our concern might not hit social work's threshold. A slightly lower threshold in the context of the named person is absolutely right.

The Daniel Pelka case is in the news today. It is extremely concerning, but we would hope that the fact that a child was foraging for food in bins at school would be picked up and passed on to the named person.

Neil Bibby: Who should that named person be? Are the Scottish Government's proposals the right ones? Would you propose any changes to who the named person should be?

Jackie Mitchell: The bill talks about the “pre-school child”, so I suppose that there is a bit of a lack of clarity there. If we are looking at just the first 10 days of a child's life during which the midwife looks after it, it is not appropriate for the midwife to be the named person, but if we are including the antenatal period, as happens under the GIRFEC programme, it is appropriate for the midwife to be the named person.

There are policy documents for midwifery that say that all pregnant women should have a named midwife for their care, whether their pregnancy is low or high risk, and that the midwife should be the lead professional for women with low-risk pregnancies. That would fit in nicely with the midwife being the named person during the pregnancy and for the first 10 days of the child's life, before the handover to the health visitor.

Greg Dempster: Post-five years old, starting in primary school, it makes sense for the named person to rest with education, as a universal service. There is a split, to which members have referred, on whether the named person should be from education beginning at nursery level. Our membership does not have a clear view on that. There is certainly a debate about whether the named person should rest with education from the time at which the child starts nursery.

Martin Crewe: One of the important points to bear in mind is that, for the vast majority of parents, what we are talking about is a named co-ordination point, so that parents know who the named person is. Having a level of consistency across health visitors and education is enormously helpful. There will be a small number of exceptional cases for which that arrangement does not fit, but I think that we can deal with that.

Clare Mayo: Our view is that there should be a named midwife, a named health visitor and a named teacher at the appropriate times. I think that, for all under-fives, the named person should be a health visitor, as health visitors are the only group who have universal access to children and families, and who have the skills that are required to support early years development, health and wellbeing. We would like to see an additional provision in the bill that gave every family in Scotland the right to universal health visiting services, and I think that that could be inserted into section 20(1).

Neil Bibby: You stated in your written evidence—and mentioned earlier today—that “health visiting capacity ... needs to be reviewed” and that

“The number of health visitors must reflect the workload associated with the Named Person role”.

At this moment in time, could the health visiting service take on that role effectively?

Clare Mayo: The service needs rapid investment. I believe that it is the right workforce to take on that role, but significant investment is required. The financial memorandum makes the case really well that a failure to intervene effectively to address complex needs in the early years of an individual's life results in a ninefold increase in public costs over the long term. If we are going to invest in early years, as the policy memorandum states, we need to do so now so that there is universal support for every child in Scotland in the early years in order that people can intervene early and provide the support that makes a difference as soon as possible.

In answer to your question: no, we do not have the capacity right now, which is why we need urgent investment.

11:30

Neil Bibby: Can you give us an estimated number of additional health visitors that you think we need in order to implement the named person provision effectively?

Clare Mayo: The financial memorandum sets out the number of additional hours of health visiting time that the Government believes is required, and we suggest—as I mentioned earlier—that an additional 22.5 per cent needs to be added to that. One cannot pluck hours out of the air: they need to be posts, and, in order to create posts from those hours, we need to build in that additional capacity.

If we divide what the Scottish Government believes the number of hours should be by full-time hours, the result is approximately 350

additional health visitors. If we add the 22.5 per cent, we are looking at something in the region of 450 additional health visitors across Scotland.

Neil Bibby: Concerns have been raised about the named person at school. Children spend 38 weeks a year at school, but for 14 weeks a year they are not there. What practical problems would that create, and how accessible would the named person be for those 14 weeks?

We have heard that the role might move to somebody in the education department of the local authority. Would that undermine the effectiveness of the named person?

Greg Dempster: The situation has moved on from the discussions on the Scottish Government's initial proposals. The bill as drafted refers to a “named person service”, which clarifies the point. The named person will come from education, so during school term time it will most likely be someone from school, and outside term time the service will have to be provided from elsewhere in the authority.

How effective such a system will be remains to be seen. It is more effective to have a plan that enables someone from the authority to offer support than to assume that somebody will be available while they are on holiday.

