



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Education, Children and Young People Committee

**Wednesday 8 June 2022**

**Session 6**



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**Wednesday 8 June 2022**

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**EDUCATION, CHILDREN AND YOUNG PEOPLE COMMITTEE**  
**17<sup>th</sup> Meeting 2022, Session 6**

**CONVENER**

\*Sue Webber (Lothian) (Con)

**DEPUTY CONVENER**

\*Kaukab Stewart (Glasgow Kelvin) (SNP)

**COMMITTEE MEMBERS**

\*Stephanie Callaghan (Uddingston and Bellshill) (SNP)

\*Graeme Dey (Angus South) (SNP)

\*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

\*Ross Greer (West Scotland) (Green)

\*Ruth Maguire (Cunninghame South) (SNP)

\*Michael Marra (North East Scotland) (Lab)

\*Oliver Mundell (Dumfriesshire) (Con)

\*Willie Rennie (North East Fife) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Stuart Brown (Educational Institute of Scotland)

Eve Lewis (Student Partnership in Quality Scotland)

Lorcan Mullen (Unison Scotland)

**CLERK TO THE COMMITTEE**

Stephen Herbert

**LOCATION**

The Robert Burns Room (CR1)



# Scottish Parliament

## Education, Children and Young People Committee

Wednesday 8 June 2022

*[The Convener opened the meeting at 09:45]*

### Colleges Regionalisation Inquiry

**The Convener (Sue Webber):** Good morning, and welcome to the 17th meeting in 2022 of the Education, Children and Young People Committee.

The first item on our agenda is to take evidence in our colleges regionalisation inquiry from trade unions representing teaching and support staff at colleges and from an organisation that supports student engagement in the quality of the learning experience, so that we can hear the views of staff and students on the impacts of regionalisation.

I welcome Stuart Brown, national officer from the Educational Institute of Scotland; Eve Lewis, the director of Student Partnership in Quality Scotland—sparqs; and Lorcan Mullen, regional officer and head of higher and further education at Unison Scotland. Good morning to you all.

I have a bit of housekeeping to begin with. Our session is hybrid, with our witnesses and one of our members participating virtually. As those who are attending remotely will not be able to catch my eye, please put a capital letter R in the chat box when you wish to speak. The clerks will monitor the chat box and I will bring you in when I can. I also want to reassure you that it is not necessary for every witness to respond to every question, so, if you do not think that you have anything to add on a particular question, that is fine. The question and answer session will last for approximately one hour, and I thank you all for your time today.

With that, I go to our virtual colleague Oliver Mundell for the first question.

**Oliver Mundell (Dumfriesshire) (Con):** It is almost impossible to talk about the college sector without talking about funding. It is hard to believe that, off the back of the pandemic and from a Government that talks up opportunities for young people and learners in Scotland, we have seen the college sector so badly funded. I would be interested to hear your views on the impact that has had across the country.

**The Convener:** We will go round the panel alphabetically; first is Stuart Brown from the Educational Institute of Scotland.

**Stuart Brown (Educational Institute of Scotland):** The Further Education Lecturers Association, which is the part of the EIS that organises in the college sector, will always want more funding for further education because FE has a specific mission within Scottish society. It works to provide opportunities for people who have perhaps been left behind by other parts of the education system or are retraining. We are often told that FE has a pivotal role in the post-Covid recovery, so any cuts in funding or any perception that there is a lack of funding is obviously of concern to us. We would always want more funding for FE. We have a very important mission to achieve for Scotland, and the outlook for the next couple of years is pretty grim and is a concern. I know of a number of colleges that are already looking at serious cuts, including some that are considering compulsory redundancies, which is obviously of concern to our members. The sector has some serious funding challenges.

**The Convener:** Thank you, Mr Brown. Ms Lewis, do you have something you wish to contribute?

**Eve Lewis (Student Partnership in Quality Scotland):** Yes. Colleges do an amazing job in terms of providing access to education, routes into different types of work and into higher education. Students get so many life chances from the college sector that funding colleges is vital.

In the area that I work in, one of the current funding pressures relates to the effect on the ability of student associations to operate and represent student voices effectively. We are already seeing precarious organisations being affected by cuts to funding within colleges for staff and areas supporting student associations. That is a worry for us.

**The Convener:** Thank you very much, Eve. Lorcan Mullen, it is over to you now.

**Lorcan Mullen (Unison Scotland):** I echo Stuart Brown's comments. The Scottish Government has some very difficult budget choices to make, but we have been saying on the record for years that the further education sector is chronically underfunded. Our information, which I think is from research by Colleges Scotland, is that funding per place for college students is lower than any other element of Scottish education: it is lower than for nursery, primary, secondary and university students. We do not think that it is fair or equitable for that to be the case, given the demographics of who in Scotland is trying to access education through colleges rather than through universities.

Unison would support a step change in funding for the sector. The only caveat that we would put on that is that the sector can make choices about

its funding. Even if the funding situation does not improve, we believe that the sector could do a lot better in terms of embedding fair work principles, building constructive relationships with the trade unions and making wiser choices in some cases. However, we are here today to talk about the sector only in more general terms, so that is Unison Scotland's broad answer.

**The Convener:** Thank you to the panel. Oliver, do you have a follow-on question from anything you have heard?

**Oliver Mundell:** Are colleges that operate in more rural and remote parts of the country getting a fair deal, and are young people, learners and those returning to education in rural and remote parts of the country getting good-quality service under the current model?

