



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Education and Skills Committee

**Wednesday 3 February 2021**

**Session 5**



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**EDUCATION AND SKILLS COMMITTEE**

**4<sup>th</sup> Meeting 2021, Session 5**

**CONVENER**

\*Clare Adamson (Motherwell and Wishaw) (SNP)

**DEPUTY CONVENER**

\*Daniel Johnson (Edinburgh Southern) (Lab)

**COMMITTEE MEMBERS**

\*George Adam (Paisley) (SNP)

\*Kenneth Gibson (Cunninghame North) (SNP)

\*Iain Gray (East Lothian) (Lab)

\*Jamie Greene (West Scotland) (Con)

\*Ross Greer (West Scotland) (Green)

\*Rona Mackay (Strathkelvin and Bearsden) (SNP)

\*Oliver Mundell (Dumfriesshire) (Con)

\*Alex Neil (Airdrie and Shotts) (SNP)

\*Beatrice Wishart (Shetland Islands) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

John Swinney (Deputy First Minister and Cabinet Secretary for Education and Skills)

**CLERK TO THE COMMITTEE**

Gary Cocker

**LOCATION**

Virtual Meeting



## Scottish Parliament

### Education and Skills Committee

*Wednesday 3 February 2021*

*[The Convener opened the meeting at 08:31]*

### Decision on Taking Business in Private

**The Convener (Clare Adamson):** Good morning, and welcome to the fourth meeting in 2021 of the Education and Skills Committee. I remind everyone to turn mobile phones and other devices to silent during the meeting.

Our first agenda item is a decision on whether to take items 4 to 6 in private. Any member who objects to taking those items in private should put an R in the chat box.

I see no objections, so that is agreed.

## Coronavirus and Education

08:32

**The Convener:** Agenda item 2 is our first of two evidence sessions today with the Cabinet Secretary for Education and Skills in the Scottish Government. The first item is about coronavirus and education. I welcome the cabinet secretary, John Swinney MSP. Mr Swinney will make an opening statement.

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** I welcome the opportunity to appear before the committee to provide an update on school education and in particular on the announcement of the return to in-person provision for some children and young people.

Yesterday, the Cabinet discussed the latest review of education. As always, that review was informed by a broad range of evidence and advice, including from the Covid-19 advisory sub-group on education and children's issues, the education recovery group and other partners. We considered the state of the pandemic, including case numbers, community transmission levels and test positivity rates. Consideration of the four harms, with which members will be familiar, was fundamental to that discussion.

The cabinet strongly agreed that any relaxation of measures should be undertaken in a progressive and sustainable way, enabling time for the system to plan for each change and for us to monitor its impacts. Relaxing restrictions too soon, or at too great a scale, would be likely to lead to a surge in community transmission.

However, the evidence indicates that children and young people do not transmit the new variant of Covid at higher rates than adults. In fact, the youngest children, who will return to education on 22 February, represent a lower transmission risk. There is also currently no evidence that the new variant has a more severe impact on children and young people. We also know that time out of nurseries and school causes harm to children's development. We must not take that lightly.

The Cabinet's decision, which was confirmed in the First Minister's statement yesterday, is that children in early learning and childcare and in primaries 1 to 3 will make a full return to nurseries and school settings from 22 February. Very limited numbers of senior phase pupils will also be able to return to school part time from the same date in order to complete in-school practical work that is essential to the completion of national qualifications.

Some children and young people with significant additional support needs will also be prioritised for a return to in-person provision. That is in line with the current practice for vulnerable children and young people. All other pupils, with the exception of vulnerable children and those of key workers, will continue with remote learning. We will take an additional opportunity to confirm the continued decrease in levels of community transmission and the prevalence of the virus before 22 February. That means that our decisions will be reviewed again on 16 February.

At this stage of the pandemic, it is too soon to make any commitments about all other in-person learning, including that in colleges and universities. That does not mean that pupils have been left behind. Remote learning will continue and we will continue to work on adapting and improving that support. The safety and wellbeing of children and young people and of the staff who support their education remain critically important. It will also be important for partners to have time to undertake appropriate planning. We will therefore publish updated guidance relating to the changes as soon as that is practicable.

I remain fully committed to collaborating with partners to deliver the best learning experiences for our children and young people. I am grateful to the committee for its continued involvement in how we achieve that, and I look forward to answering members' questions.

**The Convener:** Thank you, cabinet secretary. We will move straight to questions.

**Jamie Greene (West Scotland) (Con):** Remote learning will be the norm for the majority of pupils for the foreseeable future while the staggered return to school continues. Does the cabinet secretary have an overview of rates of participation in remote learning across the country? Anecdotal evidence suggests that the levels of participation and the quality of remote learning vary from council to council and even from school to school within councils. I appreciate that distribution of digital devices is a matter for local authorities. However, many parents are contacting members with concerns about their children's engagement with education while they are at home.

**John Swinney:** I acknowledge the importance of the issues that Mr Greene raises. Both before and during the pandemic, we have seen variation in how education is delivered around Scotland. We deliver education in 2,500 schools through the leadership, direction and statutory functions of 32 local authorities.

There will be variation. School inspection reports from before the pandemic showed that school effectiveness varies around the country.

Where it is not satisfactory, the education system challenges schools to improve. I accept that there will inevitably be variation in remote learning during the pandemic, because there is already that variation in the education system. It is a wide and diverse system.

