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Education, Children and Young People Committee
Scottish Parliament
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Dear Douglas,

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: STAGE 1 EVIDENCE

I am writing in follow up to my recent appearance at Committee on 27 November to provide evidence on the above Member's Bill. I thank you for the opportunity to provide further information on the Scottish Government's position.

Role of Residential Outdoor Education

Firstly, I want to reiterate that the **Scottish Government recognises and values the very specific and very powerful benefits that residential outdoor education can deliver** for children and young people, as one form of outdoor learning. As I stated at Committee, I believe that outdoor education centres play an important role in supporting the skills and overall personal development of our young people in Scotland. The evidence on this is clear.

For example, I would refer the Committee to The Outward Bound Trust's most recent Social Impact Report 2024: [https://www.outwardbound.org.uk/assets/pdf/uploads/Trust general/Outward-Bound-Social-Impact-Report-2024.pdf](https://www.outwardbound.org.uk/assets/pdf/uploads/Trust%20general/Outward-Bound-Social-Impact-Report-2024.pdf)

The report shows that impacts on aspects such as a young person's social and emotional skills, and their respect and appreciation for the environment, can be strengthened and endure after they return to the classroom following a positive and well-designed residential outdoor education experience that is integrated within the curriculum. On 10 December I met with Freda Fallon, who is Head of of Scottish Education Partnerships at the Trust – I am aware that Ms Fallon also provided evidence to the Committee in relation to this Bill in

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November. At our meeting we discussed the role of residential outdoor education in improving behaviour, attainment and, when targeted effectively, the genuine benefits that the experience can provide for children and young people with Additional Support Needs, those from lower socio-economic backgrounds and those living in remote rural areas who may be relatively isolated.

I would also point to the publication “Outdoor Education Centres: Fit for the Future” (the Educational Value of Scotland’s Outdoor Education Centres) published in August 2020 as a joint publication by Scottish Government and the Scottish Advisory Panel for Outdoor Education, available at:

<https://www.sapoe.org.uk/wp-content/uploads/2020/08/OEC-Fit-for-the-Future-Final-Version-1.1.pdf>

For a broader overview of research around the benefits of outdoor learning – including residential outdoor education – Education Scotland has compiled a list of relevant evidence readily available online: <https://education.gov.scot/resources/outdoor-learning-resources/>

In light of the crucial role and impact of residential outdoor centres we provided £4m in emergency Covid funding support to third and private sector residential centres, during the pandemic, as well as an additional £500,000 in education recovery funding for broader outdoor learning projects.

As I stated in my evidence to the Committee, the Scottish Government is **neutral** regarding passage of the Bill at this time. This is because, despite our endorsement and support for the role of residential outdoor education, I have reservations that I made clear in my evidence to Committee that must be fully considered and assurance provided. These reservations do not stem from any attempt to undervalue the unique role that residential outdoor education can play as part of a mix of progressive and creative outdoor learning experiences. Rather, my concerns are around the approach being proposed to help improve provision and access, which, if not properly addressed, risk undermining deliverability of the ambition and the wider approach to curriculum design espoused under the Curriculum for Excellence.

These issues are set out in the Scottish Government’s Memorandum to the Committee, which I further discussed with Members on 27 November. Specifically, these relate to:

- **Legislating in the curriculum**

For the most part (aside from religious and moral education), our curriculum is not prescribed in statute. This is for good reason, to provide flexibility and autonomy to schools and practitioners to ensure they can design the curriculum in ways that best meet the needs of their learners.

- **The narrow focus of the Bill**

By focusing only on one type of outdoor learning (residential outdoor education), it is our view that this risks overshadowing other forms of provision, which I believe that Liz Smith MSP acknowledged herself in her own evidence to Committee when she highlighted that residential may not be suitable for all learners. In their evidence to Committee, NatureScot indicate that while they recognise the positive role that residential outdoor education can play, a “residential is not an alternative” to the provision and access for learners to “regular and frequent quality outdoor learning

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experiences” and that outdoor education should be part of “a progression in outdoor experiences”. I would also point the Committee to the Association of Directors of Education Scotland (ADES) evidence, in which they suggest that “there is a danger that this Bill could move outdoor education into being a single residential week and dilute the very good programmes of outdoor learning already in place” including “curricular opportunities as outlined in the Scottish Government’s Learning for Sustainability Action Plan 2023-2030”.

