



OFFICIAL REPORT
AITHISG OIFIGEIL

Education, Children and Young People Committee

Wednesday 18 January 2023

Session 6



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Pàrlamaid na h-Alba

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EDUCATION, CHILDREN AND YOUNG PEOPLE COMMITTEE
2nd Meeting 2023, Session 6

CONVENER

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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)

*Stephen Kerr (Central Scotland) (Con)

*Ruth Maguire (Cunninghame South) (SNP)

*Michael Marra (North East Scotland) (Lab)

*Willie Rennie (North East Fife) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Natalie Don (Renfrewshire North and West) (SNP) (Committee Substitute)

Clare Haughey (Minister for Children and Young People)

Eleanor Passmore (Scottish Government)

Shirley-Anne Somerville (Cabinet Secretary for Education and Skills)

CLERK TO THE COMMITTEE

Pauline McIntyre

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Education, Children and Young People Committee

Wednesday 18 January 2023

[The Convener opened the meeting at 09:30]

Budget Scrutiny 2023-24

The Convener (Sue Webber): Good morning, and welcome to the second meeting in 2023 of the Education, Children and Young People Committee. We have received apologies from Stephanie Callaghan. I welcome Natalie Don, who is attending the meeting in her place.

The first item on our agenda is an evidence session as part of our scrutiny of the 2023-24 budget. I welcome Shirley-Anne Somerville, the Cabinet Secretary for Education and Skills, and Clare Haughey, the Minister for Children and Young People. They are accompanied by the Scottish Government officials Stephen Pathirana, director of lifelong learning and skills; Sam Anson, deputy director, workforce, infrastructure and digital; and Eleanor Passmore, deputy director, early learning and childcare. Thank you all for joining us.

We will begin with a short opening statement from the cabinet secretary. Cabinet secretary, you have up to three minutes.

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): Good morning. As the Deputy First Minister said when he set out the draft budget on 15 December 2022, this budget is taking place in the most turbulent economic and financial context that most people can remember. Inflation is at a 40-year high, we are all facing rising energy costs and many Scots are being impacted by the cost of living crisis.

As the committee will be aware, the Scottish Government is not immune from many of the rising costs. In the autumn, we had to undertake an emergency budget review to free up resources to meet the increased costs of public sector pay and to provide further help to those most impacted by the cost of living crisis. We have not yet identified a full path to balance for 2022-23. That has meant that we have needed to make difficult choices as we move towards the new 2023-24 financial year.

However, through the draft budget, I am continuing to invest to ensure that Scotland is the best place in which to grow up and learn. We have made deliberate choices to tackle child poverty, to create a wellbeing economy and a just transition to

net zero, and to ensure the sustainability of first-class public services.

For example, through the provision of £1 billion of funding each year, we are continuing to deliver 1,140 hours of high-quality early learning and childcare to all three and four-year-olds and to eligible two-year-olds. We have maintained our £200 million annual investment in the Scottish attainment challenge in order to increase the pace of progress on closing the poverty-related attainment gap. I have agreed that £50 million should be allocated to the whole family wellbeing fund, including for preventative holistic family support. We are also investing £30 million in activities to keep the Promise to our care-experienced children and young people.

We are providing a further £80 million of capital to support our expansion of the provision of free school meals. That will allow us to fund provision to all primary 6 and primary 7 pupils whose families are in receipt of the Scottish child payment, which is the next step in fulfilling our commitment to universal provision in primary schools.

In addition, the allocation provides support for the Scottish Funding Council, and for our colleges and universities, to support the development of well-educated and highly skilled individuals. It also supports delivery of the commitments in the national strategy for economic transformation and builds on the recommendations from the Scottish Funding Council's review of tertiary education and research. Importantly, given the current economic climate, we also continue to provide support for Skills Development Scotland, as well as funding a range of skills and training programmes.

I will be happy to take questions from the committee but, in closing, I emphasise that our resources are finite. We have had to make difficult decisions and will have to continue to do so. We cannot fund everything that we might wish to do, either this year or in the future. Although I am sure that committee members will have suggestions on where else we should put our funding, for each proposed increase in spend we would need to make a corresponding cut. I will be happy to hear members' suggestions for increases, which are welcome, but I also encourage them to indicate where any required reductions could be made.

The Convener: Thank you for being so concise and on time—it is much appreciated.

In your opening statement, you alluded to the turbulent economic context that we face and the fact that the emergency budget review in August did not allow a full path to balance for the current year to be laid out. You emphasised that you have finite resources and that you are having to make difficult decisions. Most public bodies that fall

under the education portfolio will receive a flat cash settlement. How will they be able to meet their additional costs in the coming year and cover the ambitions that the Scottish Government has set out for them? Is the Government giving advice on activities that it is not expecting from such bodies in 2023-24?

Shirley-Anne Somerville: We will work with every single public body, based on their priorities for the next year. Regardless of whether we are talking about core Government departments or our public agencies, we need to ensure that we are driving maximum efficiency and spending our money as effectively as possible. Within Government, we have sponsorship teams for every public body that we work with, and we will collaborate with those bodies to ensure that the Government is still delivering on our commitments in the most effective manner possible. Of course, the approach will vary from one public body to another, depending on their circumstances.

It is also important that we continue to encourage reform within our public bodies to ensure that we make changes that are necessary to deliver services as effectively and efficiently as possible. An overall reform process is being encouraged to ensure that such decisions are taken in the best possible way. As I have said, there will be variation among public bodies, but nowhere in Government will be immune to the challenges that are posed by the budget that has been set, and no one will be immune from having to take difficult decisions during that time.

The Convener: Thank you, cabinet secretary. I am sure that we will drill into more detail on specific public bodies as we go through our evidence session.

We move to questions from Ruth Maguire, who joins us remotely.

Ruth Maguire (Cunninghame South) (SNP): Good morning. I would like to ask about early learning and childcare. The provision of 1,140 hours of free childcare is really important for the economy as well as for children. In evidence, the committee heard about the differential in rates of pay between the public sector and the private, voluntary and independent sector, and that was highlighted to ministers. The public sector generally offers better pay and conditions to the skilled workforce.

When we raised the issue with ministers, we recommended that a mapping exercise be carried out to see whether there was any movement between the two types of employer. Is there any update on that? I appreciate that we were due to get that in the spring. It is certainly not spring at the moment, so it is perhaps too early, but I would

appreciate hearing the cabinet secretary's reflections on that issue.

The Convener: Perhaps the minister might be better placed to answer that one.

Shirley-Anne Somerville: I will happily leave that to the minister.

The Minister for Children and Young People (Clare Haughey): I thank Ruth Maguire for her question. She will be aware that we responded to the committee by letter on the specific asks that it made in its inquiry on ELC and pay and conditions, and on the request that we perform a mapping exercise.

Currently, no national data is available on the movement of staff across the sector. We have therefore asked the Scottish Social Services Council, which is responsible for collecting the relevant information, to explore the possibility of providing such data. It is not collected across local authorities reliably enough to enable us to map the committee's concerns about the movement of staff.

The committee should be aware that the Scottish Government pays the highest average funding rates in the United Kingdom: between 2017 and 2022, they increased by 57 per cent, which is higher than the figures for Wales and England by quite some way. To put that into context, when the expansion of early learning and childcare began in 2018, about 80 per cent of staff employed by the PVI sector were paid less than the living wage. In contrast, our health check in 2021 indicated that 88 per cent of providers intended to pay the real living wage from August that year. We have seen quite considerable differences there.

It is also relevant for the committee to be aware that Scottish Government funding accounts for about 33 to 45 per cent of the overall income of private childcare services. It is a mixed economy, and there are business decisions for the PVI sector to make about staffing.

We work closely with the Convention of Scottish Local Authorities and, through the finance working group, we have worked intensively with COSLA to ensure that the investment of almost £1 billion that we are making in ELC in the next year is distributed fairly and that PVI providers are paid a sustainable rate—that rate has gone up by an average of 6.1 per cent over the past year. I hope that that assures the committee that we are listening and responding to your concerns.

Ruth Maguire: My connection broke up a bit, so I will check something. Are we on track to have the result of the scoping exercise by the spring? Do you have an indication of when that information will be available?

Clare Haughey: We are engaging with the SSSC on the possibility of having the scoping and mapping exercise. I am more than happy to write to the committee with updates on that.

The Convener: Does Ruth Maguire have any other questions?

Ruth Maguire: No. Thank you—that was helpful.

The Convener: We move to questions from Willie Rennie.

Willie Rennie (North East Fife) (LD): My questions are on the same subject. I recognise all the figures about pay rates and the real living wage, but the differential is causing the challenge. We have all heard anecdotal evidence from private and voluntary sector nurseries that they are losing staff to council nurseries and to other sectors, because staff can get better jobs with better pay elsewhere. That is reducing capacity and having an impact on the flexibility and choice that were supposed to be available through the provision of 1,140 hours.

The minister is right about the fact that private nurseries have other sources of income, but those sources are shrinking, because the state contribution to their work is increasing. The impact that the cross-subsidy has is reducing.

I am alarmed at the thought that the private sector's capacity will reduce massively because we have two tiers built into the pay system—that has been the design from the beginning. The situation cannot be turned around overnight, because the sum of money is significant, but is there a plan to bring pay rates in the PVI sector into line with those in council nurseries, so that people are not paid different wages for doing exactly the same job?

Clare Haughey: The sustainable rates that local authorities pay take into account investment in staff, investment in training and paying the real living wage. We have influenced pay in the PVI sector—that has been evidenced in the pay rates that staff in that sector have received since funded ELC has expanded. We are carrying out another financial sustainability check, and I believe that the survey went out last week. We will be in a position to report on that in the spring, when we will have a much more up-to-date picture of where private, voluntary and independent providers are.

