

Education In The Scottish Parliament

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PREAMBLE

This paper follows on from the previous bulletin (Redford 2011), which covered the education remit of the Parliament's Education and Culture Committee between June and August 2011. The following bulletin covers the same remit of the Education and Culture Committee from September 2011 to January 2012.

AUGUST 2011 – JANUARY 2012

The Education and Culture Committee had the following members during this period: Stewart Maxwell (Convener), Claire Baker (Deputy Convener to December 2011), Neil Findlay (Deputy Convener from January 2012) Clare Adamson, Neil Bibby (from January 2012), Marco Biagi, Jenny Marra (to December 2011), Joan McAlpine, Liam McArthur, Liz Smith and Jean Urquhart. Full records of the Committee meetings, including minutes, official papers and transcripts of proceedings can be found on the Scottish Parliament website at: <http://www.scottish.parliament.uk/s4/committees/ellc/meetings.htm>

In this five month period the Committee heard reports of progress in relation to Skills Development Scotland, Education Scotland and the Review of Teacher Employment. They spent considerable time on their scrutiny of the budget, which was focused through further and higher education, and an inquiry into the educational attainment of looked after children. They considered a petition on the number of teaching hours of qualified teachers in P1 and P2, and subordinate legislation in relation to the protection of vulnerable groups and student fees. The Committee agreed their work programme in private on the 6 September and reviewed it on the 22 November; 6,13 and 20 December and again at their meeting on the 31 January 2012.

SKILLS

The Committee took evidence on skills at their meeting on the 6 September 2011 from Skills Development Scotland and the Alliance of Sector Skills Council in Scotland. A briefing paper (EC/S4/11/3/1) was provided for the meeting.

Date of Committee	Witnesses
6 September	- Nicola McLelland and Iain McCaskey, <i>Alliance of Sector Skills Councils in Scotland</i> - Hazel Mathieson, Malcolm Barron and Gordon McGuinness, <i>Skills Development Scotland</i>

The meeting opened with a statement from Nicola McLelland who described the work of the Alliance of Sector Skills Councils in Scotland. This organisation represents and supports the work of the 21 licensed sector skills councils in Scotland. Gordon McGuinness then described the role and structure of Skills Development Scotland, a non-departmental public body that was established in 2008 with the aim of working with individuals and businesses, 'to create a more skilled and economically vibrant Scotland that can successfully compete in local and global markets' (McGuinness 06.09.11, Col 59). The initial questions from the Committee focused on the measurement of performance and quality assurance. Liz Smith

then asked about support for school leavers and Malcolm Barron described a range of activities that were carried out with schools. He listed the core skills that employers wanted as ‘attendance, timekeeping, good positive attitudes and team working’ (Barron 06.09.11, Col 63). The discussion also addressed modern apprenticeships and investment opportunities with the private sector.

EDUCATION SCOTLAND

The Committee requested evidence from Education Scotland (ES) in order to, ‘provide an opportunity to explore the remit and functions of the new agency and the rationale for its creation’ (EC/S4/11/5/1). They heard evidence from Bill Maxwell, the transitional Chief Executive, Ken Muir Chief Inspector and Alan Armstrong Director of Curriculum and Assessment of ES at their meeting on the 20 September 2011. The supporting papers for the meeting (EC/S4/11/5/2) outlined the establishment of ES from Her Majesty’s Inspectorate of Education (HMIE) and Learning and Teaching Scotland (LTS).

Date of Committee	Witnesses
20 September 2011	Bill Maxwell, Ken Muir, and Alan Armstrong, <i>Education Scotland</i>

In his initial remarks to the meeting Bill Maxwell described ES as ‘a new integrated improvement agency’ (Maxwell 20.09.11, Col 120). He referred to the work of Hargreaves and Shirley on school improvement and said that ES was trying to do what they recommended, ‘(to) build from the bottom and steer from the top, but provide support and pressure from the sides in fairly equal quantities’ (Maxwell 20.09.11, Col 120).