**The Convener:** As that is about students and learners, can we ask Eve Lewis to respond first?

**Eve Lewis:** Funding models are not within my area of expertise, but our view is that students in every part of Scotland deserve the best experience, so the funding models that are in place should ensure that that is so in every institution and college. We must look at personalised approaches, depending on where students live, where they are studying and what modes of study they are undertaking. Some of the approaches to digitalisation and how students access learning digitally need investment so that they can develop sufficiently.

**The Convener:** I will go round the panel. I am not getting any Rs in the chat box; I am not sure whether that means that nobody wants to respond. Perhaps I can go to Mr Brown.

**Stuart Brown:** Part of my answer is a reflection on the regionalisation process. Regionalisation led to a number of college mergers, with some colleges becoming significantly larger entities. Throughout the process of regionalisation, the EIS has been concerned about its impact on equity of access. Previously, colleges may have been smaller entities embedded in their local communities. Now, they are part of larger entities and someone in a town or a rural area may have to travel further to access a course. That is a concern, because, as I am sure the committee knows, rural poverty is an issue in Scotland. I live in the north-east of Scotland. I taught in the north-east of Scotland and I am fully aware of the effects of rural poverty. If students, all of a sudden, have to travel maybe 50 miles to access a course that they used to be able to access on their doorstep, that is a serious concern, because it means that some individuals will not be able to access the education that they need.

In terms of the sector more generally, regionalisation created some large entities, which

tend to be urban. It is certainly the perception of the EIS that some of those larger urban colleges have a slightly different perspective on the future of the sector in that they are looking towards tertiary models and awarding degrees and things like that. That would risk leaving rural communities further behind in terms of equity of access. That is a big issue that the sector must grapple with in the next couple of years.

**The Convener:** Thank you very much. Is there anything further from Oliver Mundell?

**Oliver Mundell:** No. I am happy with that.

**The Convener:** Thank you. The next suite of questions is from my colleague Ruth Maguire.

**Ruth Maguire (Cunninghame South) (SNP):** Good morning to the panel. Obviously, colleges provide important access to education and routes to employment, as you have said. Will you share your reflections on how, post regionalisation, colleges are responding to the needs of learners and the communities that they serve? Stuart Brown spoke a bit about that, so I will come to him first. It would be good to hear about some of the good practice as well as the challenges.

**Stuart Brown:** I first want to apologise to the committee, because it seems that there is a gardener outside with a very loud piece of equipment. I apologise if that is causing a bit of feedback. I will try to use my teacher voice and project over it.

As I said, regionalisation created larger entities across Scotland through college mergers, and I think that there are competing visions. Certainly, some colleges are very community focused, which I know from speaking to and working with principals, managers and union representatives in those colleges. Other colleges perhaps see the future of the sector in a slightly different way and are looking at competing with the post-1992 universities and so on. Of those two options, the latter concerns me more, and it is the former approach that I think is the mission of colleges.

There is good practice in the sector. There are colleges in rural communities that work closely with their local economies but that understand that they have a societal importance as well. They understand that it is about not just the needs of business but the needs of the society and the community that they are in. The EIS would welcome more encouragement for the sector to focus on not just the needs of local businesses but the needs of local communities, and that becomes even more pertinent in rural areas.

**Eve Lewis:** The way in which colleges respond to the needs of learners depends on how they approach that and listen to students about their needs. In that regard, there has been a big

improvement in the regional colleges, as they have much more active student associations that operate at regional level, often getting down to the nuts and bolts of what is and is not working for students.

When we ask students whether they want more localisation of courses or to have them more spread out across the region, the answers are diverse. Some students want local provision, whereas some want development of more expert courses in one location, and some are very willing to access courses remotely whereas others have access problems because of things such as childcare or disabilities, which affect people's ability to access a course locally or across the region. Lots of excellent work has been done in regional settings to meet students' needs, but people face difficult choices. We need to ensure that students are a key part of the decision making so that things happen in their best interests.

**Ruth Maguire:** I want to press you for an example of that good practice. It is good to hear exactly what that looks like for a student. Obviously, I acknowledge that students' needs are diverse, but will you share some examples of good practice with the committee?

**Eve Lewis:** Good practice is about how colleges work with their student bodies and make decisions in partnership with them. When colleges review what is happening in their provision strategically with students and with the student association, that helps them to make good decisions. For instance, very early on, one fairly urban-based college assumed that it could easily move courses and have them in one location, but students pointed out some of the challenges, even in an urban setting, of a student dropping off their children at school, getting on a bus, getting on another bus and getting to that other location.

10:00

Some of those things are now changing. Huge numbers of students like some of the digital provision and huge numbers do not like that provision. It is really important to work with students to make the most of it. Digital provision can help a parent who has to drop off a child at childcare and then get to a course, but it can also be a barrier to learning. It is important to understand the complexity of the student experience before you make decisions about where to put courses.

**Lorcan Mullen:** Speaking honestly, the trade union experience will always skew more towards the poor practice and the negative examples, because that tends to be where we are called in. There certainly is good practice out there.

In looking at regionalisation and at where some of the practice has been a bit more problematic, the fact that regionalisation has been coterminous with years of recurrent cuts and severance programmes means that in, say, a college that is spread across a local authority area, services might now be concentrated just on one campus. There may have been staff cuts in certain areas, so it takes longer to access those services, either in terms of waiting times or travel or transport times. Our concern is that that is a diminished level of service and it is leading to more stress and difficulty for the staff who deliver services such as bursaries, student finance and learning support. We think that that is the underlying structural reason why so many of our members in different surveys have reported growing levels of stress and work intensification since the start of regionalisation. Those different issues are coming together.

Apologies, but I do not really have good examples to give you. Those are the examples in broad terms that I can give you from the feedback that we receive from our representatives and members in the sector.