I assure the committee that there is a clear focus on ensuring that we do all that we can as a system to overcome that variability. We do so through a number of approaches. We have put in place guidance on how the education system should operate in the current context. That is supplemented by guidance from Education Scotland about the approaches that should be taken to implement the curriculum in this context. There has been a significant change of emphasis in that curricular guidance, which now emphasises that the wellbeing of children and young people must be properly supported by remote learning.

Her Majesty's Inspectorate of Education is undertaking weekly reviews, which are now being published, on the effectiveness of remote learning and the challenges that affect its delivery. All of that activity is assessed and discussed by the education recovery group. We have open and honest discussions about effectiveness so that those issues can be addressed.

I hope that that gives Mr Greene and the committee a flavour of the steps that are being taken to ensure that we take the broadest possible account of the experiences of children, young people and families during what we recognise is a period of significant disruption.

**Jamie Greene:** Everyone accepts that the extraordinary events of the past year have meant that teachers have had to teach in very different ways. Teaching remotely is far from ideal, and face-to-face teaching is best for teachers and for pupils. For many pupils, the majority of teaching in the past year has been remote.

We first decided to close schools 11 months ago. How can there still be such diversity of quality and such a range of remote learning experiences? Cabinet secretary, do you know how many children or households—whichever statistic is available—still do not have adequate access to digital devices or to broadband to allow them to meaningfully participate in remote learning? I am looking for a number or percentage.

**John Swinney:** There are two elements to Mr Greene's question. The first is about the current performance and delivery of remote learning. It has been widely acknowledged across the education system that the remote learning that is being delivered now is a significant enhancement on what was delivered in spring last year, when we were in an emergency situation. That shows that schools took the opportunity, after that period

of emergency, to prepare for the possibility of remote learning. We did not have to deal significantly with that between August and December, when it was possible to deliver full-time face-to-face learning, but schools prepared for a period of remote learning and are now in a far stronger position.

I have seen a lot of feedback from stakeholders, including parents groups, and I listen carefully to parental opinion. In general, the situation is much improved and is far stronger. I accept that it is not perfect, but it is far better than it was last spring. That is down to the efforts that teachers have made in preparing for the situation. There is a contrast between our situation in February 2021 and that in April 2020.

There has been significant progress. We can be assured of that through the work of Her Majesty's Inspectorate of Education, which has explored and examined the arrangements that local authorities have put in place. Local authorities are the statutory providers of education. Her Majesty's inspectorate reviews their plans and has confirmed that those plans are providing the necessary assurance about the delivery of remote learning. We are also sharing best practice to try to strengthen that performance. Any education system must learn continually if it is to deliver improvement.

Mr Greene asked about digital access. I recognise how important that is, although I have one caveat to that. We are not trying to operate a system in which young people sit in front of a computer all day. Educational advice tells us that that is not the ideal way to educate a young person. The Education Scotland guidance advises a blend of digital learning along with independent tasks, outdoor activities and exercise. That is all designed to provide a rounded educational opportunity for children and young people.

The latest data that I have comes from work that we did with local authorities last summer to identify the extent of—*[Interruption.]*

**The Convener:** Apologies, cabinet secretary, but can you pause for a moment? The fire alarm is being tested? *[Interruption.]*

I am not sure whether it has finished. We are probably going to have another statement shortly.

08:45

**John Swinney:** I do not hear a noise, convener, so we will go on. It might be a silent fire alarm, although I am not sure that I understand the point of that. That would not appeal to your interests in safety, convener.

**The Convener:** Please continue.

**John Swinney:** The data collection exercise that we undertook with local authorities last summer identified that about 77,000 young people did not have sufficient and appropriate digital access. We worked with local authorities last summer. The Government procured about 25,000 devices and distributed them to local authorities. Authorities asked us for financial flexibility, because there are different approaches. Some authorities have extensive digital provision programmes in place and others less so. We worked with local authorities to provide the resources to address the digital deficit. The data that I have available indicates that 77,000 young people's needs have been met through a combination of devices and connectivity packages.

We have put in place additional financial resources to enable local authorities to meet any further challenges that they face, whether with staffing or digital access. Local authorities are working closely with schools to ensure that they address any issues.

I cannot give Mr Greene an update on the position other than to state the fact that we have met the—*[Interruption.]*

We have met the—*[Interruption.]*

We have met the digital deficit that was identified in our data collection exercise and we are working with local authorities, and local authorities are working with schools, to enable any further issues to be addressed.

**The Convener:** Mr Greene, a lot of members want to ask questions. Do you want to come back in or are you content?

**Jamie Greene:** I appreciate that there is a lot of interest in this morning's session. To be fair, that was a relatively long answer, and I want to follow it up. I think that the cabinet secretary said that 77,000 children had insufficient access to devices or connectivity to participate in remote learning and that that need has now been met. That implies that no children are still out there struggling to access online learning, and I am afraid to say that I simply do not believe that.

Education Scotland's report "National overview of practice in remote learning", which was published only last week, said that all local authorities are experiencing challenges relating to the supply of computing technology devices and wi-fi access for learners and staff. Many children and young people have access to only a single shared device at home, even though we are nearly a year into the pandemic. Given the casework that MSPs are receiving, I simply do not accept that all children's needs are being met.

If the cabinet secretary thinks that the demand has been met, I implore him to review the figures

and do a further piece of work to ensure that no child is left behind. That relates especially to issues of attainment, which I am sure we will come on to. I hope that I can ask more questions on that later.