The discussion opened with a question from Marco Biagi about the balance of work from HMIE and LTS related to new work such as validating language schools. In his reply Bill Maxwell said that initially the organisation had concentrated on stability and continuing to provide existing services but that they would be looking at ‘re-engineering some of our work to create more impact and to increase synergies between the two main parts of the business’ (Maxwell 20.09.11, Col 122). Claire Baker then asked about the agency inspecting itself and Bill Maxwell assured her that inspection work would not be influenced by any support work carried out by ES. There was a further question from Claire Baker about staff reduction across the new agency, which Bill Maxwell said had been managed flexibly because of the number of staff seconded from schools. He added that it was important for ES to continue you use what he called:

front-line practitioners who work with us for a period and then go back to their schools and classrooms around the country. That is healthy, and I would be keen for Education Scotland to continue to build that live connection with the field into its business model (Maxwell 20.09.11, Col 125).

The discussion moved on to consider the changes to the school inspection model and the ways in which schools collected attainment evidence for pupils. Jenny Marra asked about the roll out of Curriculum for Excellence. In his reply Ken Muir described the schools which were furthest on with the development of the curriculum as having strong leadership and working with interdisciplinary learning. Jean Urquhart followed this with a question about Glow and the use of online resources for pupils. Alan Armstrong described it as a key resource for Curriculum for Excellence and added that the Glow system was currently being reviewed by the Scottish Government, prior to reprourement. Claire Baker followed this with a question about the proposal that ES would take on the quality assurance of post-16 learning and skills in Scotland’s Colleges. Ken Muir replied that the organisation currently undertook quality assurance of colleges through an agreement with the Scottish Funding

Council. He noted that there was a long history of the former HMIE and colleges working together. Liam McArthur asked about joint working and joint inspections with health and social work. In reply to that question Bill Maxwell outlined recent discussions held with other agencies to address the areas of risk assessment and scrutinising local authority performance. He said that ES would continue to be involved in joint inspections and that there was currently work being undertaken by the Accounts Commission and Audit Scotland to examine the information held by separate agencies in relation to the agenda of Getting It Right for Every Child. The discussion concluded with the comment from Bill Maxwell that:

There is an increasing need for the ability to engage with a wider range of professionals who might come into play in meeting the needs of any child or young person to be part of the core competence of teachers or educators (Maxwell 20.09.11, Col 135).

REVIEW OF TEACHER EMPLOYMENT

The Committee held a round table discussion about the review of teacher employment at their meeting on the 20 September 2011. This meeting took place one week after the publication of The Report of the Review of Teacher Employment in Scotland published with the title: Advancing Professionalism in Teaching (Scottish Government 2011b). The Committee took evidence from Professor McCormac, the chair of the review at their following meeting on the 27 September 2011.

Date of Committee	Witnesses
20 September 2011	• Ann Ballinger, <i>Scottish Secondary Teachers' Association</i> • George Jamieson, <i>National Parent Forum</i> • Pam Nesbitt, <i>Association of Headteachers and Deputies in Scotland</i> • Drew Morrice, <i>Educational Institute of Scotland (EIS)</i> • Jane Peckham, <i>National Association of Schoolmasters Union of Women Teachers</i> • Eileen Prior, <i>Scottish Parent Teacher Council</i> • Alan Robertson, <i>Voice</i> • Jim Thewliss, <i>School Leaders Scotland</i> • Andrew Sutherland, <i>Convention of Scottish Local Authorities (COSLA)</i> • John Stodter, <i>Association of Directors of Education (ADES)</i>
27 September 2011	• Professor Gerry McCormac and Isabelle Boyd, <i>Review of Teacher Employment in Scotland</i>

The Convener opened the round table discussion by welcoming all the stakeholders to the meeting and noting the 30 recommendations in the report. He then suggested that the meeting should focus on key themes and began the discussion by asking about flexibility in the way that class contact hours were managed. The union representatives all responded that they felt that teachers already had a flexible approach to their working hours. George Jamieson from the National Parent Forum supported the proposal and John Stodter (ADES) suggested that it was about a cultural shift in the teaching profession. The COSLA representative Andrew Sutherland said that it was about stronger collegiality in schools and could improve outcomes for children and young people. Clare Adamson then asked about recommendation 28, that primary teachers should be responsible for the education of their class at all times. This recommendation was supported by COSLA but argued against by Drew Morrice for the EIS who suggested that:

The idea that a teacher is responsible for their class in the round is outdated. When a primary teacher teaches a class, they teach aspects of the curriculum, and they trust that a teacher who is coming in to deliver other aspects of the curriculum will pick that up and take responsibility for the planning, recording and assessment of the work that goes on during that time. Professor McCormac is almost taking us back to a previous period, when the teacher was solely responsible for everything that went on (Morrice 20.09.11, Col 147).