- **Resource implications**

The Bill is not affordable, and the Financial Memorandum underestimates delivery costs (many of which are unknown, including any capital funding that would be needed to upgrade the condition of centres to ensure equity in the nature and quality of provision of the residential experience for all learners).

In the current, extremely challenging financial context, ring-fencing in excess of £40 million annually within the Scottish Budget to secure provision of only one form of outdoor learning is challenging. This is especially the case where this would need to come at the detriment of other competing policy and public priorities, and where alternative less resource intensive approaches to outdoor learning provision within the curriculum can be considered. Liz Smith MSP has not provided a Value for Money assessment to accompany her Bill, and has not identified where she would suggest government reduce spending on other important public services and policy activities that people rely on to support delivery of the provisions. Significantly, NatureScot have further indicated in their evidence to Committee that “investment in regular outdoor learning experiences in nearby nature throughout children and young people’s school experiences is equally if not more valuable, cost effective, and arguably more sustainable.”

There are also a number of other resource considerations that need to be explored further, including the capacity of the sector to respond to the requirements that would be introduced should the Bill pass.

To help the Committee in further considering these significant points, I have included a summary of the key areas of concerns and gaps that Scottish Government analysts have identified with regards the Financial Memorandum, at **Annex A**.

I highlighted to Committee during my appearance that many of these reservations – and other logistical and practical considerations – are also shared by stakeholders who, while generally supportive of the intentions of the Bill, are concerned about delivery and have provided key evidence during Stage 1 that must be addressed.

Equity of provision of outdoor learning is a significant consideration in this context, and I share concerns of some stakeholders that the introduction of this Bill may impact upon this. For example, the Convention of Scottish Local Authorities (COSLA) and ADES have raised with Committee a number of points in this regard, including: potential challenges in provision within single-teacher schools or schools with composite classes; managing timing of residentials across the school year, matched to capacity of the sector, and the comparability of the experience in different seasons for different learner cohorts; and a concern around quality of that experience where the sector lacks capacity.

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Committee Evidence: Further Information

During my appearance I committed to providing some further information concerning some key points that were raised, to help inform the Committee's on-going scrutiny process. These are set out below.

(1) Practical considerations in using data management systems e.g. EVOLVE

As the Committee is aware, there is currently no national data system in place to track provision of residential outdoor education across schools in Scotland. However, some Scottish local authorities do operate the "EVOLVE" data system at a regional level, which is more commonly in use in other jurisdictions such as Wales. The website for eduFOCUS – the organisation that set up and manages the EVOLVE system – confirms that currently 13 Scottish local authorities use the software, including: Aberdeen City, Aberdeenshire, Angus, East Ayrshire, East Dunbartonshire, East Lothian, Fife, Highland, Midlothian, Moray, Orkney, Perth and Kinross and Scottish Borders. The system was originally created to support and standardise safety protocols around provision of school trips, but has since been adapted and extended to support other aspects of off-site excursions, such as planning and quality of provision.

It is my understanding that the outdoor education sector has previously engaged with eduFOCUS to refine EVOLVE to include more specific data entry fields relevant to a Scottish context, such as ensuring relevant subjects and awards are listed as entry options. The local authority is the lead system operator at a regional level, with schools receiving access via the local authority. This ensures a level of consistency in the information gathered within the local authority area. In this way, local authorities can produce reports from the data collected. Standard report requests cover things like: visits, staffing, participants, and establishments, with there also being the option to create custom reports. To ensure effective use and operation of the system at a local level, schools need to assign a system management co-ordinator, although this would be required anyway for overseeing delivery of off-site activities irrespective of whether the system software was in use and so may not represent an additional resource cost.