**John Swinney:** My answer to Mr Greene was in two parts. The first was about the issues that we found in the data collection exercise in the summer of last year, which we addressed. The second part was that, in January, I allocated a further £45 million to local authorities, with flexibility, so that they can address any further issues. That flexibility, which local authorities have welcomed, will enable them to meet any particular challenges that they have in the delivery of remote learning. We have reporting streams in place with local authorities to identify how the money is being used and what further steps we need to take.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** Good morning, cabinet secretary. I will wrap my two questions into one. First, is there on-going professional learning for teachers and staff in local authorities on the pedagogy of remote learning? Secondly, how could the barriers to schools providing live learning be overcome?

**John Swinney:** On the first point, an active professional learning programme is in place. It is a combination of resources and approaches that have been put in place by Education Scotland, alongside programmes that have been set up by local authorities, some of which are delivered jointly.

On digital learning, there have been very high levels of participation by members of staff in the Education Scotland programmes that have been put in place. I do not have the number in front of me, but thousands of staff have been involved in various webinars and training courses to increase their digital activity and confidence. That work has been important in ensuring that staff do not feel that there are obstacles in the way of their ability to participate properly.

Individual local authorities will be running tailored programmes, working with school staff. Yesterday, I took part in a professional learning session with St Andrew's and St Bride's high school in East Kilbride, which was focused on how to adapt pedagogy for a remote learning environment. It was invigorating to hear about some of the ways in which professional practice has been adapted by that school to address the issues that Ms Mackay put to me.

The second part of the question has slipped my mind—could you give me a reminder, please?

**Rona Mackay:** It was about how the barriers to live learning could be overcome.

**John Swinney:** On live learning, there are some procedural and policy points that individual local authorities must consider because of their statutory responsibilities for data protection and because of privacy considerations. Those issues have been addressed and resolved in most local authority areas, and there are no impediments to live learning.

As part of that, work is being done at LNCT level—under the local negotiating committee for teachers—to ensure that there is agreement between professional associations and local authorities on the approaches to the delivery of live learning. According to the information to which I have been privy, those discussions have been perfectly satisfactory and have resolved the issues so as to remove any such obstacles. There is a mixture of live learning, which is offered as part of the delivery of remote learning.

**Rona Mackay:** Thank you.

**Beatrice Wishart (Shetland Islands) (LD):** Good morning, cabinet secretary. Yesterday, the First Minister said that the asymptomatic testing offer will be in place as soon as possible to support the return of schools. About 10 per cent of primary school children are in school at the moment, so what asymptomatic testing can be provided for schools and teachers now? Given that the Scottish Government accepted the case that we made for students, is there not a case for testing teachers and pupils in the run-up to returning on 22 February? As well as routine testing once pupils are back, would asymptomatic testing not be the way to avoid people turning up on day 1 who have the virus but do not know it?

**John Swinney:** The routine asymptomatic testing is being rolled out at the earliest possible opportunity, and I think that a large measure of that will be in place and available in advance of 22 February. We will do our level best to ensure that it is as comprehensive as possible.

Turning to the comparison with students, I understand the point that Beatrice Wishart makes, but the student population were substantially moving around the country and changing households, so there was a particular requirement for us to mitigate risk in that respect.

I am confident that the asymptomatic testing arrangements will be in place for 22 February, and I think that a large measure of them will be in place before then. I hope that those measures, along with the wider availability of PCR—polymerase chain reaction—testing for members of staff who are concerned about their situation, which has been in place for a considerable time, will be viewed as beneficial and will build the confidence of staff regarding the return of some pupils to face-to-face learning.

**Beatrice Wishart:** My second question is about the thresholds. Yesterday, the First Minister said that schools would begin to return on 22 February if we all stick with it, and subject to progress continuing to be made in suppressing the virus. If the return to schools on 22 February is dependent on what happens in the next couple of weeks, what is it that the Government wants to see? We need transparency about the thresholds. What specific indicators will you be considering to guide the decision? What numbers do you need to see to give the green light? How will local circumstances be taken into account? As one constituent put it to me, "Will the decision about Shetland's schools returning be dependent on the virus's prevalence on the mainland?"

**John Swinney:** There are several important issues in that question. Essentially, the decision has been taken that schools will return on 22 February unless we see a move in the opposite direction. We have taken a decision because we are moving in the right direction. If we do not see a continuation of that direction of travel over the next three weeks, that would be a cause for concern. We have not set particular thresholds or levels.

We found ourselves in a situation in which positive cases in Scotland reached a peak of 302 per 100,000. The rate is now down to about 136 per 100,000—that was yesterday's figure, if my memory serves me right. There has been a reduction of more than 50 per cent in the level in just a couple of weeks. We have made important progress. The key indicator is whether community transmission is reducing and being suppressed. On the basis of the data available to me, it appears that the movement is fairly visible. We must see a continuation of that direction of travel. If people maintain their compliance with the regulations—there is evidence of very high compliance—that should be the case.

Beatrice Wishart raises an important, distinct issue about locality and whether we should proceed on a national basis or take decisions on individual communities. At this stage in the pandemic, we are on safer ground if we proceed with a national approach, simply because of the importance of ensuring that we have a clear understanding across the country of the importance of absolute compliance in every part of the country. Over the duration of the pandemic, although the impacts of Covid on some of our island communities have been comparatively lower than those in the mainland, there have been some quite significant threats. As we speak, we are facing an acute challenge in the Western Isles, around the Western Isles hospital and in other communities.