Mr Rennie talked about flexibility. I draw his attention to the parent survey that was published just last month—I appreciate that that was a busy month for all of us. In the survey, 88 per cent of parents of three to five-year-olds and 92 per cent of parents of eligible two-year-olds reported that they were satisfied with the flexibility that was offered to use their funded hours to meet their

family's needs. That is evidence that families feel that they are getting the flexibility that they need. Overall, 97 per cent of parents said that they were satisfied with the quality of provision. That is a great tribute to the services that ELC providers offer to our children and families.

Does Eleanor Passmore want to add anything on the pay differential and the work that we are doing with the PVI sector to help it to retain staff?

09:45

Eleanor Passmore (Scottish Government): What the minister has said is exactly right. There are two main pieces of work that will be reported on in the spring. One is the health check on the overall financial sustainability of the sector. Secondly, we are undertaking a wider review of the rate-setting process jointly with COSLA. We are collecting evidence on both those issues. The rate-setting process is critical, because most of the money that goes out the door on the local authority and the PVI side goes on staff.

Ms Haughey has covered the key points on the trends that we are seeing. The point that it is a mixed model of provision is important, because there is benefit in that and the system is designed in that way. Up to 40 per cent of PVI providers' income comes from state funding, but they have to take their own business decisions about staff funding, based on their private income as well.

As Ms Haughey said, we will publish that important up-to-date information, and we will provide an update to the committee in due course that will give further assurance and information about the financial health of the sector and the critical issue of staff pay and terms and conditions.

Willie Rennie: The minister cannot be happy that we pay workers two different pay rates for doing exactly the same job. Workers who happen to be in the unfortunate position of working in a private sector nursery are paid much less than those in council nurseries. That cannot be right, can it?

Clare Haughey: As I said earlier and as Eleanor said, it is a mixed economy. The principle of the funding following the child means that parents are able to decide where they wish their child to receive early learning and childcare. We believe that the funding that we provide to local authorities through the funding formula that we agreed with COSLA is enough to enable them to pay sustainable rates to PVI providers.

Willie Rennie: There is a difference, though, between sustainable rates and fair rates. Surely, it is just not fair that people get paid much less for doing the exactly the same job. You cannot accept that that is a satisfactory position.

Clare Haughey: As a Government, we provide the funding to ensure that we can provide 1,140 hours of ELC to all eligible children, which is what we do. A huge amount of money is provided to local authorities to sustain and fulfil their statutory obligations to provide the 1,140 hours of ELC. As I mentioned in an earlier answer about the parent survey, parents are satisfied with that.

In the past year, there has been an increase in the number of three to five-year-olds who are accessing early learning and childcare. It is now up to 99 per cent, which is almost universal coverage.

Our responsibility as a Government is to ensure that we fund those 1,140 hours of provision and that we allow local authorities to have the funding to pay sustainable rates to the PVI sector.

Willie Rennie: I have a final question. Now that we have sorted it out with the UK Government, when will 100 per cent of eligible two-year-olds access their provision?

Clare Haughey: I absolutely recognise that that is an area that Mr Rennie and I have had correspondence on for some time. I am delighted that we got the data-sharing arrangements in place. I think that the legislation went through the UK Parliament in October. We are working with local authorities and COSLA to help them to make maximum use of that data, and we hope that they will be able to access it by the end of this financial year.

I am happy to talk Mr Rennie through the process of how that will work, if that would be helpful to him. In relation to the two-year-olds, local authorities will get access to a limited amount of Department for Work and Pensions data three times a year. Local authorities will only be able to access the amount of data that they need to identify those families who would be eligible, which will give them the opportunity to write to those families to make them aware of that offer. They will only be allowed to use that information for the specific purpose of targeting those groups. We will continue to publicise the offer through the Parent Club and other Scottish Government channels.

I will be happy to come back to the committee on that next year. We anticipate that there will be an increase, and there is funding in next year's financial settlement to fund those eligible two-year-olds. The rate has gone up again. It has gone up to 14 per cent, but I appreciate that there may well be more children out there whose parents are not aware of the offer. I am sure that I will come back to the committee on that issue.

The Convener: I will carry on with the theme of early learning. The minister mentioned providing local authorities with a huge amount of substantial funding to fulfil their statutory obligations, but it

was reported this week that councils are passing on to private nurseries only 20 per cent of the 1,140 hours' worth of funding that they are allocated, despite those nurseries providing 30 per cent of childcare. I am concerned about that discrepancy, especially since we are talking about pay differentials and allowing those nurseries to be financially sustainable. What are the reasons for the discrepancy? Why are local authorities top-slicing the money?

Clare Haughey: I do not recognise what the convener said about top-slicing.

The Convener: That was my terminology to describe how only 20 per cent of funding is being passed on to organisations that are providing 30 per cent of childcare. I would have thought that local councils would pass on 30 per cent.

Clare Haughey: I am not familiar with those figures, but, if the convener wants to send me the source of the information, I will be happy to look at it.

When looking at the funding that is provided by the Scottish Government to local authorities, it would be simplistic to say that there is £100 available and there are 100 children so that means that £100 should be divided by 100 and each child should get £1. I know that that is a very simplistic example. From their budget, local authorities have to fund not only the ELC for PVI providers but additional costs. They have things such as property costs, including the repair and maintenance of buildings and settings, and their own employee costs—

The Convener: PVIs have all those costs, too.

Clare Haughey: Local authorities are local authorities—if I can put it that way—but PVIs are businesses, so they have other sources of income.

Local authorities have additional costs such as other staff—operational staff, heads of centre and staff who do not count towards childcare ratios, including additional support for learning staff—support services such as information technology, finance and procurement; and the cost of meals for children who access both council nurseries and PVI providers. The latter cost is paid to PVI providers over and above their sustainable rates.

In the current settlement for next year, there is money for the deferrals policy change, which I am sure the committee is aware of, and for the equity and excellence leads. Local authorities have a statutory duty to provide 1,140 hours; they can be providers of last resort in areas where it is not financially sustainable for private services to provide childcare, and they have a duty for emergency responses, which they have carried out for those coming from Ukraine.

It is therefore not as straightforward as saying that providing 30 per cent of childcare equals passing on 30 per cent of the budget.

We have worked very closely with COSLA and local authorities through our financial working group to ensure that there is a fair and sustainable settlement for all our ELC providers.

The Convener: I get a sense that local authorities are quite top heavy and that money is not being transferred to those on the front line such as early learning practitioners.

Those are important issues, but many of the things that you mentioned are overheads and costs that businesses also face. Would it not be best to send the money directly to parents so that they can take the funding for their child to the provider of their choice?

Clare Haughey: Before the expansion of 1,140 hours, one of the issues that the Scottish Government consulted on was different models of support for delivery of ELC. That consultation happened between October 2016 and January 2017, and it included the model that the convener has alluded to.

The independent consultation analysis report that was published in March 2017 highlighted that the funding follows the child model was identified most frequently as the preferred model for best supporting the provision of high-quality ELC that is accessible and affordable for all. We see evidence of that in the figures that are coming out on the number of children accessing ELC and on parent and carer satisfaction about the quality and flexibility of the service that they receive.

The Convener: I will ask a final question, if the committee does not mind. Ruth Maguire mentioned the importance of early learning for the economy. I am a representative for the Lothian region, which is quite a tight area with lots of local authorities, but the number of cross-border placements that are being facilitated is limited. We heard from Argyll and Bute, which seems to be working quite proactively on that. Is there anything that the Government can do to facilitate such placements, because we have so many people who do not work in their local authority area?

Clare Haughey: If I remember correctly, you raised that issue in the chamber, convener. The issue was also raised during the debate about funded ELC. This is where the funding follows the child model is absolutely key.

I will ask Eleanor Passmore to speak about the work that we have done. If there are particular areas in which there is an issue, I would certainly like those to be highlighted to me so that we can try to facilitate working across boundaries.

Eleanor Passmore: It is not an issue that we hear widespread concerns about, but it is a particular challenge in the Lothians. We expect local authorities to work together to resolve such issues, but I am happy to look at that specific issue and come back to the committee on what further work might be necessary, if that would be useful.

We are in regular contact with local authorities. We meet COSLA regularly and we meet representatives of the sector every other month, but it has not been raised with us recently as a major issue.

The Convener: Okay. Thank you. We move to questions from Graeme Dey.

Graeme Dey (Angus South) (SNP): Good morning. There is a sum of £145.5 million in the budget to support local authorities with the recruitment and deployment of additional staff. Last year, local authorities received the same sum with a view to recruiting an additional 2,500 teachers—which, among other things, would support post-probationers into employment—and 500 classroom assistants. I am not sure about the progress that has been made in relation to the recruitment of classroom assistants. Perhaps you can share that with us. However, the overall number of full-time equivalent teachers being employed fell, due to a significant drop in primary schools.

Given that you presumably had a deal with local authorities on that recruitment, how can that be? How will you seek to ensure that councils fulfil their end of the agreement? I recognise that it ought to be the councils that we put on the spot about this issue. However, as you are here today, cabinet secretary, can you outline for me, first, your view on the lack of progress on boosting teacher numbers and, secondly, what will be done to ensure that we get the additionality that the funding is being provided for?