The Convener: This might seem a rather simplistic question. Are you all of the view that the introduction of a named person will reduce the amount of neglect that children in Scotland have to suffer?

Greg Dempster: Yes.

Martin Crewe: That would be important, yes.

Clare Mayo: Yes.

The Convener: That would be my hope too, but I am asking whether you think that, in a practical sense, the introduction of a named person will actually lead to a better service, and therefore a reduction in neglect?

Clare Mayo: There is a growing evidence base from the UK and internationally on the importance of early years intervention, much of which has already been examined as the bill was being drafted. Increasingly, there is robust evidence that if we take a comprehensive approach to universal services with tiered support, we will be investing in the future of children's lives and consequently reducing neglect and improving mental health and attachment relationships. Those are things that we know make a difference to children as they move into adolescence and become adults themselves.

I believe that the bill is an opportunity to invest in the life of every child in Scotland by providing the type of universal support that is required, with the additional tiered services that have been

shown to make a difference elsewhere in the world.

Martin Crewe: That is the fundamental argument towards which we have been moving for some years now, with the early years initiatives, the Christie commission and all those things that have enabled us to ask how we can get into the preventative area.

Last week I talked to Mike Burns from Glasgow's social work department, which has carried out an internal assessment of 18 of the most high-end cases, in which a young person goes into secure accommodation or residential care at the age of 15, costing £200,000 a year each or more. Of those 18 young people, at least 12 were known at age three to display problematic behaviour in nursery. We could have gone in much earlier there, and that is where we need to focus our resources.

Greg Dempster: The bill is designed to head off issues at an earlier stage and I believe that it will achieve that, so the answer is yes.

Jackie Mitchell: Yes: early identification and support at the very early stages.

Clare Mayo: I will read a tiny quote from a case study that is on the RCN health visitors for Scotland website. This is from a health visitor who is working with a family in NHS Ayrshire and Arran, which is one of the areas that is well advanced in implementing GIRFEC. She is working with a family of four children. Mum and dad have long-standing heroin issues and the health visitor is heavily involved.

The health visitor is working with them, looking at their goals for their children, and she has been seeing the family every two weeks, and more often if necessary. Both parents are now in a methadone programme and are doing really well. At the same time their self-esteem is raised and now they are able to do things for themselves that they have never been able to do. They are booking their own appointments and attending without support. She said:

"When I visit them I can see them with their shoulders back, they speak better, they make eye contact and the children and mum and dad are happy to attend groups at school. In addition, the older children's school attendance and school work has improved dramatically and, whereas before, they went to school periodically and were not well-dressed or clean, now it's the opposite. The baby is also thriving and well attached to mum and dad. And for the first time in her life, the mum is considering her own future and thinking about training for a career."

That is the kind of difference that we are hoping to make.

Colin Beattie: I would like to explore the bureaucracy around part of this bill. The bill allows for a child's plan in certain cases where

intervention is necessary but it does not actually allow for any changes to existing assessments and plans that are in place. One of the previous witnesses said that 11 different assessments must be made for every child. How will this work? GIRFEC is supposed to reduce bureaucracy and it is supposed to achieve a single child's plan. The bill does not require that. It does not refer to that at all. How will this work?

Martin Crewe: In terms of GIRFEC implementation, having a single child's planning system and a single child's plan is absolutely essential. There is one area of the bill on which we would like some more clarification—the additional support for learning plans—because clearly it is in a child's best interests that we have a single plan in place.

Colin Beattie: How does the child's plan feed into all the other plans and assessments that are supposedly out there?

Greg Dempster: My understanding is that they would sit within the child's plan, but I agree that it would be useful if the child's plan brought a bit more coherence to that process. It is expressed really well in paragraphs 17 to 19 of the evidence that the advisory group for additional support for learning submitted to the committee, which summarises my position well. It is a question of bringing coherence to the process, and the ambition of achieving that single plan.

Clare Mayo: I am hearing from our members that the GIRFEC approach is reducing bureaucracy rather than increasing it. Where several years ago there might have been a large case conference with a room full of professionals, the SHANARRI approach, the wellbeing approach and the assessments that are in place mean that the right information is fed to the named person. Instead of having a large case conference, which is very intimidating for parents, the named person and the lead professional will sit down with the family in their own home and go through the child's plan. That is much better and less bureaucratic than some of the systems that were in place before now.