We need to take a national approach to make important progress in tackling the pandemic.

However, I would not rule out the possibility of taking distinct decisions in individual communities as levels of community transmission in the country as a whole come down.

I had a discussion with political and administrative leaders from the island local authorities and Highland Council last week, including the leader of Shetland Islands Council, to air the issues that I have just mentioned. I said that I would give consideration to whether there could be variation on that basis. That would follow the suppression of community transmission that we are currently undertaking.

09:00

**Iain Gray (East Lothian) (Lab):** I have a question about remote learning, but first I have a follow-up to Beatrice Wishart's question. Yesterday, the Government announced the very limited return of senior-phase pupils to secondary schools. Cabinet secretary, you said that you would not expect that to involve more than 8 to 10 per cent of the school roll being present.

Some secondary school pupils—the children of key workers, and vulnerable children—are currently attending school. Would the figure of 8 to 10 per cent include those who are already there? How will you control that? It seems as though it would be difficult to do so.

**John Swinney:** The proportion of secondary school pupils who have, in general, been in school as members of the vulnerable category or as children of key workers has averaged out pretty consistently at around 3 per cent since the commencement of the current arrangements in January. The number that we gave yesterday related to the possibility of between 5 and 8 per cent of the senior-phase group returning, so that would be in addition to the 3 per cent.

I will express that to the committee as follows. I would not want it to be considered as a quota—it is definitely a ceiling, but it is not a quota; it does not all have to be used. The judgment that must be applied will centre on what critical practical work is necessary to ensure that a young person's learning opportunities are not disadvantaged by the absence of face-to-face learning and their inability to undertake practical tasks that cannot be undertaken through remote learning. That should drive a school's decision making on which pupils should be invited back in to do those particular tasks. It is about task-specific work that needs to be undertaken to satisfy the learning and teaching requirements of the curriculum and thereby enable certification. The figure is not a quota but a ceiling.

I hope that that provides a bit of shape to my answer to Mr Gray. The decision making will rest very much with schools. For example, some

schools may have undertaken some of that practical work already when they had pupils in, so it may not be necessary for them to bring in young people for those purposes. Other schools may not have approached the curriculum in that fashion. The situation will vary from school to school. We are trying to limit the numbers, while giving young people the opportunity not to be disadvantaged by not being invited in to complete those tasks.

**Iain Gray:** My other question, as I said, is about remote learning, which Jamie Greene and other members have already asked about. Most senior school pupils will have to continue with remote learning for the foreseeable future. It is pretty widely accepted—the cabinet secretary has accepted it in the past—that that will, almost inevitably, increase the poverty-related attainment gap.

What can be done to mitigate that impact? The cabinet secretary will know that, yesterday, I posed a question to the First Minister on a tutoring initiative in East Lothian. As part of that initiative, 300 pupils, who have been identified by the school, will be assigned a tutor to work with them, one to one, over a period of time in order to help them to catch up on some of their lost learning.

In her response, the First Minister said that such an initiative was in fact available nationally through e-Sgoil, the national e-learning offer. I want to be clear on that. Was the First Minister saying that, if I am a teacher and I identify a pupil in my school who could do with additional catch-up work, I could arrange interactive one-to-one tutor support for that pupil over a period of time?

**John Swinney:** That facility is available to all pupils around the country and has been advertised and promoted by e-Sgoil. Those sessions take place daily during the working week to provide such opportunities for young people. However, I would not want it to be considered to be an either/or offer. I very much welcome the initiative that Iain Gray talks about that has been taken forward in East Lothian, and I know that other local authorities and other schools do a great deal to provide opportunities of that type. That is exactly what should be happening. We should be maximising the opportunities to engage young people in their learning in whatever approaches and fashions work.

Specifically on the issue that Iain Gray has raised about young people who are or may be experiencing disadvantage, the whole theory behind closing the poverty-related attainment gap and the strategy that the Government has adopted has been to recognise that some pupils require additional assistance and intervention to overcome the barriers to learning that they experience because of their background of poverty. Schools

will take differential approaches to reach young people, and I applaud them for that.

As for additional measures that might be taken at local authority level, we have provided additional resources to local authorities and have said to them that they have flexibility with regard to how best to use those resources—I have not prescribed how they should be used—to make sure that the needs of young people can be met in that context.

**Iain Gray:** I appreciate that you might not have this number to hand, but maybe you could write to tell me how many interactive one-to-one tutoring partnerships have been set up with pupils through the national scheme.

**John Swinney:** [*Inaudible.*]—data on the volume of engagement—[*Inaudible.*]—e-Sgoil initiatives.

Part of the role of the weekly reviews that are being undertaken by Her Majesty's Inspectorate of Education is not only to provide assurance about the delivery of remote learning, which I think that they are increasingly doing, but to be a platform for the sharing of best practice. The type of initiative that Mr Gray has talked about in East Lothian strikes me as something that is worthy of being understood and shared around the country as illustrative of how we can go the extra mile to make sure that we do not resign ourselves to the entrenchment of disadvantage by the pandemic.

I understand exactly the foundation of Mr Gray's question. He suggested that it might be inevitable that educational disadvantage will come out of the pandemic. That does not need to be the case if we act accordingly and appropriately to tackle those issues, and I know that Mr Gray will be supportive of that.