Shirley-Anne Somerville: I am extremely concerned about the lack of progress on teacher numbers. As you mentioned, the £145.5 million was baselined in the local government settlement because I had been told by local authorities that one of the main challenges in moving from temporary to permanent contracts or, indeed, in increasing teacher numbers was the fact that some of our funding had been on a temporary basis, so local authorities were unwilling—quite understandably—to move to permanent contracts for teachers. Therefore, an agreement was reached with local authorities. We had an understanding within the Scottish Government—and I thought that we had an understanding with local government—that the money was to assist with teacher numbers and to assist with the move from temporary to permanent contracts.

I was therefore exceptionally disappointed when there was not only no real improvement in the balance between temporary and permanent contracts but a small decrease in the number of teachers. What the Government can do in relation to that is quite limited in some ways, because local authorities are the employers. I cannot instruct a local authority to employ a certain number of teachers on a particular type of contract.

However, what I certainly would expect—and what we are now moving into detailed discussions with local authorities for the forthcoming year on—is that, when money is given with an understanding that it is to pay for something, it is actually used to fulfil those requirements. I will be holding meetings with COSLA spokespeople to discuss that specific issue, and I think that there is a genuine wish from all parties to see an improvement in the picture on this.

There is work that local authorities can do and should be doing to ensure that they are providing permanent contracts where possible. Human resources responses will vary from local authority to local authority—local authorities are the employers and, quite rightly, they should have the freedom to do what they need to do in an HR and recruitment setting. However, I would hope that we have a general agreement that permanent contracts are better for teachers and that they make the most sense.

10:00

I very much hope to see an improvement in that picture this year, so that there is an agreement between us and local authorities to deliver on the money that we have for recruitment. The £145.5 million remains in the budget. We are providing greater flexibility to councils to use that funding, because I appreciate that there are recruitment and retention issues and challenges. We are trying to be as flexible as possible, but, to be blunt, if we have an agreement at the start of the year that the money should be used for recruitment, my expectation is that it will be. I am very keen to see whether we can reset and see some shared understanding following the meetings that will take place on the matter.

Graeme Dey: You chose your words very carefully there—you used phrases such as “I hope to see an improvement”. I take it that you expect progress to be made in the coming year.

Shirley-Anne Somerville: I expect to see progress in the year that we are in, quite frankly, given that we started off the year with a shared understanding about what that money would be for. Therefore, I expect to see that progress.

I appreciate that increasing teacher numbers is but one way that we can improve education, but it

is a very important way. With COSLA, I am more than happy to discuss the number of ways in which we can improve education for children. It is not just about teacher numbers, but teacher numbers are exceptionally important. If we start off with a shared understanding of what the money is for, I expect it to be used in that fashion.

Graeme Dey: I have one final question, in the interest of getting a fully balanced picture. In the context of the ambition to recruit another 500 classroom assistants, what progress has been made? For example, we have a growing trend in the identification of pupils with additional support needs. Very often, that is down to improved identification, which is to be welcomed, but classroom assistants can, among other things, provide support in mainstream settings. What progress is there to report in that regard?

Shirley-Anne Somerville: There has been progress on that. You are quite right to point to the important role that classroom assistants can play in supporting both individual children and the learning that goes on in a classroom. I appreciate that there is more that we need to do and that there is an overall challenge to ensure that we deliver what is required on the ground.

There is separate ASN funding—£15 million, I think—that goes in to support the continuation of services and employment in that area. That is separate from the £145.5 million that we have already discussed.

Graeme Dey: I do not expect you to have all the figures to hand today, but it would be useful for the committee to hear what the progress on classroom assistants has amounted to. I am certainly also interested in hearing about how you monitor how the £15 million is used and what progress there has been with that. Perhaps you could write to the committee.

The Convener: We move to questions from Michael Marra.

Michael Marra (North East Scotland) (Lab): My first questions are on the same theme of teacher numbers. There has been a large drop in the percentage of teacher induction scheme teachers who have a contract in the year following their probation. In the past year, that has dropped from 80 per cent to 70 per cent. Why do you think that is?

Shirley-Anne Somerville: In Scotland, we have an understanding that there is a space for every individual who comes out of initial teacher education to fill their probationary time, which is very important. However, in our current system, there is no guarantee that that will lead to direct employment either with the same local authority or with another. At that point, it becomes a matter for the local authority to decide whether it will

continue the employment of an individual or for the individual to decide whether they wish to seek employment elsewhere.

I note that the numbers on that are of concern. There are a number of points around types of contracts, and the number of people who move from initial teacher education through probationary year and on to a permanent contract is a particular concern. We keep a very close eye on that when we look at workforce planning and the number of people who will go into initial teacher education in future years, to see whether those numbers need to change to ensure that we do not create a problem in the system. Decisions will need to be taken in the next few months on what happens with the next round of ITE, and we must keep all that in mind—those types of figures, in particular—when we consider the number of people to put into training, as that will affect their ability to get employment after they complete the training and their probationary year.

Michael Marra: Thirty per cent is a very large proportion to lose. There are teacher jobs that have been advertised time and again across the country, and there are particular skills gaps. Perhaps it would be useful to hear from you how those things map over in terms of the skills gap and where there are particular problems with the supply that we have.

I have pushed you before, in the chamber and in this committee, on meeting the target of getting back to the figures of 2007—getting those 3,500 additional staff in the door to fill the gap. How many should we expect to see this year under this budget?

Shirley-Anne Somerville: Let me first deal with the geographical issue with subjects. I totally appreciate that we have parts of the country where people cannot get employment, particularly in primary settings in some local authorities, while other local authorities continue to have to advertise, particularly for secondary subjects.

What we look at in initial teacher education is where the places are. We could try to have more initial teacher education in different universities or to deliver it in innovative ways so that it is not so focused in the central belt, which is sometimes where we see challenges.

We are considering what we can do to encourage people into science, technology, engineering and mathematics, or STEM, subjects—although not only those—and we have a bursary to encourage people to move into that subject area. We are doing work, under the Logan review, to see what we can do around computing. We have such schemes to ensure that we deal with subject areas. That is a continuing challenge not just in Scotland but elsewhere. We are very

keen to learn from elsewhere what more we might need to do to assist with that.

I am keen to work with local authorities on whether there is more that they can do in terms of incentives. It might be that we have an overprovision of some skills in parts of the central belt, but, for very understandable reasons, such as a family being established, people do not have a desire to move to other parts of the country. Is there further incentive work that local authorities could do to assist with that? We have some such arrangements already built in for some of our island communities, for example, but a discussion is to be had about whether more can be done. Discussion on that will continue with the professional associations.

I hope that that deals with some of the issues that you have raised, Mr Marra.

Michael Marra: I asked a question about the numbers and how many there will be this year.

Shirley-Anne Somerville: My apologies.

Michael Marra: That is okay.

Shirley-Anne Somerville: We expect to see progress on that. We still have the absolute determination to fulfil the Government commitment to have 3,500 additional teachers and 500 additional support staff by the end of the parliamentary session.

As I said to Graeme Dey, discussions with COSLA are coming up in which I will be discussing, in particular, that £145.5 million and what we can expect to be delivered.

I expect to see progress now. I will not put a figure on that today, because what we have attempted to do in the past is ensure that we have an agreement with COSLA on those aspects. Clearly, that did not work last year, but I want to try to work with COSLA. We are pushing each other to see how far we can go. I am happy to come back on that once the discussions with COSLA have happened. The local authorities are the recruiters. I could sit here and name a figure. We tried to do that last year, but, with the best will in the world, those who recruited the teachers did not fulfil the agreement that we had. Therefore, I think that it would be more useful to the committee if we came back after we have had discussions with COSLA and have looked to find a shared understanding about where we might get to.

Michael Marra: I appreciate that. However, we are two years into a five-year parliamentary session, and we are going not forwards but backwards. We are 100 teachers down on where we were. It is not sensible to assume that that work can be done in the final year of a parliamentary session—that we as a country can deliver 3,500 teachers. If there is no progress this

year, we will be in a really difficult situation. It would therefore be good to hear the numbers.

Shirley-Anne Somerville: I will just point out that, actually, we have made progress. Although I appreciate that there was a small drop—of 92, I think—last year, teacher numbers are at near-record levels, particularly in primary teaching. However, I appreciate that we have a long way to go.

To fulfil the target is a challenge. However, we have many challenging targets in Government, and we are certainly determined to deliver on that one, with the assistance of COSLA and local authorities as the recruiters and employers.

Michael Marra: My last point is about your other commitment, which was on class contact time. I have always seen those promises as being very contingent on one another. As is identified in the report of the Organisation for Economic Co-operation and Development, without more teachers, reducing class contact time will be incredibly difficult. Would you update us on the negotiations about that? What progress is being made on reducing class contact time?

Shirley-Anne Somerville: The negotiations are a matter for the Scottish Negotiating Committee for Teachers; it is not a decision for the Government.

Michael Marra: It is Government policy, though. It was your commitment.

Shirley-Anne Somerville: It is, and I am going to explain some of the suggestions for progress that the Government took to the SNCT.

We had discussed with union and local government colleagues whether we could introduce the reduction in class contact time in some areas before we did so in others. Was it easier and quicker to do that in primary school settings than in secondary schools? Could we deliver it in parts of the education system and leave until later those that are more challenging because of the numbers that we have still to recruit? A perfectly acceptable point was reached with local government and unions whereby they did not want to follow that process—they wanted to see the reduction happen throughout all education at the same time. I totally accept that they were not keen on the more flexible way in which we had hoped to introduce it.

You are absolutely right in saying that the number of teachers and the reduction in class contact time are inextricably linked. One cannot be done without the other. We will therefore continue to work with the SNCT to progress the numbers that we wish to see in this Parliamentary session, to allow us to deliver the class contact times.

In part, it depends on how others in the negotiating system want that to be delivered. They had a different view on that to the Government's view. We will work with them to see how quickly we can get things through.