Colin Beattie: Are we clear about the relationship between lead professionals and named persons?

Martin Crewe: I think we are. The guidance is very clear that the named person is the co-ordination point and is so only up to the point of co-ordinating some additional support. The moment that we start talking about managing a child's plan, we move into lead professional territory. The statutory guidance behind the bill will reflect what is now quite a large body of information on how best this approach works,

which we have established across a number of CPPs.

Jackie Mitchell: The relationship is a lot clearer now. In the earlier days, when GIRFEC was rolled out, there were concerns about the lead professional and the named person, but the position is now clear among practitioners.

Greg Dempster: I echo that. The only qualification that I add is that I have not seen the guidance that will support the bill, so I do not know what is in it. If it reflects the current understanding about the roles, it will be clear.

Liam McArthur: There has been a lot of focus on different aspects of the bill. I am particularly pleased that part 8 will increase from 21 to 26 the age limit for aftercare for people who leave care. It is only fair to acknowledge the work that Barnardo's Scotland and Aberlour Child Care Trust have put into prosecuting the case for that increase.

Although the change is welcome, I am aware of concerns about clarity over whether the aftercare provisions will apply to people who are looked after at home and over the anomaly that relates to when a child may leave school and whether they are deemed to be in care, which might affect how the aftercare provisions apply and the eligibility for aftercare. Dispute resolution mechanisms also seem to be absent—I am not sure whether that is for the bill or for guidance. Does Martin Crewe have points that it would help the committee to bear in mind? That could apply to stage 2 amendments, but it would help to have a bit more detail for our consideration of the general principles.

Martin Crewe: We are very supportive of supporting care leavers up to the age of 26. We have broad experience in that area. There is no doubt that, although young people often want to leave care at 16, they are not suited to that. It takes them some years to get on to a stable path, often after many problems with accommodation and other things that they must try and fail at before finding their way.

We would like to submit separately to the committee a number of detailed comments on the issue. As you said, we want to ensure that aftercare is available for all looked-after children, including those who have been not accommodated but looked after at home, and we want to address the eligibility criteria that relate to birth dates. A young person who has been in care for a substantial period of their young life but is not in care at 16 should still be eligible for support. We will need some sort of dispute resolution process, in which it will be important for young people to have access to advocacy on their behalf.

There are a number of issues. If a young person who was being supported in aftercare dies, that should lead to a significant case review, as it would if they had been in care. We would like a number of measures to be tightened up and we will submit details in writing.

The Convener: That would be helpful; I am sure that the committee would appreciate that—and the sooner, the better.

I thank the witnesses very much for coming along. The session has been helpful for our examination of the bill.

I suspend the meeting briefly while we clear the table.

11:44

Meeting suspended.

11:45

On resuming—

Petition

Lesser-taught Languages and Cultures (University Teaching Funding) (PE1395)

The Convener: Item 2 is further consideration of PE1395, which concerns funding for lesser-taught languages at Scottish universities. We discussed the petition at our meeting on 4 June and we agreed to write to the Scottish Government and the Scottish Further and Higher Education Funding Council. Members have seen the responses that we received from both parties.

We have also received letters from the University of Glasgow and, of course, from the petitioner. Those are included in the meeting papers. The committee must now consider what further action—if any—it wishes to take on the petition. I invite comments from members.

Liz Smith: I would like to make quite a few comments on the petition, which I have read extremely carefully. I have also listened to debates in the Public Petitions Committee and to the deliberations of the European and External Relations Committee, which was considering the overall strategy for languages.

I have two very specific points to make. First, I do not see it as being the role of this committee to get involved in the management of universities and their courses. If we were to do that with this petition, we would open ourselves to getting involved in the issue when it arises in any faculty or course; we would be in danger of going down that management road, which would put us in a difficult position, not least with the University of Glasgow.