**Iain Gray:** Thank you.

**Ross Greer (West Scotland) (Green):** Good morning, cabinet secretary. Let us return, for a moment, to the purpose of the phased return of senior-phase secondary pupils. You mentioned that that was for completion of unavoidable practical work. I seek clarity about exactly what you mean by that. Is the purpose literally to complete practical work such as science experiments or projects in woodwork, or is it to produce written work—for example, under exam conditions—for the purpose of evidencing, so that the requirements of the Scottish Qualifications Authority can be met?

**John Swinney:** [*Inaudible.*]—put to me, so it is about work that is necessary to fulfil the curriculum, because we have to make sure that young people are able to fulfil the curriculum, and to undertake the learning and teaching that is involved in that, to enable them then to be

certificated. It is about trying to make sure that the practical work that needs to be undertaken for learning and teaching purposes, which cannot be undertaken remotely, can be carried out physically in school so that there is no disadvantage to young people in that context.

**Ross Greer:** I am sorry, cabinet secretary; your microphone was not on at the start of your answer, which, if my guess is any good, was quite important.

**John Swinney:** It was the most important part of my answer—which is not to say that the rest of it was not superbly enlightening.

I said that the purpose of the return is that in examples such as Mr Greer put to me, including practical woodwork, pupils can use specialist equipment—to solder things together, for example.

**Ross Greer:** Thank you. I am glad that I checked that.

My second question follows from a question that I asked the cabinet secretary two weeks ago after a statement that he gave in Parliament. The question was about whether special school staff should be prioritised for vaccination, given that the role that many undertake is similar to the role of social care staff. The cabinet secretary indicated that that was under consideration. I believe that the Scottish Government might have asked the Joint Committee on Vaccination and Immunisation for guidance on that or, at least, that the JCVI was considering it. Can the cabinet secretary give an update on considerations that have been made and the timescale on which a decision around such prioritisation will be made?

**John Swinney:** I am very happy to do so. We have written to directors of education to ask them to identify the staff who support young people with complex needs, including through tasks that are equivalent to health and social care types of activity, so that they can be included in the group of staff who, under JCVI criteria, are already eligible for vaccination. That does not change the JCVI approach; it simply adds staff who undertake such tasks in an educational setting to the groups that are being vaccinated. I am happy to confirm that we have written to directors of education asking them to identify the relevant staff and saying that they will be vaccinated.

**Ross Greer:** Thank you, cabinet secretary. That answers a question that I put to you in writing earlier this morning, so that answer is much appreciated.

**Daniel Johnson (Edinburgh Southern) (Lab):** I think that, as we move through this school year, there will be increasing attention on assessment for qualifications. I have had a look through what has been published by the SQA so far, and I want

some clarification. So far, it looks like only guidance for national 5s has been published and that none has been published for higher. Digging into that, it looks as though the evidence that the SQA has asked for takes the form of class tests under examination conditions. I am interested to know whether that is the cabinet secretary's understanding. There will clearly be issues and complexities in delivering class tests like that until schools return full time, at least for the senior phase. Does the cabinet secretary have concerns along those lines?

**John Swinney:** Mr Johnson is correct that the guidance has been set out in detail on the approach to national 5s, but material has also been circulated to schools with examples of work or assessments that individual pupils should be judged against as part of the higher and advanced higher qualifications. That material is already in the hands of schools.

09:15

Mr Johnson is correct in saying that operating in a remote learning context has an impact on the delivery of that approach. The national qualifications group is led by the SQA, but it includes professional associations, directors of education and colleges, which is a deliberate effort to get system-wide buy-in to the approach that we take. We are working to have in place an appropriate model and mechanism to ensure that that is the case. Early work is being done on that, principally around ensuring that standards are widely understood across the teaching profession. We have examples of assessment activity that could be undertaken by schools. That is all being fed into the education system.

We also decided to delay collection of estimated grades from schools until the last possible moment, on 18 June, in order to say to the education system—it is explicit in the guidance that we have issued—that it should concentrate on learning and teaching just now, and we will support the various assessment and estimating processes later. In that way, we maximise the opportunities for young people to learn in order to enable them to be certificated. If they have not done the learning, the challenges of certification become greater.

**Daniel Johnson:** I have a further question on that point. First, I am concerned that we are discussing the matter at the beginning of February, given that—on the basis of what I can see on the SQA website—we still do not have guidelines for higher and advanced higher. You said that the deadline for submitting evidence has been pushed to June, which I understand—that probably makes sense. I think that that is the third deadline that we have been given. Initially, when

the guidelines were issued in December, the deadline was the end of April. When will we have a complete and locked-down set of assessment standards and timeframes?

On the cabinet secretary's last point, the current period of remote learning, which will be a minimum of two months, in addition to the disruptions that occurred in the autumn, will mean that it will not have been possible to cover substantial elements of the curriculum. That is a simple fact. Therefore, given that we are assessing only what has been taught—not what has not been taught and without conjecture about how a pupil might otherwise have performed—what will be done to catch up, either in the next school year or over the summer holidays for those young people who will be—*[Inaudible.]*—this year?

**John Swinney:** Obviously, we are dealing with a moveable feast. It was not part of my plan to move to remote learning for January 2021—that was not what I wanted. I worked with the education system to get schools back up and running with full-time face-to-face learning in August, which we sustained for the overwhelming majority of pupils without interruption until December. Most pupils had an uninterrupted education for the autumn period, so I do not accept Mr Johnson's characterisation of the autumn period as having been one of significant disruption. I accept that that was the case for some pupils, but it was not the case for the majority. A great deal of learning and teaching were done in the autumn.