The Convener: Stephen Kerr has a supplementary question.

Stephen Kerr (Central Scotland) (Con): My question has to do with teachers and morale within the profession regarding an area that I have raised with you before: violence and threat in the classroom. We both agree that it is utterly unacceptable that teachers are being subjected to maltreatment on the scale that we are seeing, with 20,000 incidents reported in the past year. In a letter to me, you described the work of the Scottish advisory group on relationships and behaviour in schools. Will you expand a little on exactly what SAGRABIS is, practically, going to do to support our teachers?

Do you agree that, when it comes to reported incidents of violence and threat in the classroom, we are seeing only the tip of the iceberg, because there is no standard for reporting such incidents? Some local authorities are very hot on reporting, whereas Glasgow, for example, reported only 400 incidents. I say “only”—though it is ridiculous to say “only 400”—because, given the scale of Glasgow City Council's school population, that figure seems unrealistic. Do you agree that it would be good to have a standard for reporting, and perhaps even a mandated requirement for reporting incidents of violence and threat in the classroom?

Shirley-Anne Somerville: There is a shared understanding that it is unacceptable for anyone who goes to work to face violence, intimidation, threats and so on. Our teachers have the right—as anyone does—to go to work in safety and with the reassurance that, if anything happens, they will have the support of their employer.

10:15

In many ways, SAGRABIS—I appreciate that that is not a title that trips off the tongue—is the area where local authorities and national Government come together and work with the professional associations and others to ensure that we are looking at the national guidance, different policies and what can be done. The group is designed specifically around taking forward proactive changes that need to happen.

I think that a piece of research has been started recently—it was delayed because of Covid—to look at the extent of the issue. However, even without that, we all know that there are unacceptable incidents in our classrooms. Although the research is very important, it does

not get us away from the fact that one incident is one too many, so policies need to be in place.

The points that have been raised about how local authorities deal with the issue and what more could be done are exactly the points that that group should look at. I would be more than happy to provide further details about what happened in the group's most recent meeting, which was at the tail end of last year, and what the plans are for that work. If Mr Kerr would like to correspond further on the issue once he has seen those details, perhaps we can take the matter forward.

Kaukab Stewart (Glasgow Kelvin) (SNP): Good morning, everyone. I am going to ask about two areas. First, I will ask about the attainment challenge and the budget that will support that. I will then ask about Gaelic education.

On the attainment challenge, you would expect me to be fully aware of how stubborn the poverty-related attainment gap is and the fact that many portfolio areas cover it. Education gets the focus for closing that gap. I am aware of that context. While so many portfolio areas cover the poverty-related attainment gap, funding the work is a challenge—I understand that.

I heard the cabinet secretary talk about the £100 million to support closing the gap, and I was pleased to see that there has been a wee bit of a recovery, especially in primary schools, in going back to pre-pandemic levels, but we know that progress could be better. We understand that, and we know why the issue is so difficult.

How will the budget support the continued attempts to close the very stubborn poverty-related attainment gap? How will the public be assured that, with all the money that the Government is quite rightly spending, they are getting value for money? How will that be monitored and tracked?

Shirley-Anne Somerville: The £200 million a year for the Scottish attainment challenge plays a very important role. The intention is to ensure that local authorities and schools directly, through pupil equity funding, receive the additional funding that can assist them in delivering progress.

The achievement of curriculum for excellence levels—ACEL—statistics have shown that we have seen some progress on that. We are not quite back to pre-pandemic levels of attainment, but we have seen some signs of recovery, which is positive.

It is important to say that it is not just the attainment challenge funding that helps with that aspect. Yesterday, we discussed in the chamber the fact that the wider Government work on child poverty is also very important. It is important to try to tackle poverty at source through the Scottish

child payment, for example. That is key. There is also the important work that we are doing on the cost of the school day as we try to assist with those aspects.

On how the money is spent on the Scottish attainment challenge, it is clear that a significant sum is going through that, and, as members would expect, there are reporting mechanisms. Schools are entitled to spend the PEF money as they think is right for their pupils, as long as it is within the national guidance. That is an important freedom to give to headteachers in an empowered system. However, clearly, there is accountability for that money. Local authorities can also assist in ensuring that schools are spending the money. They cannot dictate how the money is spent, but they can assist. If an underspend is developing in a particular school, they can suggest how that money could be best used. Education Scotland can also assist in that process.

With regard to our seeing the impact, I refer to the national improvement framework, which was published in December. We also have an evaluation strategy for the Scottish attainment challenge, to look at how that money is being spent and to assist with the development of good practice, so that all headteachers are aware of areas where Education Scotland feels that good practice could be shared and programmes could be directed differently or adapted in schools.

So, yes, there is accountability for the money overall. Local authorities can play a part in that, but Education Scotland also ensures that we are evaluating and assisting the sharing of good practice so that the money is spent as wisely as possible.

Kaukab Stewart: It might be helpful for people who are listening to know about the tracking of that. Obviously, there will be stuff that can impact straight away, and then there will be medium and longer-term outcomes. How regularly do those check-ins happen with the appropriate body? I do not expect you to be involved at that level, cabinet secretary, but what is the process? Will you expand further on the measuring and tracking of that?

Shirley-Anne Somerville: Given that it is a multiyear fund, we have a multiyear evaluation strategy. You are right to point out that the fund will have some short-term effects but that some effects will take time to come to fruition. We are looking at more frequent publications as part of the refreshed SAC and at what in-year evaluation we can do instead of retrospectively evaluating what has already happened. That would assist with how the money is being spent instead of our waiting until the money has been spent and then evaluating. That is quite difficult, because certain aspects are quite intensive, particularly for some

of the projects, and it can take time to see the effects, as you will appreciate from your experience in schools.

The other important aspect is the headteacher survey, which asks whether headteachers feel that a difference is being made. We have seen very positive feedback from those who have replied to that survey in the past. The survey gives us as good a guide as possible—from those who take part in it—on whether headteachers feel that the money is making a difference on attainment or wider health and wellbeing issues. That is another important part of the process of checking in regularly, although we are fully aware that turning things around will take some time, given that, as Audit Scotland and the International Council of Education Advisers recognise, the issue is exceptionally complex.

Kaukab Stewart: Thank you. On the Gaelic language, will there be additional funding to support the new Gaelic language plan when it is published, in April 2023?

Shirley-Anne Somerville: That is an important area of our work. It is important to recognise that it is about not just the Gaelic budget in my portfolio but how we use cross-governmental budgets and how we use what happens within Government to deliver on Gaelic language plans. There is a £1 million increase in the Gaelic budget in my portfolio in comparison with last year, but that is a capital increase to support the expansion of Gaelic.

As I said, the matter of how we improve the learning and, importantly, the use of Gaelic sits not only within that portfolio spend. For example, the work that I chair in the faster rate of progress group with public agencies such as Skills Development Scotland, councils and other public bodies is about how we can improve right across Government. Although the Gaelic budget sits within my portfolio, there is a responsibility across Government to deliver on the Gaelic language plan.

The Convener: Thank you for those responses, cabinet secretary. We move to questions from Ross Greer.

Ross Greer (West Scotland) (Green): Cabinet secretary, I am interested in hearing some more detail about the delivery plan for the expansion of the provision of free school meals to those in primary 6 and primary 7. In the current financial year, £30 million has been allocated to that, and £80 million is allocated to it for the next financial year. Between those two amounts, do you think that that is sufficient funding to achieve the required capacity? How is the Scottish Government monitoring the deployment of the £30 million in the current year? Has the deployment of

that funding and the capacity expansion that has been achieved so far indicated to you whether the £80 million might be sufficient?

Shirley-Anne Somerville: That is an important part of our work to expand the provision of free school meals. In Scotland, universal free school meals are currently available during term time for 280,000 children in P1 to P5 and in special schools, in addition to those who are eligible in P6 to secondary. We estimate that just over 300,000 pupils will be eligible once we have the expansion to P6 and P7 aligned to the Scottish child payment. That is a good increase that will benefit around 20,000 pupils across Scotland.

We are working carefully with COSLA to ensure that the money is spent, looking in particular at how we can spend the £80 million of capital in the budget this year to ensure that changes are made to the school estate that will allow us to deliver on the expansion in alignment with the SCP, while bearing in mind that we want to move rapidly on to universal provision.

The situation will vary from council to council. Some councils have greater challenges in the school estate than others, so we need to work with councils on where we are in that respect and how the money can best be spent. Work with councils is continuing around how best to spend the £80 million, in particular, and I hope that we will see significant progress. We anticipate being able to move forward with the provision of free school meals for those in P6 and P7 in alignment with the SCP very quickly. However, that can be done only once the changes are made within the school estate.

Ross Greer: I appreciate that it is not as simple as saying that the £30 million in the current financial year will achieve X per cent of the capacity increase that is required and that the £80 million will therefore achieve the remaining Y per cent. Nevertheless, is there a way of quantifying what has been achieved with that £30 million? I recognise that I am, in essence, doing post-budget scrutiny rather than the pre-budget scrutiny that we are here for this morning. However, if we are to be confident that we are going to get value for money out of the £80 million, it would be good to be able to quantify what has been, or is currently being, achieved with the £30 million.

Shirley-Anne Somerville: I am happy to provide further information on the £30 million, because what I have with me today is information relating to the budget scrutiny for next year.

When we are looking at how we can best spend that money, we will bear in mind the fact that some schools will need quite a small amount to get to the point of being able to deliver free school meals and the fact that there may be other, larger

projects that some schools need in particular settings. The Government also has a responsibility to ensure that the money that has been allocated is being used as effectively as possible, because the budget is finite.