**The Convener:** Mr Brown wants to come back in on that point before Ruth Maguire moves on.

**Stuart Brown:** I want to pick up on Eve Lewis's point about digital delivery. I am sure that we can all understand that there is massive potential in digital delivery. During the pandemic, the college lecturing workforce—our members—stood up and delivered in terms of digital delivery. I am not saying that it is an answer to all problems of access. There are potentially serious issues around access for those in poverty, but I just want to make the point that we would welcome some scoping out of the pros and cons, or the successes and failures, of digital delivery across the sector. Indeed, through the National Joint Negotiating Committee, we have requested that the sector engage on that but, as yet, college employers have not taken us up on that offer.

**The Convener:** I think that Lorcan Mullen wants to come back in again as well.

**Lorcan Mullen:** Very briefly on the digital point, our union is not against innovation or a greater use of digital tools in education. Obviously, great work was done during the pandemic to maximise the student experience using those tools in difficult circumstances. However, we would say that, for colleges and for universities, the rich campus life and that community experience are crucial for students.

In the current budget context, with the pressures on colleges, some college management teams are making assumptions about a move towards a more digital delivery model and about what the

permanent approach to the number of people on campus will be after the pandemic. Those management teams are using that to remove crucial services, whether it is nursery provision or the provision of good food on campus. All those things are negative for the student experience. They diminish that experience and leave college students in a worse position than university students, for example.

That is not justified and it is not equal. Our word of warning around sweeping ideas of a move towards digital is that we must not lose that crucial element of student life and learning.

**Ruth Maguire:** On that issue of responsiveness to communities and to business and routes to work, how much influence do staff have on the choice and design of the qualifications that colleges offer? I put that to Stuart Brown.

**Stuart Brown:** That is a good question. In all honesty, the situation is inconsistent at best. One thing that regionalisation has caused and that is of major concern to the EIS is around college governance. Our perception is that college principals and management teams have significant levels of power over decision making without, as far as we can see, an awful lot of proper accountability to their college boards. Some colleges are more collegiate in their approach to the unions, but I do not believe that that is the culture across the sector.

EIS-FELA has an education sub-committee of its executive. Our members are not just trade unionists; they are educationalists. In the school sector, the EIS is engaged in many different ways in educational policy and in designing the curriculum and so on. That does not happen to the same extent in the college sector, and I speak from experience on that matter. We would like to see more of that, because it is pivotal to have the practitioners' voice involved when you are designing the curriculum and educational provision. The fact that the approach to that is inconsistent at best is of major concern.

**The Convener:** I notice that Eve Lewis has put an R in the chat bar. Do you want to respond to that question, Eve?

**Eve Lewis:** No. That was about the previous question, but I am happy to move on.

**The Convener:** I will hand over to Kaukab Stewart.

**Kaukab Stewart (Glasgow Kelvin) (SNP):** I have listened with great interest to the contributions so far. I want to drill down on the transition stages. How do colleges communicate with schools to ensure that our young people know the options that are available? The witnesses

could then talk about the bit between college and university.

For my first question, I will go to Eve Lewis first, and then Lorcan Mullen and Stuart Brown can come in if they have anything to add. How effective are schools in highlighting the options that are available in colleges?

**Eve Lewis:** Over the period of regionalisation, colleges have done amazing work to reach out to schools and universities. In those 10 years, there has been growth and transformation in relation to programmes involving colleges bringing in school pupils for teaching or going out to provide provision. Equally, there has been growth in articulation routes. I see amazing practice every day in relation to routes in and out of college and into apprenticeships and workplaces. There has been big growth in that regard.

In some areas, that planning work is done at a regional level. There are very good examples of colleges and schools planning together and of colleges and universities planning together. However, more input and activity might be needed to nurture joint planning across the sector. In relation to quality processes, I am doing quite a lot of work on the student journey, using a tertiary approach. Instead of just looking at what the college, university or school is doing, we look at the student journey and try to change how we look at routes. We look at the quality of the experience as well as the volume of people coming in and out through different routes.

However, there is still masses to do. Plenty of young people who are studying in schools still do not know the options that are available to them at college or university. There are still massive issues around parity of esteem. Some college routes would be amazing for young people, but parents or other people involved in decision making might be negative about those routes compared with others. Students' perceptions of what college life will be like compared with what university life will be like might make them make choices that are not based on the full picture of information.

There is amazing practice on pathways in some regions—some regions have done some great work in that regard—but there is more to do.

**Kaukab Stewart:** You mentioned that further activity will be required. Can you give an example of what that activity could be? We are in a position to make recommendations, so it would be good to hear your ideas.

**Eve Lewis:** We could benefit from programmes of work that involve hearing student opinion and the student voice from those who have gone down those routes. At the moment, we listen to students in college, in university and in school, but not all of



those conversations join up. If we looked at some of the articulation routes or journeys that students take, we could do some amazing work by considering what has and has not worked and what has influenced their decisions. We should join up those conversations from a student perspective.

Quite a lot of the work at the moment involves looking at targets and ensuring that we have the right number of students going through particular routes, but we could do more to look at the experience. What influences students' decisions? We should not just talk to school pupils about their decisions; school pupils should talk to people who are past that stage—college or university students—about how, with hindsight, their decisions have suited them. We should also ensure that staff lead courses. People involved in access and articulation routes sometimes get together, but we should also include teachers and people at course design level. We should bring together teachers, college staff and university staff with students who are on those journeys to have a good think about what is and is not working and how we can improve the situation.