My understanding is that the annual cost per local authority for access to the EVOLVE system is around £4,000-£5,000, and local authorities/schools also have the option to purchase an upgrade to the system software, which provides additional functionality.

Key benefits of the system include the ability to co-ordinate data around provision of off-site trips at a school, and local authority level. This can support greater consistency in the nature of that provision within an area, due to each school needing to consider and assure on the same set of key considerations as prompted by the data management system. The software can also act as a planning tool for practitioners to manage design and resourcing of the activities. However, based on it is my understanding that some gaps or potential drawbacks generally to the use of these types of information management systems, for example:

- The risk that any adopted system becomes overly cumbersome for practitioners to readily engage with (e.g. too many required data entry points, potentially unintuitive interfaces), unintentionally discouraging teachers from wanting to plan such activities.
- Current systems such as EVOLVE primarily focus on data input concerning pre-trip considerations, and do not currently offer functionality around post-trip evaluation, e.g.

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supporting practitioners to assess the extent to which impacts are translated into positive outcomes across the curriculum, in the classroom.

- There may be limits around the extent to which external third parties can access data within the system that is input at a school level, which would otherwise support planning of residential outdoor education by centres.

It is worth noting that EVOLVE is just one example of a relevant data management system that can be used for residential outdoor education provision.. The Committee may wish to contact the Association of Directors of Education or SAPOE for further information.

(2) Implications for staff terms and conditions

In Committee I was asked whether the Scottish Government has any insights into how local authorities currently delivering residential outdoor education at a school level are managing this in the context of staff Terms & Conditions, and whether government has a view on the need for terms to be renegotiated through the Scottish Negotiation Committee for Teachers (SNCT), should the Bill pass.

While we do not gather data or other insights from local authorities specifically regarding staffing implications in delivery of off-site trips in this way, we understand that, in most instances where residential outdoor education is provided by a state-funded school, the teachers provide their time on a goodwill basis rather than receiving any overtime payment as standard. If the Bill were passed then it would be for the SNCT to decide on a collective basis whether or not any changes would be required to teachers' terms and conditions. It would, therefore, not be appropriate at this stage for the Scottish Government to take a position on this consideration.

Given the provisions in the Bill currently stipulate an entitlement per pupil to "one course" of residential outdoor education, equating to 5 days (or 4 nights), then should it be determined that teachers' terms should be renegotiated, it seems reasonable to assume that this could lead to significantly higher additional costs to delivery beyond what is set out in the Financial Memorandum. As I emphasised at Committee, the Scottish Government estimates the potential delivery cost of the Bill to range from £24.3 million to £40.6 million for rollout from 2025/26. As part of this modelling, we have attempted to include both inflation and estimated staff costs for secondary school teachers. Based on the provisions of the Bill as introduced, for the purposes of our modelling we have assumed that this would require 5 days of staff cover (at a cost of £333 per day, which is based on average teacher salaries and on-costs, divided by 190 school days). We have further modelled for variation in these costs according to pupil:teacher ratios that may be needed. Consequently, our estimates for staff costs for secondary teachers alone vary from £3.1 million to £5.4 million.

Scottish Government analysts have held exploratory discussions with a select group of secondary schools and SAPOE to further help inform our understanding regarding delivery costs and practicalities. We are aware from these conversations that the ability for a school to deliver residential outdoor education experiences without the need to rely on supply teachers, in part depends on base rates of staff absences within the school and levels of uptake of the residential by learners. Both factors affect the capacity of the school to adjust and collapse the timetable to accommodate any learners who opt not to attend the centre without bringing in additional resource.

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(3) Demonstrating progress in outdoor learning provision across Scotland

Reference was made at Committee to a previous publication by Education Scotland's predecessor organisation, Learning & Teaching Scotland, in 2010, titled "Curriculum for Excellence Through Outdoor Learning", and a question posed around what evidence the Scottish Government has to demonstrate progress in provision and access to positive outdoor learning experiences in the intervening years. There is already positive evidence of progress without the introduction of this Bill.