The Convener noted that there would be different interpretations of the recommendations and moved the discussion onto career progression for teachers. Ann Ballinger pointed out the difficulties of career progression for secondary teachers, with reduced numbers of principal teacher posts. Drew Morrice drew attention to the recommendation to close the Chartered Teacher scheme, which had provided a career route for those teachers who wanted to remain in the classroom. Andrew Sutherland welcomed the proposal for flexibility at the start of the Principal Teacher salary scale with flexible or short-term appointments. John Stodter felt that the review offered a different approach to professional development as part of career development and welcomed the idea of flexibility. The Convener then asked the union representatives about recommendations 17 and 18 which proposed that Headteachers should be able to determine the number and level of promoted posts, with the option of temporary appointments. Drew Morrice said that there was a danger of patronage in the proposal and the creation of major differences across Scotland. Ann Ballinger agreed with those comments and added that job sizing and the proposed flexibility could create surplus staff who would then need to be moved to other schools. The meeting turned to the recommendation in relation to class sizes and noted that there was already legislation in place on maximum class sizes. The discussion ended with a question from Clare Adamson about coherence across all the developments in education. Drew Morrice reminded the Committee that the Teaching Agreement for the 21st Century (Scottish Executive 2001) was a tripartite agreement reached between the Government, unions and employers and that any action from the recommendations in Advancing Professionalism in Teaching (Scottish Government 2011b) would also need to be taken forward through tripartite agreement.

The Committee met with Gerry McCormac and Isabelle Boyd at their meeting on the 27 September 2012. In his opening statement Gerry McCormac emphasised the independence of the review and that the main principle for the review group was to consider changes which would lead to improved outcomes for children and young people. He then described the three themes of the recommendations: proposals to increase flexibility in the workforce, endorsement of the key messages in Teaching Scotland's Future (Scottish Government 2011a) and the wish to spread existing good practice. Clare Adamson opened the questions by asking about flexibility. Gerry McCormac replied that the evidence the review collected, 'indicated that teachers operated an inflexible system' (McCormac 27.09.11, Col 216). Claire Baker then asked about the recommendation to remove Annexes B and E of the Teaching Agreement for the 21st Century. Gerry McCormac replied to that, 'The motivation for removing annex B and annex E was to advance professionalism. Professions do not, typically, create a list of dos and don'ts' (McCormac 27.09.11, Col 218). The discussion then considered the recommendation to use outside experts in school and the responsibility held by a teacher for their class. Isabelle Boyd gave the example of a native Spanish speaker contributing to specific parts of the curriculum. 'We recommend that, where appropriate, the teacher could withdraw from the class during the time when the expert is engaging with children' (Boyd 27.09.11, Col 220). Jean Urquhart followed this with a question about recommendation 19 and the withdrawal of the Chartered Teacher scheme. Gerry McCormac said that the recommendation was made from the evidence, 'that they were not a universally successful group in terms of the delivery of what was intended' (McCormac 27.09.11, Col 220). Marco Biagi then asked about career progression and the lack of opportunities for teachers across the 32 local authorities. Isabelle Boyd replied that they had seen an interview process for a temporary Principal Teacher post on one of their school visits which

evidenced the need for flexibility at school level. The meeting closed with a question from Liam McArthur about what was meant in the report by a 'trade-off between teacher numbers and teacher quality' (McArthur 27.09.11, Col 225). Gerry McCormac replied when considering the best use of money their view was that current class sizes should remain and resources should be used to 'develop the quality of the teaching profession. We felt that that was the most likely way of producing better outcomes' (McCormac 27.09.11, Col 226).

BUDGET

The Committee began their scrutiny of the draft budget for 2012-13 and the Government spending review at their meeting on the 27 September 2011. They had agreed in their work plan that the focus for their scrutiny would be led through further and higher education and so began with evidence from Mark Batho, Chief Executive of the Scottish Funding Council. The second panel included representatives of NUS Scotland, the University and College Union and the EIS. They returned to the issue on 4 October 2011 and heard evidence from a range of universities and colleges, some of whom submitted written evidence prior to the meeting (EC/S4/11/7/1). They heard further evidence at their meeting on the 25 October 2011 after which they agreed to consider the draft budget and spending review in private. They considered a draft report at their meeting on the 8 November 2011, discussed revisions at their meeting on the 15 November 2011, after which the report was agreed for publication.