**Kaukab Stewart:** Would Lorcan Mullen like to come in?

**The Convener:** Lorcan Mullen has said that he does not have anything to contribute, so we can move on to Mr Brown.

**Stuart Brown:** It is a really interesting question. We all know the importance of transition at every stage of a person's educational journey. That goes for my wee one going from nursery to primary 1 in August right through to people going to college or university.

I will make a couple of points. Eve Lewis's answer was really interesting. The quality of transition work and engagement between schools and colleges is inconsistent across the sector. Our view is that that is an example of a lack of strategic discussion at sectoral and national levels.

A strategic partnership forum has now been set up. Lorcan Mullen and I sit on it, and there is also student representation on it. However, the forum is in its infancy—it was created six or seven years down the line from regionalisation, but it should have been there at the start.

There is a lack of practitioner voice in discussions on transitions, and more strategic discussion on such issues would be welcome. I am not saying that the EIS is looking for uniformity in colleges' approaches; that is absolutely not what we are looking for. It is about sharing good practice, ensuring that practitioners and students have a voice and ensuring that people get a similar quality of experience, whether they are in the north-east of Scotland or in the Borders. The

experiences of transition might not be the same, but the quality should be similar. The sector needs to work on that.

10:15

**Kaukab Stewart:** We have talked a little bit about how school courses dovetail with college courses. How do teaching staff in colleges support the transition? Eve Lewis mentioned that, but it would be great to hear from the other witnesses if they have anything to add.

**The Convener:** Perhaps Stuart Brown can respond to that.

**Stuart Brown:** Teaching staff in colleges provide support in various ways. A lot of colleges have what are called school-college partnerships, in which college and school staff are involved in jointly delivering qualifications. However, EIS-FELA has some concerns about the delivery of school-college partnerships. We are in the middle of engagement to try to get as much information as we can about them. We are aware that there are issues with college lecturers who are not registered with the General Teaching Council for Scotland teaching in schools unaccompanied. We are looking at the bigger picture to see whether we can get some answers to that.

An awful lot of work goes on. On whether the work is focused completely on students or, as Eve Lewis mentioned, on numbers and performance indicators, I could not possibly say either way. However, the fact that I cannot give a definitive answer on that is enough of a concern for me.

**The Convener:** We will have a change of tack, now, as we move to some questions from Ross Greer.

**Ross Greer (West Scotland) (Green):** In the first instance, I have a couple of questions for Stuart Brown and the EIS. Your written briefing was very useful. It indicated that, as far as the EIS-FELA is concerned, the structures of the NJNC work well and there are more issues with, for example, the governance of individual college boards. Are you suggesting that the sustained industrial action that we have seen in seven of the past eight years has been caused largely by issues elsewhere—for example, with individual college principals or boards—rather than by any structural problems in the NJNC itself?

**Stuart Brown:** That is a big question, Mr Greer, and I will try to answer it as best I can. I think that there are a number of factors in play. As you said, in the submission that the EIS gave to the committee, I made it clear that we think that the NJNC is, on paper and constitutionally, a strong collective bargaining framework. I say that as the NJNC union side joint secretary. From what we

can see, there is no structural reason why it should not work.

Collective bargaining should encourage, force or cajole—whatever way you want to look at it—employers and unions into working more collaboratively. It should, in my view, certainly prevent industrial action from happening. The Scottish Negotiating Committee for Teachers has existed for decades, and school teachers have been on strike once since the 1980s. That is the power of collective bargaining. It forces collegiality and it helps employers and unions to work together.

That has not been the experience of the NJNC. We are in the middle of balloting on this year's pay award, and there were eight days of industrial action in that campaign—eight days in which our members lost pay through strike action. In the lifetime of the NJNC, there has been only one occasion on which a pay award has been made without industrial action, and that in itself is a concern.

My perception is that there is a culture among college management that nothing gets given away free—that the process is adversarial. There seems to be a misunderstanding. The trade unions react to the employers that are in front of us. If employers are adversarial or are not negotiating in good faith, we will react accordingly. That is what has happened in the sector.

Alongside that culture, there have been situations in which individual college principals or individual colleges have caused issues that have gone national. You are aware of what happened last year at Forth Valley College, where 27 lecturers had their contracts terminated and were re-employed on terms and conditions that, to us, were the same as those of a lecturer but were paid significantly less and were losing their class contact and things like that. That decision was reversed after a period of industrial action, with no financial or educational gain to the sector.

All in all, there is a framework for national collective bargaining that is effective on paper and that should work. However, I have heard from the employer side of the NJNC—from different members of it at different times—that it is not the role of national collective bargaining to interfere locally. That is not true. If you have national collective bargaining, your terms and conditions are negotiated nationally, so it is absolutely the role of the NJNC to have a view on things that are happening locally.

There is probably a lot that I can say about that, Mr Greer, but I hope that that is a good answer for a start.

**Lorcan Mullen:** I will add to that, and I will echo some of the points that Stuart Brown has made. I

do not think that there are major structural or constitutional things that need to be corrected with the NJNC; it is more about getting cohesive buy-in from the employer side. I hope that, as we emerge from the pay disputes that we are in at the moment, there will be small steps towards improvement. I hope that we can consolidate going forward.

Stuart Brown is right. We organise across many different sectors in Scottish society, and we are not in dispute or balloting for industrial action as often in those other parts of Scottish public services—that is something particular to FE. I do not think that it is about the structures as they are written down; I think that it is down to the fact that there are some powerful figures on the employer side who have never really reconciled themselves to national bargaining, which has different ways of articulating itself through the approach to difficult issues, including disputes. I think that, with a bit of creativity, a bit of effort and a bit of intensive work on the employer side—and, to some extent, on our side—we can improve things going forward.