The national qualifications group, to which I referred a moment ago, is meeting constantly to identify how best we can work pragmatically in the situation in which we find ourselves. To be fair to the national qualifications group, I cannot tell it that it will have every pupil back in school on date X. I do not know the answer to that question yet, because we are dealing with a pandemic.

As I set out in my earlier answers, I am confident about the huge amount of work that has been done to sustain learning and teaching through remote learning. There is, however, a weakness in remote learning in relation to some practical work, so I took a step yesterday to address it by enabling schools to bring senior-phase pupils back in to do that essential work, which is necessary to satisfy the curriculum and, thereby, to create a platform for certification.

The combination of what remote learning is delivering, what we can do by bringing in a limited number of senior-phase pupils and what we can get the system to concentrate on by delaying the gathering of estimated grades until the last possible moment, maximises the opportunity for learning and teaching.

Most normal school years would involve an end to formal learning and teaching at the start of the Easter holidays, when young people would go off on holiday and generally be on study leave before the start of their exam diet in late April. All being well, we will have the opportunity to continue learning and teaching for a much longer period before we have to make judgments. The national qualifications group is considering how to do that pragmatically in a constantly changing environment. We work closely with the education system to ensure that the opportunities for learning and teaching are maximised.

Mr Johnson asked me when we would have "locked-down" arrangements. That is a difficult question for me to answer because I do not know what the arrangements for restoration of face-to-face learning will be. I will do the best that I can in the short term to open up opportunities for some senior-phase pupils. The best guidance that we can give to the system is that which we have already given, which is to concentrate on learning and teaching and to ensure that young people are anchored in that process. Assessments and certifications can follow from that.

**Daniel Johnson:** I accept, to some extent, that you cannot produce a fully locked-down set of guidelines, but surely the best guidance and support that we can give would be to provide, at the very least, specific and updated guidance for highers, advanced highers and national 5s on what the evidence could be. Does the cabinet secretary know when that guidance will come out?

Finally, I will make a brief point, I know that work is on-going with the national qualifications group. The group, however, does not produce published minutes and papers—just updates. It would surely be better if the full minutes and published papers were provided publicly, so that we had full transparency with regard to that work.

**John Swinney:** First, I take issue with Mr Johnson about the available material. A clear explanation of standards, which has been communicated to the education system, is available about all national qualifications. However, we have not finally nailed down the ways in which we can set out clearly, reliably and with certainty what the final assessment mechanisms will be, because we try to be as pragmatic as possible in order to ensure that the current environment does not undermine the life chances of young people in Scotland in any way. A lot of work has been done about understanding standards to ensure that the teaching profession is aware of what is expected in a particular qualification and that it is able to apply those standards in its final judgments. That work is under way.

The national qualifications group is designed to provide clear and authoritative guidance to the education system; publication of weekly minutes would not serve that purpose. The group wrestles with different evolving factors on an on-going basis, so meaningful guidance being shared promptly with the education system is a better way to operate than speculation, based on minutes, about whether guidance might go in this or that direction. It is better to give the guidance when it is ready and agreed across the education system.

**Alex Neil (Airdrie and Shotts) (SNP):** John, you will have seen the important scientific report that came out yesterday showing that transmission is reduced by about two thirds when people have been vaccinated. In the light of that evidence, and given what has been said previously about vaccination of teachers being a priority, will you update the committee on where you are in relation to the general principle of vaccination of teachers? I know that the Joint Committee on Vaccination and Immunisation is leading that work. Especially given yesterday's report, do we need to put our foot down on the accelerator?

**John Swinney:** Members of the teaching profession will obviously be included in a number of the JCVI criteria as we work through them. We have followed the JCVI criteria faithfully to make sure that we get the maximum impact from use of the vaccine, in addressing the risk of mortality. Many members of the teaching profession, in a variety of age and clinical groupings, will be vaccinated. There is on-going discussion with the JCVI about other prioritisation relating to workforce groupings. We will continue to engage with the JCVI on that important matter, but the foundation of the advice that we have had from it obliges us to follow the risk of mortality, so that is the approach that the Government is taking. We have set out a programme of general vaccination roll-out. That is going according to timetable and I am confident that the various benchmarks that we have set will be reached.

**Alex Neil:** Mortality is clearly based largely, although not exclusively, on age. Once the first two waves of vaccination have been completed, the issue will not rear its head so much. Given that the Scottish Government's policy is that the priority is to get schools back full time, should we be getting the JCVI to be looking at that, beyond mortality? I understand why the priorities that exist have been set. Clearly, the threat to the health service is the overriding concern, and that threat is driven by hospitalisation and mortality rates. However, once the first groups of people are dealt with, surely there is a bit of flexibility, so we need a bit of thinking. If the priority—quite rightly—is to get the schools back, there is a strong case for putting pressure on the JCVI to look at that from a wider perspective, especially given the age profile

of teachers. Proportionally, there are now many more teachers under the age of 50 than used to be the case, because of recruitment and so on.

**John Swinney:** I understand the rationale of Mr Neil's question, and I contend that the matter is being actively explored with the JCVI. Mr Neil is correct in saying that, through priority groups being identified and vaccinated, the majority—in excess of 90 per cent—of the mortality risk will have been addressed. That opens up the question of what prioritisation should be thereafter, and that is being explored. I am not in a position today to say more about how that is progressing.