10:30

There will be a degree of challenging local authorities in order to ensure that the money that is being spent is delivering what we want it to deliver at a reasonable cost. For example, we would consider whether there were other ways in which schools could use their current estates or make other changes, so that the initial capital cost that might be suggested by a local authority was not the only available route. As the committee would expect, as part of our process around the £80 million as well as the money that has already been spent, there will be that challenge. The Scottish Futures Trust plays an important role in assisting the Government to look at how we can best use the money to get the maximum effect from it. Clearly, further work may still need to be done to get us to the point of universal provision of free school meals in primary schools, which we will have to deal with in future budget years, and that degree of challenge is an important part of the process as we work collaboratively with local authorities to ensure that we are getting the most out of that money.

Ross Greer: You mentioned the interim expansion to P6 and P7 on the basis of SCP eligibility, which would apply to 20,000 children. That is fantastic news. Will that apply from the start of the next school year, in August, or do you expect councils to implement that closer to the start of the financial year?

Shirley-Anne Somerville: Large capital projects are best and most easily done during the summer holiday period. We would hope that we could get into a position whereby that could be in place for the start of the academic year, though that might not be possible for all school projects. Obviously, there is a caveat as we work through the details of the expansion, but that is certainly our hope, and I think that everyone is keen to move forward as quickly as possible.

If a number of local authorities could proceed but a small number of local authorities or a small number of schools in different local authorities had not reached the point of being able to offer the provision, we would not want the whole project to be held back by a potentially small number of schools not having reached capacity. We might look to see whether there were other avenues that we could go down to bring in the scheme.

That is a long way of saying that we hope that it can be applied from the start of the academic year.

Ross Greer: Finally, how do we make sure that as many of those 20,000 eligible children as possible take up the free school meals? I recognise that there has always been a significant difference between eligibility and uptake. I presume that the most effective way of doing that will be to work with Social Security Scotland and those who are delivering the SCP, to make sure that those bodies notify eligible families, as well as working through the councils and schools. How will you make sure that all the eligible families are aware that that opportunity is available to them?

Shirley-Anne Somerville: That is exceptionally important. With the best will in the world, there is no point in having the scheme if families do not know about it or are not encouraged to take it up, whether that is done through the work that local authorities already do to encourage eligible families or through work that we can do through Social Security Scotland. We also have the Parent Club, which Ms Haughey has referred to and which is an important avenue of communication for the Scottish Government.

We will look at every avenue that we possibly can in order to ensure that people are aware of the scheme and that we make it as simple as possible for people to take part in it, while encouraging them to do that. Many local authorities are being proactive about ensuring that families receive all their entitlements, and there is important work that we can do with them around that. We are keen to assist them in any way, through any of the agencies, including Social Security Scotland.

Willie Rennie: We are a third of the way through this session of the Parliament and seven years on from when the First Minister made a commitment to prioritise education. However, I would argue that the improvement has been marginal at best. I do not really want to trade stats, because we could be here all day if we did that, so let me be fair—I am always fair. The ACEL figures show that, in the past five years, the literacy attainment gap has been cut at primary level but we are seeing only a 1 per cent improvement, whereas, at level 3 in secondary, the gap has grown by almost 3 per cent. Are you satisfied with that situation?

Shirley-Anne Somerville: I am quite happy to spend all day trading statistics with Willie Rennie—I am not sure whether the rest of the committee would want that, but we can see where we get to.

There is an understanding within Government that we wish to see more progress and to see it happening more quickly. I would certainly say that,

pre-pandemic, there was progress on closing the attainment gap, but it was not as quick as we would have liked, which is why we were looking to refresh the Scottish attainment challenge and how it was being delivered, to ensure that it was being as effective as possible. We have now refreshed that challenge.

There was an impact—understandably, I think—on attainment during the pandemic, not just in Scotland but elsewhere. However, we are now seeing recovery. Again, as I think I mentioned to Kaukab Stewart earlier, we are not back to where we were pre-pandemic, but, when we look at the local authority stretch aims, we can see that there is an optimism within local authorities that progress can be made.

We are not satisfied with where we are, which is why we looked to refresh the Scottish attainment challenge to ensure that we were getting maximum use out of that £1 billion expenditure, to see that it developed as quickly as possible and to accelerate that progress.

In an attempt to be fair to Willie Rennie in return, I appreciate that we need to see more progress on this—I think that I have always said that—but that is exactly why we have taken the decisions that we have taken, to refresh the use of that £1 billion and to ensure that we are getting maximum value for it.

Willie Rennie: What does “substantially eliminate” mean?

Shirley-Anne Somerville: We look at the NIF—I know that we have had discussions on this in the past because you have challenged me, quite rightly, on the fact that my focus is within primary schools rather than on different measurements, but there is a framework in the NIF around measurements of the poverty-related attainment gap. We need to see a full change happening across those measurements. There have been a number of measurements whereby we have seen an improvement; there have been a small number whereby we have not seen any improvement; and there have been a number whereby things have kind of stayed the same.

Willie Rennie: I am just trying to get a definition of what “substantially eliminate” means. We all thought before that you were going to abolish the gap completely, but now we understand that the position has been refined. We could argue about how that developed, but I am still unclear about how we know whether the gap has been substantially eliminated. Is there a number? Are you expecting the gap to reach a certain level, which you would call “substantially eliminating” it? If so, what is it?

Shirley-Anne Somerville: To come back on the first point, there has been no change. We have

always said that we would wish to close the attainment gap with substantial elimination by 2026, so that was the policy and it remains the policy.

Willie Rennie: We will accept that.

Shirley-Anne Somerville: I referenced the NIF because you have rightly said in the past that we have focused on some measures but not mentioned others. Therefore, I would point to the numbers that are in the NIF and where we would want to see those.

Will we get to a point where it is utterly eliminated, where I look at what has happened in the NIF and there is zero on all those measures? In reality, in an education system, I think that it would be exceptionally difficult, if not impossible, to get to the point of zero. However, we are looking to substantially eliminate that gap and get it down as close to zero as possible. That may vary from measure to measure, because they are measuring very different aspects.

If you will forgive me, I will not be drawn on what that number is, but I think that there are 11 old measures in the NIF, and we have included some more, so the number will vary from measure to measure. However, we are now seeing progress and recovery. We are not at the point of substantial elimination but, for example, if the stretch aims for primary schools were delivered and progress continued—that is an “if”, because stretch aims are supposed to be exceptionally challenging—there would be a substantial elimination of the poverty-related attainment gap in primary schools by 2026. I hope that that gives an example of a trajectory for that happening in primary schools, but I appreciate that the trajectory in other areas is more challenging.

Willie Rennie: Okay. My next question focuses on the pace of reform. The Parliament voted in 2017 or so to get rid of the Scottish Qualifications Authority and Education Scotland, and we will get the replacements in 2024, seven years later. Following the Stobart review and the OECD review of the transition from the broad general education to the senior phase and the two-term dash, we will get Louise Hayward’s report in May. I really want to know whether that will be a worked-up plan. Will it be ready to implement within this parliamentary session? How long will it take?

Shirley-Anne Somerville: Are you asking how long the Hayward review will take?

Willie Rennie: Yes. There is a general concern about the pace of reform, because it feels very slow. I know that you could come up with an explanation as to why that is so, but, when we have a pretty drastic situation—as reported by the OECD and with heavy criticism from the Stobart review—there is an expectation that we should

move a bit faster. What will we get in May? How quickly will the report's recommendations be implemented?

Shirley-Anne Somerville: Without attempting to pass on that and not give you an answer, I point out that Professor Hayward is independent of Government, so what we will get from Professor Hayward's review is up to Professor Hayward. She is clearly going through significant consultations. We moved the timeline for the review slightly so that her final report will come out in May, but that was to ensure that we completed the national discussion and allowed her to have the information in relation to that. That was the reason why the publication date has been put back—I think, from memory—by three months.

Clearly, the speed of implementation very much depends on what Professor Hayward comes up with. If she recommends minor changes, they can be made reasonably quickly; if she recommends really substantive changes to the system, those will, quite rightly, take longer. For example, her recommendations might have implications for teacher workload or for the number of teachers who are required to carry out things in the senior phase. I am genuinely not trying to be obtuse in my answer but, until I know what she is going to recommend, I am unable to say how long it will take for that to come into force.

I am keen to see progress, because the experience over Covid and some of the initial work that is coming out of the Hayward review demonstrate that there are different ways in which we can measure success and attainment within schools, compared with what we currently have. Genuinely, until I see what she comes back with, I am unable to say how long implementation might take, because it could be a substantial and significant piece of work. Clearly, we would have to work—not just, but particularly—with teachers on the implementation. Those things can go wrong when the implications for different parts of the system are not taken into account, and the most obvious implication is around teacher workload.

Willie Rennie: I started by talking about marginal improvement in the performance; Kaukab Stewart said that it could be better, which is maybe a fairer way of presenting it. We have a slow process of reform, and we are uncertain about what will happen after the Hayward review. Children who started school when Nicola Sturgeon made that promise in 2016 will have left by the time that we see any potential real benefit. That cannot be satisfactory. Does that really give hope to young people that the Government is on their side?

Shirley-Anne Somerville: Despite the way that it is often portrayed, a great deal of success is happening in Scottish education. When we look at

the number of qualifications received at the last results day, we see near-record highs, and the number of young people going to positive destinations when they leave school is also at a near-record high. I think that it would be a grave misinterpretation to say that there is not success within the education system, because the number of young people who are going to positive destinations suggests that there is.