Date of Committee	Witnesses
27 September 2011	Mark Batho, <i>Scottish Funding Council</i>
	- Robin Parker, <i>NUS Scotland</i> - Mary Senior, <i>University and College Union Scotland</i> - David Belsey, <i>The Educational Institute of Scotland</i> - Lord Sutherland
4 October 2012	- Alastair Sim, <i>Universities Scotland</i> - Professor Seamus McDaid, <i>University of the West of Scotland</i> - Professor Ferdinand von Prondzynski, <i>Robert Gordon University</i> - Sir Timothy O'Shea, <i>University of Edinburgh</i>
	- John Spencer, <i>Scotland's Colleges</i> - Paul Little, <i>City of Glasgow College</i> - Liz McIntyre, <i>Borders College</i> - Alan Sherry, <i>John Wheatley College</i>
25 October 2011	- Michael Russell, Cabinet Secretary for Education and Lifelong Learning, <i>Scottish Government</i> - Shirley Laing, Andrew Scott and Sarah Smith, <i>Scottish Government</i>

The Convener welcomed Mark Batho to the meeting on the 27 September 2011 and began with a question about the impact on the sector of the proposal to increase funding for higher education and decrease funding for further education. In reply Mark Batho welcomed the proposal to increase funding for higher education. He said that it had been well received by the universities and that the funding 'represents a sustainable settlement for the next three years' (Batho 27.09.11, Col 181). He added that for the colleges the proposed decrease was a reduction across the three year period of 14% on top off reductions in the current academic year.

We are of the view that, amidst the undoubted challenges of that level of settlement, significant inefficiency can be driven out of the system over the coming period. That should ensure that, in the environment that we are in—of a falling demographic, among other things—the levels of college education at both further and higher levels are capable of being sustained, albeit that some tough decisions will have to be made (Batho 27.09.11, Col 182).

The Convener welcomed his reply and asked if the budget announcement dealt with the issue of the competitiveness of Scottish universities in comparison with universities in the rest of the UK. Mark Batho replied that his impression was that the universities believed that it had. Jenny Marra then asked about the proposed merger of the University of Dundee and the University of Abertay, Dundee and the letter that Mark Batho had sent to the Chair of the Court at the University of Abertay in September. In reply Mark Batho said that in drafting the letter the Scottish Funding Council (SFC) had taken account of the guidance letter from the Cabinet Secretary for Education which asked the SFC to achieve substantial efficiency savings. He went on to say that in the letter to the Chair of Court at the University of Abertay the SFC had set out educational and financial reasons to consider a merger. He indicated that following the letter he had held separate meetings with both universities to discuss the content of his letter. Jenny Marra followed this with a question about who had identified those institutions for a merger. Mark Batho replied that the SFC had, because there was an acting Principal in post at Abertay. He then reminded the committee that the SFC had a statutory duty 'to secure coherent provision' (Batho 27.09.11, Col 185) and while the SFC could ask institutions to consider merger it did not have the legal powers to enforce a merger. Liam McArthur then asked if the merger proposal had been made for financial reasons with educational issues added at a later date. In reply to that question Mark Batho said that both areas were considered together and the proposed merger between the two universities in Dundee had focused on the fact that both had nursing and legal provision. Liam McArthur then asked about other possible mergers and Mark Batho said that the SFC would consider the university sector as opportunities arose. In this reply he emphasised, 'What we do not have is a black book with a list' (Batho 27.09.11, Col 188). He went on to say that the situation was different for the college sector because there was a white paper and a letter of guidance from the Government outlining a regional structure for colleges. The first step towards that would be a change to a system of regional funding for the next academic year 2012-13. Claire Baker asked how the Government's commitment to student places in colleges would be maintained through the proposed cuts. Mark Batho replied that the SFC would work closely with colleges to ensure that provision was maintained and met the needs of businesses in particular areas. Clare Adamson followed this with a question about the ability of the colleges to deliver the Government commitment of 25,000 modern apprenticeships. Mark Batho replied that the SFC had received guidance from the Government to concentrate funding on the 16 – 19 year old group in the college sector. He also pointed out to the Committee that such a commitment would not affect older learners because there was a demographic decline in the number of 16 – 19 year olds coming into the college system.