Clearly, the announcement yesterday about expansion of asymptomatic testing among school staff is also an important element of further reassurance. That is in addition to the existing arrangements that we have in place through which members of staff are able—if they wish—to pursue polymerase chain reaction testing to reassure them if they are anxious about risk or about conditions from which they might suffer.

09:30

**Alex Neil:** [*Inaudible.*—have the testing policy until you get the vaccination done. However, it is good if we are going to put some pressure on the joint committee to take a wider perspective, because it seems that that is absolutely essential.

The focus so far has been on secondary education. I will focus a wee bit on primary education. As the cabinet secretary rightly said, the level of transmission among younger pupils is very low, and it is certainly much lower than the community average. I have two questions about primary education. First, subject to all the conditions that the cabinet secretary outlined, what is the rationale for bringing back only primaries 1 to 3 on 22 February and not also P4 to P7?

My second question is about P7 pupils, in particular. We know that the most difficult time for pupils, and the time when they tend to face major problems, is the transition from primary to secondary education. Many parents and teachers have a lot of concerns about primary education, but they are particularly concerned about P7 pupils, because they have to prepare for going to secondary and, even with the best will in the world, they are not getting the quality or amount of educational support that they would be getting at school.

I know that the cabinet secretary cannot be prescriptive, but it seems to me that getting P4 to P7 pupils back full time is very important and that it is particularly important for P7 pupils, who have a lot of catching up to do in order to get to secondary with the best chance of success there.

**John Swinney:** Frankly, there is no easy way through some of these dilemmas—and they are dilemmas. Part of what we have to do is to take decisions based on the strategic context of where we are and the state of the pandemic. We have obviously been in a critical position from boxing day onwards, and the level of concern within Government, based on the evidence in front of us, merited the actions that we took on 4 January in the application of severe restrictions.

Since then, we have reduced from a peak of 302 cases per 100,000 to about 136, which I think was the number yesterday. Significant progress has therefore been made in reducing the prevalence, but we are still not yet in an entirely comfortable position. We have to take decisions that are proportionate to the scale of the pandemic in the country. That is one element of why we have not been able to bring back early learning and childcare and the whole of the primary sector.

My second observation is that the educational advice that I have is that children in early learning and primaries 1 to 3 find it more challenging to engage in remote learning than primary 4 to 7 pupils do. If we accept that, because of the state of the pandemic, we cannot have the whole of the primary sector back, we make a judgment about which part of it to have back on the basis of the rationale of educational engagement. The advice that I have is that it is more appropriate to bring back P1 to P3 children, who find remote learning more challenging than face-to-face learning.

Those are the two elements to my answer. First, we have to be careful and proportionate, so only one part can come back. Secondly, we have to make sure that we make the maximum educational impact as a consequence.

I will raise a final point in relation to Mr Neil's very legitimate point about primary 7, as that transition is an important milestone. Last year, during a period of extraordinary disruption, schools invested a significant amount of time in child-focused and child-centred activities to ensure that children and young people could manage that transition. I felt that that was done successfully. The feedback that I have had from schools is that transition has been well managed despite the difficulties and challenges.

A priority for us as we focus on how we return other cohorts will be how we support young people and avoid any long-term damage to their learning as a consequence of the disruption.

**Alex Neil:** I hear what you say. As well as the impact on their education, young people's mental health is important. Has the mental health impact of young people staying off school been considered as well as the criteria that you have outlined? The stresses and strains of the current

lockdown mean that mental health may be the major issue for some families. Has that been part of the consideration? We know that the mental health impacts of children being off school—both for them and, in some cases, for the wider family—can be pretty serious.

**John Swinney:** Those are fundamental questions, and they have been considered as part of the exercise. I would love to be in a position to secure the return of more children to face-to-face learning. I am having to tread cautiously and take an approach that the education recovery group and I believe is sustainable within the wider constraints of the pandemic, and the Cabinet has come to that conclusion.

I acknowledge the significance of mental health. We have put in place a lot of approaches through Parent Club and the additional parenting support resources that have been available through the local authority funding distribution that I have made to address these issues. I assure Mr Neil and the committee that those questions have been significantly addressed as part of the prioritisation that we have put in place.

**Oliver Mundell (Dumfriesshire) (Con):** I fully accept that capacity and room for manoeuvre are limited. Senior phase pupils will return to school to complete essential practical work, but has the cabinet secretary considered senior phase pupils who do not have access to the internet at home? Is there space, or will there be soon, to allow the very small group of young people who have no internet access at home to go into schools to complete essential coursework? That might not be practical work, but it is essential work that they cannot do at home.

**John Swinney:** I acknowledge Mr Mundell's point. My response will probably be in much the same vein as my answer to Beatrice Wishart's question about some of the island issues. We must have scope in our considerations to address some of the legitimate practical challenges that might exist to young people engaging in their learning.

If a young person was struggling in relation to digital access, perhaps through connectivity challenges in a particular locality, schools have been resourced and supported to enable them to address that in other ways. Digital connectivity is desirable, but it is not the only means by which learning can be undertaken. I see a lot of examples around the country of schools making materials and educational resources available through collection from the school or local shops. In my constituency, materials for secondary schools that cover a number of towns and villages are available in convenience stores in different parts of the community. Schools are really thinking

through how they can reach young people and engage them in learning.