10:45

Willie Rennie: But the success is not a result of the reforms. The reforms were established because of a crisis, and we have not really seen them happen, so you cannot really claim credit for those areas of improvement. I recognise that there are improvements, but we set up those reforms in response to a critical report and nothing much has happened. That is not good enough, is it?

Shirley-Anne Somerville: Again, I would push back on the suggestion that the OECD said that Scottish education is in crisis, because that is not what its report said, and that is not what the International Council of Education Advisors said, either.

There is a lot to commend in Scottish education. One of the aspects that came from the international council when I discussed the matter with it was that we should look to reform but that we should also look at continuous improvement. That means looking at how we challenge ourselves to learn the lessons of what happened during Covid and at how we challenge ourselves to move to the next level. It does not mean getting to a point at which we are in a reform process that throws out what already happens in Scottish education. A lot of good happens in education.

I do not accept the premise of the question that the reform process was built in because we were in crisis, because I do not recognise that in the recommendations of the OECD or in the work from the international council. They did say that we can improve, but I do not think that there is any education system in Europe or elsewhere that should not challenge itself to improve. That is what the reform process is about. Scottish education is in good shape—as the information on exam results and positive destinations shows—but are there ways that we can improve our system? Of course, there are. That is why the reform process was brought in.

Willie Rennie: I have one final question.

The Convener: Be brief, please.

Willie Rennie: It is not really a question—

The Convener: If it is not a question—

Willie Rennie: It is important, however. The attainment gap is massive—enormous—and we were slipping down the international rankings. That is why the OECD report was commissioned, so there was a crisis, and I have to say that the way in which the cabinet secretary presented it sounded incredibly complacent.

Shirley-Anne Somerville: I will respond to that, because I think that it is important that I do. I will do so by telling you about some feedback that I got when I was at a teaching conference recently. During a question-and-answer session, a teacher said to me, “Why does everybody keep saying there is so much wrong with Scottish education when what I see is an education system that is good, with a lot of good things happening in it?” With the greatest respect, I do not think that talk of an education system that is in crisis helps us to have the type of discussion that I would hope we could have—and which the national discussion was all about—on looking at where we can improve. We should also take a little bit of time to celebrate the success, which is thanks to the hard work of our teachers and support staff who are delivering for our children and young people.

The Convener: We have three requests to ask questions on the subject of reform, and I would like all members to be very concise with their questions.

Michael Marra: *Tes* magazine reported this week that you are budgeting £150 million of additional expenditure for the educational institutions that are being reformed at a time when there are front-line cuts. What value do you think we will get for that money?

Shirley-Anne Somerville: Forgive me, but I am not sure whether Mr Marra thinks that we should give them more money or less.

Michael Marra: I am asking what you think we will get for the money. It is for you to justify the spend.

Shirley-Anne Somerville: That spend allows them to perform the important functions that they have. I have made it no secret that I wish to see reform—I have said that publicly—and that we will move to replace the SQA and Education Scotland. However, while those agencies are in place, they have important functions to carry out.

Michael Marra: It is additional money, though.

Shirley-Anne Somerville: Sorry?

Michael Marra: It is £150 million of additional expenditure over the coming years.

Shirley-Anne Somerville: I do not recognise that figure, but we have an important piece of work going on—yes, within the SQA and Education Scotland—and there is also further funding for the

reform package in Government to allow us to carry out that reform. When it comes to the money for the SQA and Education Scotland, clearly, they must still carry out the tasks and functions that they have as we go through that process.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I will be brief, convener. Mr Rennie was, reasonably, asking about the timescale for the reforms of the qualifications framework, and I understand why. However, I urge you to get the reforms right rather than rush them to meet an artificial deadline.

In making that request, I note that curriculum for excellence was first floated by the last Scottish Executive in 2002 but still had not been implemented when the current Scottish Government came in in 2007. It took until 2010 to implement CFE and until 2014 to get the related qualifications in place. Therefore, I make this appeal to the cabinet secretary: let us get this right for Scottish school children, and let us not rush things. Whatever we implement, we will have to live with it for decades to come. Let us get it right and let us not have artificial deadlines.

Shirley-Anne Somerville: I take the point. It is important that we have deadlines to drive that forward, but I also hear clearly from those in the system that there is a real need for us to look at how much change the system can cope with at once.

A lot of consultation is going on at the moment, following the completion of the national discussion, which was an important factor in forming an understanding of where Hayward and other parts of the reform process might go. For example, there is no point in defining the way that we do qualifications and assessments before we look at what we want from Scottish education.

The other aspect, which I will stick closely to, is that I have absolutely no problem in defending something taking a bit more time if what I get as part of the reform process is not as radical a reform as I want. If material comes back that does not deliver on what I want to see, I will be up front and say that we will take more time, because it must be genuine reform. If I am not happy with some of the proposals, it is better that I do that rather than accept what comes from the first round of proposals, knowing that it does not deliver the reform that I want.

There is a real urgency for us to get on with the reforms, but there is also a need for us to do it in a timely manner and to bear in mind how much is going on in the education system as we ask it to consult on the national discussion, the Hayward review and other aspects.

The Convener: I will move us on, as I am conscious that we have a big topic to come.

However, I will allow a very brief supplementary from Stephen Kerr before I move to Natalie Don, who is waiting patiently.

Stephen Kerr: There is a certain inconsistency between your answers to Willie Rennie and your call for radical reform, cabinet secretary. It is a strange organisational set-up that calls for radical reform when you say that nothing much is broken.

Let us return to the *Tes* article, which contained a quote from an email from Clare Hicks, the Scottish Government's director of education reform, in response to a freedom of information request. In that email, she said that the funding request from the delivery boards is being

"borne down on"

and

"reduced ... to the minimum viable".

She also made it clear that the Government's education reform team is "lean"—there is nothing wrong with lean, by the way—and that the Government is having to

"rely on ES and SQA prioritising activity to meet ministers' goals".

Are we really saying that we are leaving the bulk of the workload of reforming Scotland's education system to Education Scotland and the SQA? Are you satisfied with that? What controls and direction are there around the delivery of education reform—

The Convener: Thank you, Stephen.

Stephen Kerr: —given that those bodies, which have failed, otherwise they would not be getting scrapped—

The Convener: Can you let the cabinet secretary respond?

Stephen Kerr: —are being given the burden of carrying out the work?

Shirley-Anne Somerville: You have asked me whether they are carrying out the reform work. Although they have an important role to play in it, they are not leading the reform work. Government officials are doing that, and I am leading the reform process.

I am genuinely surprised—I think that we went through this yesterday—that there seems to be a suggestion from some Opposition members that we should have increased the budgets for the SQA and Education Scotland, to allow them to have more staff to carry out some of this work. Again, I think that—

Stephen Kerr: That is not what is being suggested.

Shirley-Anne Somerville: —we need lean delivery in the Scottish Government. It is a real challenge to our agencies, under difficult financial circumstances, to take part in and assist with the reform process, but that must be done in as lean a fashion as possible. In the meantime, they will get on with business as usual and carry out their functions to ensure that they continue to deliver. Yes, it is challenging—there is no doubt about that—but there is a challenging budget settlement overall. That will ensure that we deliver on a number of commitments.

With regard to the reform package, I am glad that Mr Kerr said that lean is not a bad thing, because we need to get maximum value out of this.

Stephen Kerr: But it is the funding—

The Convener: I am sorry, Mr Kerr, but we need to move on. I am very conscious of the time.

Natalie Don (Renfrewshire North and West) (SNP) (Committee Substitute): Good morning. I will change the theme and move on. Cabinet secretary, in your opening statement, you mentioned that inflation is at a 40-year high. We are living through a severe cost of living crisis and there is a huge strain on family budgets, of which the cost of the school day is just one aspect. In response to one of my colleagues, you mentioned progress on the provision of school meals. Will you expand on how the budget will support the priority of reducing the cost of the school day for families?

Shirley-Anne Somerville: A number of areas will assist with reducing the cost of the school day. One important aspect of that is free school meals. I mentioned earlier that the move to SCP eligibility in primaries 6 and 7 should mean that more than 300,000 children in Scotland will benefit from free school meals. That is a really important package, and we are looking to support other areas of work. We are increasing the school clothing grant by the rate of inflation, and work is being done around core curriculum charges. We are assisting children and young people and their families with the cost of the school day.

A lot of work is also done to ensure that schools and local authorities overall have a much greater awareness and understanding of the implications of the costs of the school day and what they can do to assist with, for example, the ways in which, over a year, families will be asked to contribute, albeit voluntarily, to aspects of school activity. Again, that impacts on families' budgets.

Natalie Don: Thank you. That can be a difficult issue, because it involves a range of things and it can stretch across different portfolios.

I will move on again. There is a large increase in funding for the delivery of the Promise. Will the minister elaborate on how that will support the ambitions for 2023-24?

Clare Haughey: The draft budget makes provision for £50 million to be invested in the whole family wellbeing fund. That will continue the vital preventative work that is required to keep children at home when that is the safest place for them to be.

In addition, we will invest almost £30 million in other activity that is related to the Promise, which includes funds to support The Promise Scotland, invest in the Promise partnership fund and take forward a variety of other actions that we committed to in the implementation plan “Keeping the promise to our children, young people and families”, which was launched last March. That includes funds that are required to bring into force the Children (Care and Justice) (Scotland) Bill, which was introduced in December 2022. I believe that this committee will look at that bill, so I am sure that we will have further discussions on that and how it will fulfil the Promise.

11:00

The Convener: Do you have anything further, Natalie Don?

Natalie Don: I have no further questions, convener.

The Convener: We will move on to questions from Stephen Kerr.