It has been challenging, and I think that some of the deep unhappiness of the staff, because of their experience of regionalisation, in terms of stress and work intensification, has played into it as well. That has a way of articulating itself through union structures, and I think that that part of the picture cannot be missed.

**Ross Greer:** Thank you very much. I have heard suggestions from elsewhere that there are interpersonal issues on the NJNC—that largely the same group of people have sat on either side of the table for too long, which has built up personal challenges that are perhaps contributing to these tensions. From what you have both said this morning, it sounds as though, from your perspective, that is not necessarily the case, but that the issues are perhaps further upstream, on the employer side. Stuart, would it be correct to characterise your position as being that NJNC negotiations work well and that there are not necessarily any profound interpersonal issues there, but that the challenges are when the employer side negotiators go back to the employers association to get ratification of whatever agreement has been struck in the room?

**Stuart Brown:** There is a lot in that, Mr Greer, though I will not say that there are no interpersonal issues in the NJNC. I am a relative newcomer to it—I have been in the role for 18 months—and I did not come from an adversarial trade union background, with the schools. I came into it with an open mind, seeing where I think the issues lie, and there are some interpersonal issues. However, when you have had year-on-year disputes—there have been seven in the past eight years—that will leave some residual bad feeling or

a residual lack of trust. That has been identified in three lessons-learned exercises by the Scottish Government, but those exercises have not produced any change in the culture or any change in that element.

I think that there are structural issues in how College Employers Scotland, as it has been rebranded, operates. It is very clear to me and to EIS-FELA negotiators that there are often times—the pay situation that we have been in for the past eight months is an example of this—when the negotiators do not have an awful lot of room for manoeuvre. If you do not come to a meeting with more than one position, you will not be able to negotiate effectively. The problem is that they have to go back to College Employers Scotland and the college principals to take direction. They also have to go back to get any agreement ratified. We saw that last year in the instructor assessor dispute. We reached an agreement in the room that was then overturned by College Employers Scotland, and there was further industrial action that was wholly unnecessary.

The way that I understand the college employers association to work is that it needs unanimity in how it agrees things. That goes back to my earlier point about certain big colleges perhaps having a disproportionate amount of power and influence, strategically and politically. If one college principal can hold out and prevent an agreement from being ratified, the negotiations as a whole will suffer.

From our perspective, the structural issues are to do with not the machinery but what goes on behind the machinery, on the employer side. That is a significant factor in the issues that we experience.

**The Convener:** Thank you, Ross. I am looking at the time. Is that okay?

**Ross Greer:** Yes, absolutely. Thanks, convener.

**The Convener:** I need to do a bit of a U-turn, because I omitted Stephanie Callaghan's questions. It will seem as though we are stepping back a bit. Sorry, Stephanie—over to you.

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** I am sorry if this question seems like a little jump backwards. In talking about college student associations, Eve Lewis mentioned that students have a diverse range of views on digital access to courses, where courses are and so on. There is clearly not a one-size-fits-all approach across the student population. It seems to me that there is a real need for personalisation and for choices and options for students in order to improve their ability across the board to be able to sustain places. Are student associations advocating for that?

**Eve Lewis:** Absolutely. Student associations and the student officers within them have a very high awareness of the diversity of the students that they represent and the diversity of routes that they need. The student officers are able and equipped to do a lot of work both within colleges and at a national level. We can talk about some of the ways in which we develop that personalisation of learning.

However, the potential for student officers and student associations to be involved in that discussion is not always realised. Colleges and perhaps the sector as a whole will sometimes rely on feedback. They ask students what they think, and a huge amount of work is done in the college sector to listen to students and gather student opinion, but there are opportunities for more strategic discussion with the student associations and the student leaders, because the choices are not simple. We do not simply approve one course of action or another. The choices are very complex, and we need to ensure, first, that student associations and student leaders are equipped to have the conversations with a wide range of students, and then, importantly, that they are in the right places when we are thinking about and designing the future.

Regionalisation certainly improved student input at the board level. Student associations sit at boards and are at that level of decision making, but that is not really where the design element happens. We need to develop more routes for student associations to be involved in looking at design, development and ideas and creating an excellent student experience. In the college sector, there is an aspiration that they will be part of that discussion. They need to be part of the strategic conversation, but we need to ensure that they have the capacity to do that.

Several student associations are struggling with that capacity. We have young, inexperienced student officers coming into position and they need proper support within the college to provide continuity and allow them to operate autonomously. They need support to be able to challenge. Student associations need to be able to challenge and to work strategically with their institutions.

**Stephanie Callaghan:** That is really interesting, because my other question is about the management boards and whether students' views get parity. Are students influencing changes that are improving their experiences and their outcomes? You talked about students being involved in strategic discussions with college leaders and the fact that there needs to be a little bit more support around that for students who are inexperienced. How can we make that happen and

get students involved in the design element in order to improve things?

10:30

**Eve Lewis:** We need to support colleges to look at the role of student officers on the board. There are definitely occasions when the student association reports on its activities to the board and it is almost using the board as an accountability process for itself. Sometimes, the student association will enjoy taking up that role, because it will go to the board and say what a great job it is doing, but it is not always empowered to get into the more strategic decision making. There is confusion about why student officers are at the board and what their role there is. Are they there as service providers or as collegiate decision makers?

There is more work that we can do as an organisation to support colleges to think differently about the role of students in their processes. We can write into how we deal with things such as outcome agreements and quality arrangements how we will ensure that the role of students is as strategic change makers, and we can create national forums for those discussions as well.