For example, His Majesty's Inspectorate for Education (HMIe) published a thematic review of outdoor learning provision in 2022, concluding that the use of the outdoors to support delivery of the curriculum is increasing and that, in secondary schools, there is a growing recognition of how outdoor environments can "contribute to learning and wellbeing, and the development of skills for learning, life and work".

<https://education.gov.scot/media/3amlh2w0/learning-outdoors.pdf>

Education Scotland's newly launched Learning for Sustainability resource webpage also highlights examples of how schools are developing and delivering progressive and regular, day-to-day outdoor learning, in all its forms.

<https://education.gov.scot/resource-themes/learning-for-sustainability/>

There is also evidence which confirms that we need to make more progress, particularly in upper primary and secondary, and that we need to see greater consistency in access to outdoor learning across the school sector. The research report "Teaching, learning and play in the outdoors: a survey of provision in Scotland in 2022" published by NatureScot and partners in 2023 confirmed an increase in access to outdoor learning in early years but "in the school sector, teachers reported lower confidence levels and reported fewer professional learning opportunities for outdoor learning and Learning for Sustainability than early years staff". This is why the Scottish Government is committed to working with stakeholders to identify options and potential solutions that can help to address this. This action includes the new national Scottish Outdoor Learning Strategic Working Group, whose remit is to develop advice and recommendations for Ministers on how we can most effectively achieve this, strengthening inclusive provision and access to outdoor learning, in all its forms, including residential outdoor education. As I indicated at Committee, the group is due to report its conclusions to me next summer, and irrespective of where Parliament gets to with regard to scrutiny of the current Bill, I would welcome further discussion with Members around non-legislative routes that it may be useful for the group to explore as part of its work.

The government and partners are also taking further steps in advance of the report from the working group. Education Scotland is already working closely with the Scottish Advisory Panel for Outdoor Education (SAPOE) and the Association of Heads of Outdoor Education Centres (AHOEC) to develop new online training materials for outdoor education instructors. The purpose is to build the capacity and understanding of instructors in relation to Curriculum for Excellence. Education Scotland is also supporting work being led by SAPOE and AHOEC to develop a quality improvement framework for outdoor residential education. The intention is for this new framework to be published later next year.

I also made reference at Committee to on-going work to develop a strengthened approach to measuring success and driving improvement of Learning for Sustainability provision through

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evaluation. This work stems from our refreshed Learning for Sustainability Action Plan that published in 2023. A new sub-group to our national Learning for Sustainability Leadership Group has been established to help steer this work, and as a first step has prioritised the review and update of Education Scotland's Self-Evaluation framework for LfS to support the ambition in the new Action Plan. Work is due to commence on this review early in the new year, supported by consultation and engagement with practitioners. This will ensure that schools and teachers can build a better understanding of what it means and looks like in practice to deliver LfS holistically, including through embedding of the outdoors as a key context for learning.

(4) Examples of the use of public trust funding to deliver on statutory duties

There continues to be a debate as to whether the significant costs which would arise from implementing the provisions of this Member's bill, if passed, could be borne – at least in part – by funding sources other than public funding provided by the Scottish Government. I have discussed this point in some detail with Liz Smith MSP, who has suggested that 'public trust funding' may be part of the solution. I understand that to mean funding from private sources, including philanthropy or charitable donations.

I wish to reiterate that the Scottish Government recognises the valuable contribution and potential for leveraging additional third party funding to support the provision of outdoor learning, where that funding is targeted and it is appropriate to rely on it. This is an area that I am keen to explore further, especially as we must increasingly be more innovative in identifying routes to match funding priority policy initiatives to help reduce the pressure on the public purse while continuing to deliver important outcomes for Scotland.

However, the challenge is in attempting to use such funding models to support the delivery of statutory duties, which is not a sustainable, nor viable as an approach. As evidenced to the Finance Committee on 19 November, both ADES and COSLA share this concern.