The Committee then met with the second panel of the meeting, who had been listening to the first part of the discussion. The Convener began this discussion by asking if the proposed increase in university funding would make Scottish universities as competitive as those in England? In reply the members of the panel welcomed the settlement but Lord Sutherland made the point that there was a presumption that a considerable sum would be raised from 'rest-of-UK' students. David Belsey for the EIS welcomed the funding but felt that there was such a difference between universities in Scotland that the amount of money to be raised from rest-of UK students would vary considerably between institutions. Jenny Marra then asked this panel about the proposed merger between the Universities of Abertay and Dundee. Mary Senior replied that there was considerable distress among their members in Abertay about the proposal but added that she had been reassured by the Minister for

Learning and Skills that any merger would be institution led. David Belsey said that the EIS believed that mergers should only occur where there were educational reasons and that any joining of institutions should be mergers and not take-overs. Lord Sutherland referred to his own experience with institutional mergers and commented that 'It looks like merger by fax' (Sutherland, 27.09.11 Col 202). The meeting closed with a discussion about the breadth of provision and the quality of the student experience.

The meeting on the 4 October 2011 began with a panel representing the University sector and a series of questions from Claire Baker about the quality of provision and possible reductions in student contact time. Seamus McDaid said that universities would be able to make the required efficiency savings without reducing what he called 'front line services' (McDaid 04.10.11, Col 238). Claire Baker followed this with a question about the implications of the fees set for rest-of-UK students in Scotland. The university principals acknowledged that planning departments in each institution were considering possible reductions in applications from rest-of-UK students. The discussion then moved on to consider articulation between universities and colleges, access courses and part-time provision. Joan McAlpine asked about the future of the four-year degree to which Alastair Sim replied that the four-year degree was viewed as 'a real benefit for Scotland and for learners, and as a flexible instrument that can be used to meet learners' diverse needs' (Sim, 04.10.11, Col 250). The Convener then asked the panel directly if anyone disagreed with that statement, to which Timothy O'Shea replied for the panel, 'Absolutely not' (O'Shea, 04.10.11, Col 250). The meeting discussed the costs and savings from merging institutions and the challenges the sector faced from post-16 reform. The Convener ended the discussion with a question about the development of research and areas of research expertise.

The second panel on the 4 October 2011 was a meeting with representatives of Scotland's colleges. Liam McArthur opened the discussion with this panel by acknowledging the cut in the proposed funding for colleges, 'of 13.5 per cent in cash terms and 20 per cent in real terms' (McArthur 04.10.11, Col 264). He went on to ask what the impact of these cuts would be. Paul Little replied that although colleges would work with their local communities, and together, to address the issue it was a decision that would change colleges across Scotland. Claire Baker asked if the Government agenda of mergers and regionalisation would save money. John Spencer replied that in his experience savings from mergers did not appear until the second or third year following the merger. The meeting then discussed the challenges of regionalisation and the issues faced by rural colleges. Paul Little raised the challenge colleges faced in continuing to offer the same level of bursary support for students within the proposed funding and Liz McIntyre the removal of choice and a reduced ability to match students to appropriate qualifications.

The Committee took their final evidence on the draft budget from the Cabinet Secretary at their meeting on the 25 October 2011. In his opening statement to this meeting Mike Russell listed the areas of education he proposed to increase funding in:

There will be a £50 million investment in an early years change fund over the next four years. We have made a deal with councils to maintain teacher numbers in line with pupil numbers. We will deliver 100,000 training places over the next year and a record number of 125,000 new start modern apprenticeships over the next five years. We have guaranteed a place in learning or training for every 16 to 19-year-old. We have restated our commitment to ensuring that there are no tuition fees for Scottish students and that university places for them are protected. We are also working towards a minimum income of at least £7,000 for the lowest-income students. Those are all considerable achievements at a time of restraint (Russell 25.10.11, Col 314).

The first question came from Liz Smith who asked about the cuts in college funding. The Cabinet Secretary replied that almost 30% of students did not complete college courses and reform in the sector would produce better results for students. Claire Baker asked about the number of college places available for students after 2011-2012. Mike Russell reassured her

that the Government would keep its guarantee of a place for every young person who wanted one. He pointed out that because there would be fewer young people aged 16 – 19 years old then there would be fewer places. Liam McArthur pursued the issue of college places and asked about the fact that there would be no funded places for anyone over the age of 24, reminding the Cabinet Secretary that in 2009 – 2010 half of all college students were over 24 years in age. Mike Russell did not directly answer that question and the discussion moved onto funding for part-time students across further and higher education.