**Lorcan Mullen:** Eve Lewis made the crucial point that student representatives need autonomy as well as support and capacity to properly express their views. I have an observation from some very difficult processes where services were stripped out from colleges, courses were cut and there was genuine controversy among the student body as well as staff. During that time, the colleges put a significant amount of effort into managing the student representatives and isolating them from staff representatives as a way of trying to broker consent and get the cuts through.

Some student representatives—I do not mean to be patronising; I was once in this position myself, many years ago—will be inexperienced and will be passing through in a short number of years. They need support, but they also need the space to be able to articulate challenging positions to college managers, especially in difficult circumstances, or the voice of the students will not be heard. Unison has certainly observed that in some difficult circumstances in some colleges, and we would not want it to persist.

**Stuart Brown:** The EIS would share Unison's observation on the dynamic of student associations in colleges. They are on the payroll, as it were, and a lot more could be done to support the excellent student representatives in the sector to be more independent, to feel more confident in their independence and to be able to challenge and contribute strategically. The EIS

has experienced similar situations to the one that Lorcan Mullen outlined.

I am aware, through discussions with the National Union of Students, that a number of student associations in colleges are facing cuts. That is a concern as well. At a time when we are talking about trying to increase student engagement strategically, student associations should not be having their resources cut.

**Stephanie Callaghan:** I appreciate those comments. My other question is about diversity. Across student representatives on boards and the college student associations, are there attempts to make sure that there is balance relating to women, minority ethnic groups, people with disabilities and so on?

**Eve Lewis:** Several pieces of work are happening in colleges to increase the diversity of the student voice. We are looking at how much diversity there is among lower-level reps, how that translates to higher-level reps and then how that relates to the board. There is work to do in relation to who is elected to positions on the board and the support that the student association needs from the college to ensure that those board members are able to work with a huge amount of evidence from diverse groups of students.

I suppose that that links back to the points that we have been making about student associations in colleges not being properly funded. They are funded at the will of the college, so there is a real issue about how that funding works and the autonomy of the student association. An issue that has not been resolved in the 10 years of regionalisation is how student associations are funded and how they develop that capacity. Many of the people who support student associations are college staff. When we are trying to help a student association to develop an autonomous voice, the member of staff who is supporting that is often a junior member of the college staff. They are often the person with the ability to support the association and help it to develop that autonomous voice. That creates very difficult situations.

We are working on the diversity of student reps. The student reps that we deal with who work on boards are amazingly diverse. I deal with student reps who are doing amazing work in their colleges and are also juggling little children. They come from higher education courses, but from further education courses as well. There has been a big improvement. Regionalisation and the work that we have done with student associations has increased the student capacity to work, and there are some amazing officers out there who are very diverse. They come with lots of different student experiences that bring richness to the representation that they do.

**The Convener:** Thank you. We move on to questions from Michael Marra, who will be followed by Bob Doris.

**Michael Marra (North East Scotland) (Lab):** We have heard really useful evidence so far. We are trying to understand the impact of regionalisation and the reform process that we have gone through. Industrial relations is a particular issue of concern to me, but I know that colleagues have covered that already, given how regularly the issues recur. Some of the questions on structural issues are important, too.

I want to focus on outcomes for learners. Stuart Brown commented on equity of access coming out of the reform process, in terms of the number of colleges reducing and the urban-rural divide. On college performance for 2021, the Scottish Funding Council's most recent annual report said that the completion rate for students was 61.3 per cent. The nearest comparable figure that I have for England from the Department for Education is 89.1 per cent. My question is for Stuart in the first instance. Do you have any ideas about the gap in completion rates for qualifications and whether the structural issues that you identified might have an impact on the situation?

**Stuart Brown:** The gap is of real concern—you are talking about a 20-odd per cent gap between England and Scotland. I am surprised by that, as I was not aware that it was that large, although I had perhaps suspected that there may be a gap. A line must be drawn between that and the regionalisation process. There is a funding aspect to some of the issues that I outlined earlier in terms of equity in provision. There are also questions to be asked around how funding that is given to the sector is used and what the sector's priorities are for delivery.

I go back to my point about competing visions among colleges of what they are there for. At a time when the outcomes, in terms of completion, are sitting at 61 per cent, any discussion about moving towards more tertiary education, more degree-awarding powers and so on—that is part of the dialogue in some parts of the sector—is concerning. A significant number of people who are already left behind will be left further behind, which is a concern. Some of the governance issues certainly come into that, and I am happy to answer further questions on my views on college governance.

Finally, educators and educational professionals need to be at the heart of designing curriculums and delivering outcomes. If the culture in the sector is that their representatives—their trade unions, which are also professional associations—are not engaged with effectively, you will not get the best outcomes. We need to break down that barrier between the unions and management, get

more inclusion of practitioners and more practitioner voice in college delivery, and move away from a shift that is simply about numbers, key performance indicators and all the rest of it.

**Michael Marra:** Does Lorcan Mullen have any comments on that issue?

**Lorcan Mullen:** I am afraid that I have not seen that figure before, so I do not think that I can comment on it. I would like to check in with our committee to see how that squares with our members' experience at the coalface.

Obviously, it has been very difficult through the pandemic years. That is not unique to Scotland. We have talked about the recurrent severance programmes and cuts in staffing and how those have been contiguous with regionalisation, as well as, potentially, the effects of the shuffling about of some of those reduced services within a local authority area. I would suggest that none of that helps with completion of courses. I am afraid that I cannot give a more detailed answer, not having seen that information before. That is all that I can offer at this stage.