Secondly, having said that, I think that the petition raises a significant issue about the generality of delivery of language teaching through the education system, whether at school, in colleges or in universities. Given that the Government has a very specific programme to look at the strategy for, and therefore the funding of, the institutions, the petition raises an important question about how we look after the best interests of language teaching, whether of majority languages or minority languages. From that angle, the committee needs to be much more proactive in questioning the Cabinet Secretary for Education and Lifelong Learning on how that is being pursued, and in particular, in questioning the Scottish Further and Higher Education Funding Council on whether we are delivering effective language teaching right across the education system. I recommend that we pursue that line rather than pursue the specific issue in the

petition; although I am sure that there is an issue, it is difficult for us as a committee to get involved in that case.

The Convener: I will come back to the specifics of each member's views on the petition, but for now I am asking for general comments. That was very helpful. Thank you, Liz.

Neil Bibby: As Liz Smith said, the petition has raised important questions about, and issues around, how we value lesser-taught languages. It is obvious that if the Scottish Government wants to embark on an ambitious one-plus-two model, it needs to ensure that languages continue to be taught at Scottish universities. Otherwise, it could put that model at risk. I do not believe that the Cabinet Secretary for Education and Lifelong Learning, Michael Russell, addresses that point in his response and there is a danger of a disconnect between a laudable national aim and what is happening on the ground.

We should write again to Mike Russell, to express that view, and to ask him to consider how not just French, Spanish and Chinese, but lesser-taught languages such as Polish and Czech fit into the Government's strategy. We have expressed our views on the matter; regardless of what we agree to do with the petition, the specific issue is now a matter for the cabinet secretary, the funding council and the universities. I certainly agree with Liz Smith's suggestion that the committee needs to scrutinise further the Government's overall aim and strategy for languages.

Liam McArthur: I echo that. I have misgivings about entering a situation in which we would appear to be micromanaging what happens in individual universities; however, if we aggregate that, the danger is that we would not take an interest in what happens in any university and, therefore, the strategic objective on languages—majority or minority languages—would not be achieved, which would be a concern for the committee. The only way we can really prosecute the matter is at strategic level, with the cabinet secretary and the funding council. We can do that either by writing to them directly or by taking evidence from them on the wider issue.

Clare Adamson: I agree generally with the suggestion that we close the petition but follow the matter up by sending a letter to the cabinet secretary. We should note that the cabinet secretary and the funding council are pretty robust in their assessment that modern language provision is diverse and that the universities are providing a balance. I do not see any problem with writing to gain further information.

The Convener: I certainly agree with what seems to be a collective view about interfering with the ability of an organisation to manage its

own affairs. If we did that, we would be open to accusations that we were going beyond our role by micromanaging individual universities and interfering in decisions on the courses that are offered. We should write to the cabinet secretary; that is a reasonable suggestion.

The funding council's letter to the committee states:

"we have asked institutions to make specific reference to modern language provision in their Outcome Agreements for 2014-15 onwards".

I want to separate two things out. There is the petition, which has brought a very important issue to our attention, and there is the committee's ability to add value. It might be an idea for us to have, as part of our work programme, a more detailed discussion about how we examine teaching of modern languages. Obviously, we note that another committee has already examined languages and we do not want to repeat work that has already been done. There is, however, important work for this committee to do and we should have the discussion in that context. We should consider outcome agreements in particular, given what the funding council said in its letter. We have the opportunity to examine the issue closely. As Clare Adamson and others have said, we can write to the cabinet secretary and we will have future opportunities to seek the views of the funding council.

Are members content to close the petition but to bring the subject matter back to the committee via our work programme, and to write to the cabinet secretary in the meantime?

Members *indicated agreement.*

European Union Reporter

11:54

The Convener: Item 3 is the appointment of a new European Union reporter. Neil Findlay was our reporter, but he has resigned from the committee, so we need to replace him. I invite members to nominate who they think would make a good European Union reporter for the committee.

Liam McArthur: I nominate Clare Adamson.

The Convener: Is Clare willing to be nominated?

Clare Adamson: Yes—Clare is happy to accept the nomination.

Liam McArthur: I am trying to keep out of her line of vision.

The Convener: I am sure that Clare is delighted to accept, given her membership of the European and External Relations Committee. Are there any other nominations? No. Everybody is looking at their shoes. Does the committee therefore agree that Clare Adamson be appointed as our EU reporter?

Members *indicated agreement.*

The Convener: Our next item is to be taken in private.

11:54

Meeting continued in private until 12:33.

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