Stephen Kerr: Cabinet secretary, what is your vision for the role that Scotland’s colleges play in our education landscape and in the wider plan to transform and modernise our economy?

Shirley-Anne Somerville: Colleges have an exceptionally important role in our vision for our economy. One of the Government’s priorities is the move to net zero, and colleges will play an exceptionally important part in that. The on-going work on purpose and principles sets out where we want to develop a shared understanding and vision for Scotland’s tertiary education sector, including colleges.

In summary, my expectation of the college sector is one that can deliver for the needs of our economy and society. Those needs will change over time as our economy and society change, and our college sector will have to change and respond to those needs and demands. The sector has shown that it is exceptionally flexible, that it works well with local employers and that it looks forward to identify what future skills are needed to ensure that it can deliver on that.

For brevity, I will leave it there.

Stephen Kerr: From what you said, we agree, I think, that Scotland’s colleges will play an indispensable role in delivering the transformations that we all seek in our economic situation. Do you agree with that?

Shirley-Anne Somerville: Yes.

Stephen Kerr: Okay—good. It is therefore greatly concerning—to you as it is to me and others, I am sure—that the Glasgow Kelvin College principal, Derek Smeall, said that the impact of the budget on funding

“looks at this early stage to be likely to mean a reduction in my workforce of 25 per cent by the end of year 5, which is 2027.”—[*Official Report, Education, Children and Young People Committee*, 21 September 2022; c 14.]

He is looking at progressive reductions in his workforce until 2027.

This morning—perhaps he knew that you were appearing before the committee; I do not know—Jon Vincent, principal of Glasgow Clyde College, sent an email announcing that the college has to find £2 million of savings in the next financial year, that there is a need for redundancies and that it is opening a voluntary redundancy scheme.

That is not the backdrop that Scotland’s colleges need if they are going to fulfil the indispensable role that we agree they will play in our economic transformation. Do you accept what those college principals say, and will that cut in their staffing and teaching capacity undermine the quality of the education that they can deliver?

Shirley-Anne Somerville: I point to the response from Colleges Scotland when the budget was announced. Andy Witty said:

“Today Scottish Government has recognised the vital role of colleges in assisting in the economic recovery, alleviating poverty and mitigating climate change.”

He went on to talk about the genuinely constructive discussions that Colleges Scotland, Mr Hepburn, officials and I had on the issue.

It is clear that there is an increase of £26 million in the resource budget for 2023-24, which demonstrates, under very difficult financial circumstances, a real commitment from the Government to support our colleges and universities.

Yes, there are challenging times ahead for the Scottish Government, public agencies and colleges—these are difficult financial times. However, despite that, we have been able to increase the net college sector resource budget, because we recognise the situation. Individual colleges will be looking at important aspects of their budget, and they might need to make changes to their curriculum to deliver what they wish and need to deliver for the local economy. Colleges will take those decisions.

We have an increase in the overall budget. The Scottish Funding Council will move forward with draft applications for colleges in March and final allocations thereafter, so that they can deliver with the increased budget that they are receiving from the Government.

Stephen Kerr: Cabinet Secretary, do you accept that Colleges Scotland is predicting 1,500 jobs losses over the next five years because of the budget that you are praising? I do not think that Colleges Scotland is praising it. It is saying that it means cuts. How can you be satisfied with that?

Shirley-Anne Somerville: I point to the section at the end of my introductory remarks. If Mr Kerr is suggesting that we have not increased the budget by enough, he should please feel free to suggest how much it should be increased by and where that money should come from. We are in difficult financial circumstances and, within Government, we have seen a real recognition of that and of our ability to increase the colleges budget. If you do not feel that it is sufficient, Mr Kerr, I would be more than happy to know how much you think it should increase by—

Stephen Kerr: It is a very clever—

The Convener: Mr Kerr, let the cabinet secretary respond, please.

Shirley-Anne Somerville: —and where that should come from.

Stephen Kerr: It is a clever response, but it is not based on any reality, because you are the cabinet secretary and you have to deliver a programme for government that is based on your political priorities. It is clear that the colleges sector does not number among those political priorities. That is what the sector reflects in the evidence that it has brought to the committee.

Let us talk about flexibilities for a moment. The college sector is asking for some flexibilities that might allow colleges to use the resources that they have to greater effect and perhaps for some degree of financial relief. Are you looking at flexibilities for the college sector?

Shirley-Anne Somerville: Yes.

Stephen Kerr: What are they?

Shirley-Anne Somerville: There are a number of areas in which Colleges Scotland has made proposals for the financial year that we are in and moving forward. Between the Government and the SFC, which allocates the expenditure, we are looking to ensure that there are increased flexibilities around the budget, such as not being as direct about how the budgets are spent to the same proportion. It is about how colleges can get a little bit of flexibility. That is not in relation to the

entire budget but around a pretty substantial proportion of it.

I genuinely think that Colleges Scotland and the Government have been working well together to look at the flexibilities. We are very open to that. Mr Hepburn and I have had a number of conversations with Colleges Scotland, and officials frequently have similar conversations, as does the SFC. It is one of those areas in which we can assist colleges and give them the flexibility to deliver in a really tight financial situation. I do not think that there is any difference of opinion between the Government, the SFC and Colleges Scotland about the need for that, and we are all keen to move forward with that.

The Convener: Please be brief, Mr Kerr.

Stephen Kerr: So many questions arise from the evidence that you are giving this morning and I do not have the time to ask them. When will we hear the outcome of the talks that you are having around flexibilities? That is my first question. Secondly, when will we tighten up the accuracy of the reporting on course completion and drop-out rates in colleges? Thirdly, when will you end the freeze on apprenticeship places?

The Convener: There is a lot in there, cabinet secretary.

Shirley-Anne Somerville: There is no freeze on apprenticeships—

Stephen Kerr: According to the Scottish Training Federation, there is.

Shirley-Anne Somerville: —and we have gone through in great detail, in the chamber and in writing, how there is no freeze on apprenticeship places. For brevity, I will leave that there, convener. As I said earlier, draft allocations will come out in March.

Forgive me, but I did not write down your second question when you were going through your list, Mr Kerr. If you would like to remind me of it, I will go back to it.

Stephen Kerr: One question was on flexibilities and another was on accuracy about drop-outs. I pressed Jamie Hepburn on that and got a bit of a non-answer. When will we get accurate reports on drop-outs and an analysis of them? The figure is pretty high—it is about 27 per cent.

Shirley-Anne Somerville: I have a feeling that Mr Hepburn's recollection will differ and that recollections may vary about whether he gave a non-answer.

Stephen Kerr: Okay—that was my opinion.

The Convener: Mr Kerr.

Shirley-Anne Somerville: It is, indeed, your opinion, which you are entitled to—

Stephen Kerr: I am.

Shirley-Anne Somerville: —as you always are. I will certainly ensure that Mr Hepburn keeps the committee updated on the collection of data as we move forward.

The Convener: We will quickly move on to Bob Doris's questions. Let us get back on a positive track, please.

Bob Doris: We are doing budget scrutiny. Before Christmas, I met the principal of Glasgow Kelvin College to look at the really challenging realities of the then budget allocation for the college sector. I also met the Educational Institute of Scotland locally. I am in no doubt that those absolute challenges will mean fewer staff and fewer classes. I grant that those meetings took place before the welcome addition of £26 million to the budget, which provides a small real-terms uplift, but I understand that there will still be fewer staff and fewer classes, which will be reflected across the sector.

I do not have a pot of cash to make things better, but we must be realistic about the reality out there. Has any analysis been done of the impact on the sector of the position before and after the £26 million was allocated?

Shirley-Anne Somerville: The £26 million is a welcome addition to what the sector perhaps expected before the budget was announced. The Funding Council has a role to work with Colleges Scotland and with the colleges to ensure that allocations are provided and that that supports colleges in the best way that we can.

I do not in any way decry the concerns from principals that this is an exceptionally tight time for them and that colleges may need to take difficult decisions. In the budget process, we have increased the funding—that was not expected when we set out the resource spending review, but we have done that.

We will work closely with colleges. The point about flexibilities is important. Colleges often say that they are hampered in taking budgetary decisions by how allocations are made and by the funding settlement. If we can assist them in the process by giving them more flexibility and allowing them to use funding more innovatively than they perhaps could under our tighter—or more rigid, I should say—controls in the past, we are really keen to look at that. As I said to Mr Kerr, that work is on-going.

Bob Doris: I am not sure whether I know precisely how the £26 million will be used as the cash flows through to colleges. It would definitely

help if you could provide additional information to the committee, even if that is not available today.

You mentioned the resource spending review. Colleges were taking decisions predicated on a five-year flat-cash settlement at 2022-23 prices all the way through to 2026-27. For 2023-24, we know that the settlement is not flat cash, because an additional £26 million has been provided.

When will the college sector get a revised idea of what finances will look like on a rolling basis for five years henceforth? Colleges are predicating decisions on a five-year expenditure basis. Things such as course changes and alterations in staff provision, whether through redundancies or recruitment, have a lead-in time because they are detailed matters.

Will you say more about how the £26 million will change the next five years under the resource spending review? Can colleges think that, for example, there is a new baseline?

Shirley-Anne Somerville: No decisions have been taken on how the money will be allocated. We are keen to assist the college sector with flexibility, as I mentioned, and with any need for colleges to transition their offer so that they provide the right curriculum and so forth. The Scottish Funding Council will work with the sector to provide draft allocations. There has not been a decision on that, and we will work closely with the Funding Council on ministerial direction and priorities of travel but the allocations are for it to make.