**The Convener:** We need to make a bit of progress here. I am looking at the time.

**Michael Marra:** This is my last question.

**The Convener:** It had better be a short supplementary.

**Michael Marra:** It is a question about the differences between large colleges and small colleges, which I think gets to the core of what we are talking about. These figures, which are in the SFC report, are unique to Scotland. The difference in completion rates for large colleges is 52.7 per cent—

**The Convener:** Keep it short, please.

**Michael Marra:** I will leave it, convener, if I cannot give the figures—

**The Convener:** They are similar figures to those that I think we heard last week.

**Michael Marra:** I would have liked a response. To me, it is a core question about the difference between large colleges and small colleges.

**The Convener:** I said that I would like a short supplementary question, so I will move on to Mr Doris.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** My substantive question is for Mr Brown. I found your submission really helpful. I was particularly interested in how colleges coped through Covid. I know that time is short, but we should put on record our thanks for the amazing work that is done in colleges. Some of that is reflected in the EIS-FELA evidence,

which says that colleges coped incredibly well. There must be some strength in regionalisation that enabled colleges to cope well.

However, of more interest to me is that the picture is inconsistent, and getting that consistency across the regions is key for the committee. There is then a concern about that not happening nationally. How do we get that consistency across the regions and colleges and make sure that it happens nationally?

**Stuart Brown:** Colleges succeeded because of the commitment of the people who work there. Our members, the members of the support staff unions and all the other staff stood up and delivered. They experienced the same pressures that we all experienced during the early stages of the pandemic, and they adapted to new ways of working almost overnight and continued to deliver for students. I need to put on record how hard all college staff worked to achieve that.

In the submission, I outline some of our concerns about inconsistency, which is linked to the lack of national discussion that took place. The Covid recovery group, which was led by the Government, was good, but it was very high level. What did not take place, despite many requests from all the unions that organise and are recognised in the sector, was sectoral-level discussion. There was not really much—if any—discussion at NJNC level about Covid matters. When you are talking about issues such as absence management as a result of Covid, that is a terms and conditions issue and should be discussed at the NJNC. Health and safety matters can be contractual and should have been discussed at the NJNC. However, those issues were never discussed there, and we were met with resistance when we brought them up.

10:45

We also have the strategic partnership forum, as I said earlier. That is a step forward, but it came very late in the day. One of the things that we have been pushing for—we started pushing for it during the darker months of the pandemic—is a national health and safety forum, so that we can get used to employers and unions discussing and sharing issues and good practice to see whether we can get that consistency in approach across the sector. Again, the employers have not taken us up on that offer.

There have been many attempts throughout the pandemic to get more consistency through strategic-level discussion at a sectoral level. However, they have fallen on deaf ears with college employers throughout the period, unfortunately. I think that that is very disappointing.

**Bob Doris:** I will leave that there.

I have a brief follow-up question for Mr Mullen. We have spoken about what you thought were negatives in your submission. The paper that we have in front of us shows massive increases in successful learners across a variety of groups—adult returners, disabled learners, black and minority ethnic learners and people from deprived backgrounds—right through the regionalisation process. The figures are striking.

My question is coming, convener.

I get that there are concerns in relation to defending your members' interests, but you must accept that there must be a strength somewhere within regionalisation, as imperfect as you may find it, for that significant progress to be made across all the groups that we want to succeed. That is why further education is there, of course.

**Lorcan Mullen:** Regionalisation definitely has some benefits—some strengths. Unison has no counterargument to some of the points that you just made. As I said in response to one of the earlier questions, our experience always skews more towards the negative because that is when members call their trade union in. I do not disagree with anything that you just said, but the issues around regionalisation that we are articulating are more to do with the problems rather than the benefits because that is what our members bring to their reps and what the reps bring to their officials and committees. That is our function.

**Bob Doris:** I ask the question because I absolutely get that you want to defend your members' interests, but we want you to be a proactive part of improving the sector. To be proactive in improving the sector, you have to identify the positives and work collegiately to push those positives. Is Unison is up for doing that?

**Lorcan Mullen:** Absolutely. Some of our senior representatives would tell you that one of the key reasons why they are seeking more facility time—facility time that is on a par with what may be given in some other sectors, such as the health service, where industrial relations are better—is that that would free them up to do a bit more of the forward-looking, collegiate stuff, rather than just fire-fighting around the detrimental issues. When time is short, they have to focus on the most urgent and pressing issues, and unfortunately those are where detriment falls on members, and our representatives are fighting back against that and trying to defend members' interests, as you said.

**The Convener:** Mr Brown wants to come in. I know that our next section will be quite concise, so I am extending this question section by five or 10

minutes to accommodate Mr Brown's response and then questions from Mr Rennie.

**Stuart Brown:** I will be very brief. I would just like to make it clear that all the unions that are recognised in the sector want to work with the employers. However—this relates slightly to my answer to Mr Doris's last question—that needs to be met by our employers. I said earlier in my evidence that trade unions react. If we are continually in a cycle of confrontation and dispute, of having to fight for pay, to fight for our terms and conditions, and to fight to defend national bargaining, that erodes trust. A lot needs to be done to rebuild trust, because there is a lot of worth to be found in collaborative work. I just wanted to make that point.

My final point is that facility time across the sector is an issue. It is a cut that is routinely taken quite quickly by college management. If you want proper union engagement, you need to give elected workplace representatives the proper time to engage. If they do not have a lot of time, all they will deal with is the fire-fighting issues. They need to have time so that they can get involved in the wider life of the college as well.

**The Convener:** Thank you, Mr Brown. I will move on to questions from Mr Rennie.

**Bob Doris:** I found EIS-FELA's submission constructive. I did not find it defensive. I want to put that on the record.

I should also say that we do not have comparable figures for Scotland and England for 2020-21 completion rates.

**The Convener:** I think that we will move on from that point, Mr Doris.

**Bob Doris:** That is twice that a figure has been put on the record in two weeks, but we do not know whether it is remotely robust.