If passed, the Bill would impose a statutory duty on education authorities and the managers of grant-aided schools, which would require them to secure the provision of "one course of residential outdoor education" to each pupil in attendance at a school under their management. The authority, or the managers, will owe a statutory duty in respect of that specific learning provision to each one of their pupils. In this regard, the context and nature of the duty that the Bill would impose is quite different from services in other areas such as those raised by Members during my Committee appearance, where services are planned and resourced by Integration Joint Boards based on an assessment of the need in an area, and additional services offered by providers may be funded by charitable and other contributions. With regards to the Bill, education authorities and grant-aided schools will be required by law to deliver on the duty the Bill would impose, and any failure to do so would have serious consequences, including legal consequences.

The Scottish Government's position is that it would be inappropriate to impose such a duty on education authorities and the managers of grant-aided schools without giving them, the pupils who would benefit, and their parents, certainty about the funding of that statutorily required provision. A public trust funding approach does not provide this. Rather, a reliance on private financial contributions to raise sufficient funding for equitable access to what would be viewed as extra-curricular entitlements across all local authorities is unprecedented; and would create uncertainty as to the funding that would be required from

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the Scottish Government in any given year. The extent of any funding from private sources may fluctuate, and create difficulties for financial planning by both central and local government. Therefore, while I remain open to discussion about how the costs associated with the Bill as introduced could be managed, it is clear that there are no simple solutions.

I hope that the Committee finds the additional information set out in this letter to be helpful in further shaping its consideration of the Bill, taking into account both the Scottish Government's current reservations regarding the approach proposed and also our clear commitment and on-going work to support improvements in outdoor learning, in all its forms, including residential outdoor education, through non-legislative routes.

I look forward to hearing the conclusions of the Committee's Stage 1 scrutiny in due course, and remain open to working with Members to find a constructive – and affordable – way forwards that can deliver for our children and young people.

Yours sincerely,



Natalie Don-Innes MSP
Minister for Children, Young People & The Promise

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Financial Memorandum Cost Element	Gaps & Key Scottish Government Concerns
Exclusion of staff costs	The Financial Memorandum explicitly assumes zero staff costs in primary schools and does not model staff costs in secondary and Special schools due to ‘variation and uncertainty’ around staff costs. While some schools may be able to accommodate visits without additional disruption to timetables and staff resourcing, it is not clear that this will be the case across the country. Some stakeholders have fed back that in moving to a statutory requirement for residential visits, staff may feel entitled to claim overtime, which could have a significant effect on the cost of delivery.
Special school and pupils with ASN	The Memorandum includes Special schools and pupils with ASN in the cohort of pupils eligible for the provision. However, it does not model additional costs for these pupils and uses the average cost associated with other pupils. Special school and ASN pupils may in some cases need intimate care which could require 2 (or more) members of staff per pupil, in addition to requiring specialised transportation and facilities.
Transport costs	Transport costs as presented in the Memorandum are based on a misunderstanding of a table presented on a coach hire website (which has since been removed and replaced with higher costs). Scottish Government officials have spoken to council staff who have called the cost of private hire “prohibitive” or “extortionate”. Being able to source a bus or coach in some areas is challenging and is on occasion not possible at certain times of the year. Transport costs for ASN pupils may also be higher than average, as may also be the case in areas with lower levels of private transport provision, such as rural areas.
Inflation	The Memorandum does not account for the change in prices at the time of rollout in 2025-26.
Ancillary costs	While the Memorandum does provide costings for the guidance that will be required to be produced by the Scottish Government, it does not include other associated costs such as: insurance, spare clothing, training and admin costs, nor other likely capital costs that may be incurred to upgrade/retrofit existing outdoor education centres to ensure they are fit for purpose (e.g. site repairs) and equipped with appropriate resources suitable to secondary-school pupils (e.g. larger beds and kit/equipment). In particular, it is noted that when referring to costs associated with development of guidance, the Memorandum only refers to publication costs, indicating that “cost of producing guidance will be minimal”. This potentially overlooks any associated research and consultation activity that might be appropriate, or necessary to undertake to inform development.

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