11:15

We have seen an increase from the RSR. I hope that we can ensure that college funding is maintained into the future, but we need to come to that year by year, as we do for everything. The RSR is the long-term forecast that we have at the moment and we are cognisant of the fact that a number of changes that colleges need to consider, whether on the design of curriculum or workforce requirements, require them to have that long-term view. The RSR is still our long-term forecast for budgets, and we will work with the college sector on that.

Bob Doris: College principals would welcome early clarity on some of that, because they are making business plans with five-year consequences now.

I welcome the additional cash for higher education, and I do not take any pleasure in saying that it was less than that for colleges. It was a 2.5 per cent cash increase for higher education but a 3.8 per cent one for colleges. However, I have mentioned before at the committee that colleges sometimes seem a poor relation to

universities in terms of the reimbursement rates that they get for full-time equivalent courses. The figures that we have are that, for colleges, the rate is £5,054 and, for universities, it is £7,558.

I wonder whether that differential between the increases for colleges and universities might be the start of a convergence over a long period to bring the fees more into line. I am conscious that the Scottish Funding Council said that it had to better understand why that difference existed and that there would be different reimbursement rates for different courses. I would like more information on that.

Just in case I do not get back in—

The Convener: You will not be getting back in, because we are getting some very long questions.

Bob Doris: It is really important, though, convener.

We should note that, in 2017-18, 26 per cent of university entrants came through a further education route, as did 40 per cent of undergraduates from the 20 per cent most deprived areas under the Scottish index of multiple deprivation who started university in the past year. What we invest in colleges matters for our universities; so, surely, moving towards parity of funding is incredibly important.

The Convener: There is a lot in there, so have a crack at it, cabinet secretary. Graeme Dey wants to ask a supplementary question on some earlier comments, but we will let you answer Mr Doris's points first.

Shirley-Anne Somerville: On the different rates, which I have seen, further education and higher education are very different sectors and are funded in different ways. The ability of the college sector to seek other sources of funding is exceedingly different from that of universities. Therefore, the comparisons are a bit too simplistic, but, as the Funding Council said, we need to understand those figures better. I am happy for the Funding Council to continue to investigate that.

The fact that we have been able to increase the college budget by £26 million demonstrates the Government's awareness of the important role that colleges have. Bob Doris is right to point out the number of young people—and, indeed, adult learners—who use further education to then move on to university or, indeed, complete higher education within the college sector.

There are a number of ways in which the college sector can deliver for people who are furthest away from the labour market all the way up to those who are taking degrees. Colleges' flexibility and their determination to have an offer for many different demographics is a real testament to their ability to innovate and move

forward with where the skills agenda needs to be. That demonstrates a real willingness to perform in that area, and colleges do so well.

The Convener: I call Graeme Dey for a brief supplementary.

Graeme Dey: I will be as brief as I can be. At the start of the meeting, cabinet secretary, you set the committee members a challenge: if we suggested to you that you should spend more money on any aspect of education, we needed to tell you where it would come from. My colleague Mr Kerr was unable or unwilling to rise to that challenge when he talked about colleges.

The Convener: I said briefly, Mr Dey.

Graeme Dey: Apologies, convener.

At any stage during the budget process, did any MSPs or parties who have been asking for money for education make such suggestions to you? If they did, how did you assess those suggestions?

Shirley-Anne Somerville: There have been no suggestions about how money could be moved within a portfolio or across portfolios. However, as the committee is aware, we are still going through the budget process, and I would be more than willing to receive and discuss some suggestions by correspondence.

The Convener: I am conscious of the time, so we will move on to a question from Willie Rennie.

Willie Rennie: My question is about universities. What planning have you done in the event that China invades Taiwan, resulting in a reduction in the number of Chinese students coming to Scottish universities?

Shirley-Anne Somerville: I will broaden out the question from that very hypothetical situation.

Willie Rennie: It is not that hypothetical.

Shirley-Anne Somerville: I will broaden it out and say that we need to look at the assistance and advice that come from Government and the Scottish Funding Council on ensuring that universities, which are independent of Government, have policies in place to ensure that they are not at risk of one situation—Mr Rennie has referred to one situation—adversely affecting them in a way that would cause difficulties. All institutions are required to consider risks, and all universities are aware of situations such as the one that Mr Rennie suggested and the implications of them.

It varies widely across the system—a number of universities would not be that impacted by the situation that Mr Rennie suggested, but they would be impacted by other changes in international markets. It is for individual institutions to look at

how reliant they are on a particular segment of international students.

I hope that we can all agree that encouraging international students to Scotland is a good thing. In Mr Rennie's constituency, we see fantastic diversity around international students and what they bring to student and community life. However, quite rightly, institutions should consider whether they are overly reliant on one particular part of the international student market and whether they should make changes if there is a concern that they would be adversely affected by some of those situations.

Willie Rennie: For the first time ever, the fees that come from international students for Scottish universities surpass domestic fees. The exposure, which is greater than it is in the rest of the United Kingdom, is substantial. The cross-subsidy is not just with education but with research. It is a realistic issue, and I would hope that it has been considered. You do not need to tell me now what the details of the discussions are, but China invading Taiwan is not an unrealistic prospect, and we have large numbers of Chinese students here. The threat is real, and the threat is bigger here than it is in the rest of the United Kingdom. I know that an international university and higher education piece of work is under way just now, but I want to know that you have considered that realistic threat and have a plan for it.

Shirley-Anne Somerville: There is what the Government can do and there is what institutions can do, but I absolutely assure you that we are very cognisant of the risks that might come from, for example, a reduction in the number of Chinese students. As I said, the situation varies quite dramatically from institution to institution.

Willie Rennie: That is the point, is it not? Some institutions are really exposed, whereas others might not be. Therefore, the threat is even greater to some.

Shirley-Anne Somerville: Indeed, and that is exactly why the discussions that we have will vary from institution to institution. Although you understandably point to the difference from the rest of the UK, there is also great variation within Scotland.

You have mentioned the work on international students that is already happening with the university sector—those discussions are happening at all levels of Government to ensure that everybody is aware of and is sharing information about risks and that institutions are cognisant of them. Because they are independent of Government, the Government cannot insist on changes—nor should we—but I think that everybody in Government and in the institutions is very live to the points that you have made.

Willie Rennie: I have one final question, which is about research. Scotland used to punch well above its weight in that area, and we still do, but not as much as we used to. We used to get 15 per cent of the UK research councils' funding each year, but that amount has now dropped to 12.5 per cent. Why has that happened?

Shirley-Anne Somerville: We have ensured that the budget settlement that we have given allows the money that comes from the Scottish Government to be protected. Some research money comes from outwith the Scottish Government, from UK funding, and that is obviously not for the Scottish Government to direct or influence. Clearly, we keep close contact with universities so that we have an understanding of what we can do to support research.

The fact that we have been able to uplift Scottish Government funding for research is a testament to the fact that we are very keen to ensure we protect the well-respected research that happens in universities.

Willie Rennie: It seems that you do not understand why the rate has fallen. Why has the percentage gone down?

Shirley-Anne Somerville: There are areas that the Scottish Government controls and there are areas that we do not.

Willie Rennie: No—the question is about the performance of Scottish universities. What is your analysis of why the amount of funding has gone from 15 per cent of the UK research councils' funding to 12 per cent?

Shirley-Anne Somerville: Those decisions are taken by—

Willie Rennie: No, no—what is your understanding of the reason for that?

Shirley-Anne Somerville: Those decisions are taken by the research councils, and the amount of funding will vary from year to year.

Clearly, we do what we can within the Scottish Government research budget to ensure that we support universities, but decisions on UK-wide funding are not for the Government to influence or dictate. We obviously keep a close eye on research funding, and we have continuous discussions with the sector to see what can be done by Government to improve it.

Willie Rennie: I will stop there, but I am really concerned that you do not know why that has happened. We really performed well—it was the golden nugget—and now the amount of funding is dropping. You have not given an explanation as to why, and I do not think that we are going to get one.

The Convener: Thank you for that closing question, Willie.

I thank the minister, the cabinet secretary and their team. We will shortly move on to our next item of business. I suspend the meeting to allow our witnesses to leave.

11:28

Meeting suspended.

11:38

On resuming—

Subordinate Legislation

The Convener: Our next item is consideration of two pieces of subordinate legislation.

Education (Fees and Student Support) (Miscellaneous Amendment) (Scotland) Regulations 2022 (SSI 2022/362)

The Convener: Does anyone have any comments on the regulations?

Stephen Kerr: Can I ask what the definition is of

“EU nationals with protected rights under the terms of the Citizens’ Rights Agreements”?

I want to make sure that I properly understand what that means.

The Convener: We will have a short suspension while we check that.

11:39

Meeting suspended.

11:41

On resuming—

The Convener: Given the question that Mr Kerr asked, we will pause consideration of the order and come back to it at another meeting. We will seek clarification on that question.

St Mary’s Music School (Aided Places) (Scotland) Amendment (No 2) Regulations 2022 (SSI 2022/377)

The Convener: Does anyone have any comments to make on the regulations?

Ross Greer: I am not moving a motion to annul the instrument, because the specifics of it are harmless enough. I just want to put on the record that the Scottish Greens do not believe that it is good value for the public purse to give £1 million a year to a private school when there are four state

music schools in Scotland that would benefit greatly from that money.

The Convener: Do members agree that the committee does not wish to make any recommendations in relation to the instrument?

Members indicated agreement.

The Convener: Thank you. We will come back to the Education (Fees and Student Support) (Miscellaneous Amendment) (Scotland) Regulations 2022 at a later date.

The public part of today’s meeting is now at an end. We will consider our final item in private.

11:43

Meeting continued in private until 12:07.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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