**Willie Rennie (North East Fife) (LD):** I am surprised by the evidence that we have heard today. The sector has faced 10 years' worth of cuts, 43,000 full-time or whole-time equivalent student places have been cut and there is a £51.9 million cut coming this academic year. We face a flat-cash scenario until 2027. However, you do not seem angry. I am really surprised that you are not angry. If I were you, I would be spitting mad. Why is that not the case?

**Stuart Brown:** Please do not confuse my politeness and deference to the committee as my not having frustrations or, indeed, anger. Perhaps if I had appeared before the committee two or three weeks ago, at the height of a dispute that was dragged out by the employers, I would have expressed my anger in more forthright terms.

Trying to make progress in employment relations in the sector is immensely frustrating. We are often met with opposition. I know that the EIS-FELA and its elected representatives want to be further involved in the strategic life of the sector and the strategic decision making of the sector, but progress is not being made and the anger is real.

The problem that we have now, after seven or eight years of a cycle of disputes, is that trust is eroding not only between the unions and the employers, but between our members—college staff members—and their management. I have now seen that on picket lines in two disputes, and I have heard it in conversations. There is an awful lot of anger among our members in the sector that is directed towards their management. They often do not feel valued; at times, they feel that, to management, they are perhaps the enemy. That anger is there. Please do not confuse my politeness with a lack of anger.

**Willie Rennie:** You are a great diplomat. You mentioned management several times, but are you both not just victims of Government policy?

**Stuart Brown:** I do not think that it is as simple as that. I think that the Scottish Government has a role to play in the sector; when there have been disputes in the sector in the past, the Scottish Government has stepped in. The Scottish Government has instigated three lessons-learned exercises, so attempts have been made. It is the follow-through on those attempts that does not seem to be happening. Having come into the sector 18 months ago, I cannot understand why we are on a third lessons-learned exercise, which is telling us that the problems are pretty much the same things as the two previous exercises found.

A serious look needs to be taken at college governance. Accountability between principals and their boards needs to be looked at at a parliamentary level and by the Scottish Government. As I said earlier, it is the view of the EIS that certain principals and certain colleges have disproportionate power and influence within the sector. Until that is balanced out more equitably, we will always have such problems.

**Willie Rennie:** Would other witnesses like to come in?

**Lorcan Mullen:** I hope that you have noticed that, in almost every answer that I have given, I have emphasised the need for a step change in funding for the sector. I have cited the relevant funding figures for the different stages of education in Scotland and have pointed out how colleges lag behind all the other elements in that step.

I am angry all the time in my work, but it is necessary to have a certain level of balance or

else you cannot continue to operate. There is huge frustration. There is anger among our representatives and within our union about the funding that colleges get, relative to the funding that universities get, when we are talking about services. For example, catering has been stripped out. There are colleges where people cannot get a hot meal on the campus; instead, there are just vending machines. That is not the experience on most university campuses. That is not to play one sector off against the other—that is absolutely not what we want to do. We also represent thousands of members in the university sector, too.

The funding for further education definitely needs to be addressed. We have been very clear about that in our submission and in what we have said today. We need to emphasise the fact that there are still choices. Sector leaders have responsibilities in relation to the allocation that they are given, and there is a lot that needs to improve there, too. We are just trying to balance that out in the evidence that we give.

**Eve Lewis:** I want to make it clear that I am not here on behalf of the NUS, and I know that the NUS would have a lot to say on the issue of funding. We know from the conversations that we have with students that college funding is a long-term concern, given the effect that it has on the structures and the student experience. As I have said, the college sector plays such an important role in giving people life chances and changing approaches to education. We need to think about how we invest in it and how we give it the parity of esteem that it deserves.

I would say that the committee needs to speak to the NUS and to get input from it on how it feels about long-term funding.

**The Convener:** I thank the witnesses very much for their responses and for allowing us to extend the session ever so slightly. Given how valuable your evidence has been, I did not want to cut things off too much.

## Subordinate Legislation

### Education (Fees) (Scotland) Regulations 2022 (SSI 2022/156)

### Student Support (Scotland) Regulations 2022 (SSI 2022/157)

10:56

**The Convener:** Our next item of business is the consideration of two pieces of subordinate legislation that are subject to the negative procedure: SSI 2022/156 and SSI 2022/157. Does anyone have any comments to make on SSI 2022/156?

**Willie Rennie:** Yes. I have a constituency case involving a Ukrainian student who is living here. They have been taken in by a family in North East Fife, but they are studying in Ukraine. They cannot receive any universal credit support because they are classed as a student, and they cannot receive any student support because they are studying in a Ukrainian university.

On the back of the statutory instrument before us, I am keen that we write to the relevant ministers in the United Kingdom and Scottish Governments to ask them to sort out the situation and make up their minds. Are such people students or are they ordinary citizens? One way or the other, they should get some support. I do not mind which kind of support they get, as long as they get something, because we need to provide proper hospitality for them.

**The Convener:** Thank you, Mr Rennie. Does anyone else have any comments? It seems not.

Does the committee agree to take up Mr Rennie's suggestion that we write to both Governments in an attempt to find a solution for such people?

**Members indicated agreement.**

**The Convener:** Do members have any comments to make on SSI 2022/157? It appears that they do not, which is fine.

Does the committee agree that it does not wish to make any recommendations in relation to the instrument?

**Members indicated agreement.**

**The Convener:** That concludes the public part of today's meeting. We will consider our final agenda item in private. I ask members who are attending virtually to reconvene on Microsoft Teams in a few minutes.

10:59

*Meeting continued in private until 12:07.*



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