INQUIRY INTO THE EDUCATIONAL ATTAINMENT OF LOOKED AFTER CHILDREN

The Committee agreed a timetable for this inquiry, in private, at their meeting on the 25 October 2011. The papers for the meeting included a SPICe briefing (EC/S4/11/8/4) produced to support the inquiry. They heard evidence from a series of panels at their meetings on the 1, 8, 15 and 22 November 2011 and received written submissions from all organisations represented on the panels (EC/S4/11/9/1, EC/S4/11/10/1 and EC/S4/11/11/1). They considered, in private, the issues arising from the debate in Parliament on the inquiry at their meeting on the 17 January 2012.

Date of Committee	Witnesses
1 November 2011	Claire Burns, <i>Centre for Excellence for Looked after Children in Scotland (CELCIS)</i>
	- Phil Barton, <i>Scottish Children's Services Coalition</i> - Bryan Evans, <i>Children 1st</i> - Sara Lurie, <i>The Fostering Network Scotland</i>
8 November 2011	- Carol Kirk, <i>Association of Directors of Education in Scotland (ADES)</i> - Fred McBride, <i>Association of Directors of Social Work in Scotland</i> - Robert Nicol, <i>COSLA</i> - Jacquie Roberts, <i>Care Inspectorate</i>
15 November 2011	- Susan Quinn, <i>Educational Institute of Scotland</i> - Malcolm Schaffer, <i>Scottish Children's Reporter Administration</i> - Norma Wright, <i>Education Scotland</i>
22 November 2011	- Angela Constance, Minister for Children and Young People, <i>Scottish Government</i> - Jackie Brock and David Blair, <i>Scottish Government</i>

The Committee began taking evidence in this inquiry by meeting with Claire Burns, the strategic policy implementation manager at a new Centre for Excellence for Looked-after Children in Scotland (CELCIS). She suggested to the Committee that there were five themes they should consider:

focusing support where it is more required; care planning for young people; the designated manager's role in respect of looked-after children; support for families; and throughcare and aftercare (Burns, 01.11.11, Col 345)

In her initial remarks she highlighted progress that had been made in school attendance and the educational achievements of looked-after- children in foster and residential care. She was particularly concerned at the lack of progress for children who were looked-after at home and suggested that the Committee also needed to address the communication of each

child's plan between services. The Convener opened the questions by asking if there was scope for professional pre-qualification training. Claire Burns replied that it was planned to run a pilot project in Further Education with students on courses related to social care, childcare and additional support for learning. She added that CELCIS was considering developing local communities of practice. The meeting then discussed the importance of the care-plan for each child and the way in which education and children's services, and health services supported these plans. The discussion closed with a series of questions from Clare Adamson about children who were looked-after at home. The committee moved on from that point with the second panel on the 1 November. This began with a question from Joan McAlpine about attainment being lower for children looked-after at home. Sara Lurie replied that for many of those children the problem was the family's experiences of education. Phil Barton suggested that it needed a longer term approach, 'to help the children of such families to achieve in school and have a positive educational experience' (Barton, 01.11.11, Col 367). The meeting then turned to the differences between local and national approaches to attainment with the panel suggesting that a lead from the Government might encourage similar approaches in all local authorities. The Committee returned to this theme at their meeting on the 8 November when they asked the panel about integrated working for looked-after children. The panel highlighted examples of good practice in relation to the policy of Getting It Right for Every Child (GIRFEC):

What makes the difference is the quality of relationships between the professionals in the various services for children—their getting to know one another, getting to know one another's roles and responsibilities, getting to value one another's particular professional contribution, getting to understand what that contribution is, and getting to work together regularly with particular children in localities within local authorities (McBride, 08.11.11, Col 402).

The meeting then turned to the way that the child's plan was addressed by different services and concluded with a discussion about the impact of the legislation for children with additional support needs. The Committee returned to this at their next meeting on the 15 November 2011 when Liam McArthur opened the questions by asking about a possible clash between the emphasis in the additional support for learning legislation on parental rights and on the child at the centre in GIRFEC. Norma Wright agreed that the issue had been raised but said that school inspections had not shown that happening. Susan Quinn added that local authorities had to engage immediately with the legislation and that it had taken longer for them to engage with the good practice recommended in GIRFEC. Liz Smith asked about the use of the voluntary sector and George Adam about the role of designated senior managers. The meeting acknowledged the need for designated managers to be directly involved in the care of the child which led to a discussion on the limited involvement of teachers in care planning. Jenny Marra asked specifically about the resource implications for schools to meet the needs of looked-after children, to which Susan Quinn replied, 'The EIS would argue that there are not sufficient resources in any mainstream establishment to do the things that we are being asked to do' (Quinn, 15.11.11, Col 442).

Angela Constance, Minister for Children and Young People gave evidence to the Committee at their meeting on the 22 November 2011. In her opening remarks she recognised the challenges facing looked-after children and described to the Committee the way in which the Government was tackling the problem through earlier intervention with those at risk of coming into care, early decision making about care and 'good corporate parenting, so that those who care for looked-after children and young people are the best substitute parents possible' (Constance 22.11.11, Col 458). The questions from the Committee to the Minister covered the areas of policy, the proposed Children's Services Bill and the particular issues in supporting children who were looked-after at home.

KINSHIP CARE

The Committee turned to the related issue of kinship care at their meeting on the 20 December 2011 and agreed to hold a round table discussion to address the current support mechanisms for kinship carers. They returned to the subject in private at their meeting on the 31 January when they agreed to invite written evidence from the Scottish Government, COSLA, local authorities and the UK Government on the issues which were raised with them during the round-table discussion.

Date of Committee	Witnesses
17 January 2012	• Robert Swift, <i>Association of Directors of Social Work</i> • Alison Todd, <i>Children 1st</i> • Lindsay Isaacs, <i>Citizens Advice Scotland</i> • Mike Callaghan, <i>COSLA</i> • Anne Black, <i>Independent Social Work Consultant</i> • Tommy McFall, <i>New Fossils Group</i>

In his opening remarks on the 17 January 2012 the Convener explained to the panel that the Committee was concluding their inquiry on the educational attainment of looked-after children and that kinship care was one of the areas they were considering for their next inquiry. He then opened the meeting with a question about the effectiveness of kinship care and the extent to which it varied across the country. Tommy McFall used his own experience as a kinship carer to demonstrate the difference in support available to foster carers but not to kinship carers. 'There is no support and there are no allowances' (McFall, 17.01.12, Col 608). Lindsay Issacs supported this and said that the lack of financial support for kinship carers was an issue that citizens advice staff often encountered. In answer to a question from Neil Bibby he added that looked-after children were meant to receive financial support from local authorities, but that payments to kinship carers were discretionary and each local authority had different policies about payment. The meeting then spent some time discussing the proposal in the concordat agreement of 2007 that kinship carers would be entitled to the same allowances as foster carers. Lindsay Issacs spoke forcefully of the need to recognise kinship carers as a group in their own right.

Problems arise when we try to shoehorn them into the official route for foster carers or birth parents at home. There are elements of overlap with both those groups, but kinship carers stand alone and are different (Issacs, 17.01.11, Col 631).

PROTECTION OF VULNERABLE GROUPS

The Committee heard evidence from the Minister for Children and Young People about the technology system that underpinned the Protection of Vulnerable Groups (PVG) scheme at their meeting on the 22 November 2011. This discussion followed a letter the Committee received from the Minister outlining problems with the technology supporting the system (EC/S4/11/12/2).

Date of Committee	Witnesses
22 November 2011	• Angela Constance MSP, Minister for Children and Young People, <i>Scottish Government</i> • Lorimer Mackenzie and Brian Gorman, <i>Disclosure Scotland</i>

The meeting noted the reassurances from the Minister that children and vulnerable adults would remain protected, and that there would be limited delays for people with the disclosure processes. In answer to a question from the Convener the Minister added that the work on the system would continue into 2012 and that British Telecom was reimbursing the additional costs of Disclosure Scotland to problems with the system.

PETITIONS

The Committee considered a Petition PE 1391 submitted by Susan Calcluth-Russell on behalf of Renfrewshire Parent Council Forum. This petition called on the Scottish Parliament to urge the Scottish Government to make it a legal requirement that qualified teachers teach children in primary 1 and 2, for 25 hours in a normal school week, subject to existing local flexibility of school hours. The Committee agreed to leave the petition open until the conclusion of negotiations on the proposals in *Advancing Professionalism in Teaching* (Scottish Government, 2011b). The Committee further agreed to write to the Scottish Government for an update on the timescale for conclusion of these negotiations.

SUBORDINATE LEGISLATION

The Committee took evidence, debated and approved the following subordinate legislation related to education during this period:

- The Curators ad Litem and Reporting Officers (Panels) and the Panels of Persons to Safeguard the Interests of Children (Scotland) Amendment
- The Administrative Justice and Tribunals Council (Listed Tribunals) (Scotland) Amendment Order 2011 (SSI 2011/405)
- The Protection of Vulnerable Groups (Scotland) Act 2007 (Prescribed Purposes for Consideration of Suitability) Regulations 2011 (SSI 2011/411)

The Committee took evidence and considered the following negative instrument and subordinate legislation at their meeting on the 29 November 2011:

- The Student Fees (Specification) (Scotland) Order 2011 [draft] and the Education (Fees) (Scotland) Regulations 2011
- The Education (Fees) (Scotland) Regulations 2011 (SSI 2011/389)

Date of Committee	Witnesses
29 November 2011	• Robin Parker, <i>NUS Scotland</i> • Alastair Sim, <i>Universities Scotland</i>
	• Michael Russell, MSP, Cabinet Secretary for Education and Lifelong Learning, <i>Scottish Government</i> • Ann McVie and Neil MacLeod, <i>Scottish Government</i>

The Committee first heard evidence from Robin Parker and Alastair Sim, both of whom had also submitted written evidence to the committee (EC/S4/11/13/1). This discussion was led by questions from Liz Smith regarding the level of fees set by Scottish Universities for rest-of-UK students and the overall cost of a Scottish degree for these students. Jenny Marra then asked how prospective students could find out about bursary schemes to support them during their studies. Robin Parker replied that, 'they would have to wade

through about 18 different websites and figure out about 18 different methodologies' (Parker, 29.11.11, Col 506). Alastair Sim agreed that each institution had its own bursary scheme with different entitlements. The meeting then considered different systems to protect widening access for rest-of-UK students. The Cabinet Secretary assured the Committee that institutions would not have to charge tuition fees at the levels set by the order to any student who did not have a relevant connection with Scotland or who was not an excepted student within the regulations. He also indicated to the Committee that he intended to introduce legislation in the coming year to address widening access and that rest-of-UK students would be included in that. The Cabinet Secretary then moved that the subordinate legislation be approved. The motion was agreed to by division: For 8, Against 0, Abstentions 1.

The Committee took evidence and considered the following subordinate legislation at their meeting on the 10 January 2012:

- The Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2012 [draft]
- The Scottish Public Services Ombudsman Act 2002 Amendment Order 2012 [draft]

Date of Committee	Witnesses
10 January 2012	• Aileen Campbell, MSP, Minister for Children and Young People, <i>Scottish Government</i> • Tom McNamara, <i>Scottish Government</i>

The Minister explained to the meeting that The Children's Hearings (Scotland) Act 2011 established a new non-departmental public body, Children's Hearings Scotland, which was headed by a principal officer, the national convener, who would have additional statutory responsibilities in relation to particular elements of the children's hearings system. The proposed draft order amended the list of public authorities in the Equality Act 2010 and added Children's Hearings Scotland and the National Convener of Children's Hearings Scotland to that list. The Committee recommended approval of the draft orders.

EUROPEAN REPORTER

In accordance with custom that the Deputy Convener of the Committee held this role, the Committee appointed Neil Findlay, as its European Union Reporter at their meeting on the 17 January 2012.

REFERENCES

- Redford, M. (2011) Education in the Scottish Parliament, *Scottish Educational Review*, 43(2), 91-94
- Scottish Executive (2001) Teaching Agreement for the 21st Century. Online at <http://www.scotland.gov.uk/Resource/Doc/158413/0042924.pdf> (accessed 25/03/12)
- Scottish Government (2011a) *Teaching Scotland's Future*. Online at <http://www.scotland.gov.uk/Resource/Doc/337626/0110852.pdf> (accessed 25/03/12)
- Scottish Government (2011b) *Advancing Professionalism in Teaching*. Online at <http://www.scotland.gov.uk/Publications/2011/09/13091327/18> (accessed 25/03/12)