However, I would certainly not rule out the possibility that Mr Mundell put forward. It is a reasonable proposition.

**Oliver Mundell:** I recognise all those things, and I see schools coming up with lots of innovative ideas. It is just that a very small group of pupils in the senior phase who are likely to be undergoing assessment have limited communication with teachers and will struggle to complete certain bits of work if they do not have the ability to research things and look at things online at home. That is all that I was talking about.

**John Swinney:** I will come back in on a further point. One of the points that I was explaining to colleagues earlier is that the absolute priority must be to ensure that young people are able to undertake the necessary learning and teaching. A school should be able to satisfy itself that that is being undertaken—that is the critical issue. There should be dialogue with pupils and understanding of their circumstances. I would be very concerned if a school was not hearing from pupils or was not in touch with them. I would also be very surprised by that, to be honest, because schools are going the extra mile to reach pupils.

The type of problem that Mr Mundell has put to me strikes me as something that schools should be aware of and should be designing mechanisms to address. We have put the resources in place to enable that to be the case and to make sure that the learning and teaching can be accomplished, because that is the platform for certification at a later stage.

**Oliver Mundell:** That is helpful. My second question is not directly related to schools but is about something that impacts on the early years. The cabinet secretary has a broader responsibility for that area, although there is a junior minister with that portfolio. It is about those who are not in work—particularly mothers on maternity leave—and have not previously chosen to access nursery provision. Will any additional support be made available to them if they do not have an extended childcare bubble or other family support? Is there a mechanism to enable them to access additional support at this time?

**John Swinney:** We have made available a range of materials through Parent Club, which is our principal means of communicating with and providing support to parents. There are a lot of good resources available through that. Education Scotland provides learning propositions through the Scotland learns element of its work for each stage of the curriculum—early stage, first level, second level and third level. All of that is available through learning tasks via Education Scotland.

We also made explicit provision in response to suggestions that were made to us by Opposition parties in the dialogue about priorities for investment. In the previous round of investment that was made through the £45 million announcement, we gave local authorities scope to spend those resources on specific measures to assist parents as they face these challenges. There is flexibility for local authorities to make choices in that respect if they consider that there is the need to do so at the local level.

**Oliver Mundell:** A number of young mothers have been in touch with me on the back of yesterday's announcement. They are concerned that they will not have access to family and friends—it is very cold and wet at the moment, which affects those with children under one—and they really fear the lockdown being extended. I understand why we have to do that, but they have no external access to childcare or support through the cold, wet months, when it is difficult to meet people outside. I want to highlight their concerns. They support young people getting back to school, but it creates a worry for them that they will have to keep struggling on for longer on their own.

09:45

**John Swinney:** We have tried to maintain a range of childcare options. I appreciate that the exact group that Mr Mundell raises with me may not be accessing the childcare options that we would ordinarily have in place, but we have maintained those during the current lockdown to ensure that there is a broad range of opportunities available.

Mr Mundell's question raises legitimate issues around isolation, which we are all concerned about. I am very concerned about the impact of isolation on individuals and on young families, in particular. These can be challenging times, and it is not an easy period to live through. The best counsel that I can give is that the more we concentrate on trying to reduce prevalence, the more we can begin to get back to something that resembles a normal approach to life and address issues around isolation.

There are a range of childcare options available, but they might not meet everyone's needs at this point.

**George Adam (Paisley) (SNP):** Good morning, Deputy First Minister. Ironically, I was talking to my sister Jennifer today about schooling. My niece, Kimberley, is in primary school, and Jennifer was talking about having to get her organised for a 9.30 am Google meeting. Over this period, there has been a new-found respect for the work that teachers do. My daughter has had the same

experience as my sister, as my granddaughter is in primary school, too.

On the return to school, there seem to be two camps. There are those who say—I think that they are a minority—that they want their children to go back to school as soon as possible, regardless, but the majority have taken a safer approach and are worried about ensuring that everything is safe.

How will the return to school look? To follow on from Beatrice Wishart's question, will it be different across the country? I am coming at the issue from a more urban point of view, as there are high-density populations in various parts of my constituency. How do we ensure that we get to a place where both parents and teachers are happy with the safety protocols that are in place?

**John Swinney:** The only way that we can address the issues that Mr Adam raises is by providing everybody with an assurance that we will proceed with caution and ensure that safety is a paramount consideration in the return to school. I openly give the committee that assurance today.

There will be people who are critical of the fact that the Government did not go further yesterday. I understand exactly why they are critical of the Government but, equally, I have to be able to assure staff, pupils and families that it is safe for us to contemplate a return to face-to-face education. The safety issues will be absolutely central to the cautious judgments that the Government makes in that respect.

In my opening remarks, I referred to the four harms. The Government has developed a framework that enables us to look at the direct Covid health harm, the non-Covid health harms and the social and economic impacts of Covid and try to come to a rounded judgment about the correct steps to take. I go back to 4 January, when the Government had to look at the direct Covid harm. The pandemic was galloping away from us, and if we had not taken dramatic action of the type that we took, we would have ended up in a worse position. We took that dramatic action and we are seeing dramatic results as a consequence. We had to act urgently.

We are now in a situation in which, having acted urgently and effectively, we can begin to take some cautious steps to move towards a resumption of what we might all consider to resemble normal schooling activity. I give the committee and the public an assurance that the Government will do that with safety uppermost in our minds.

**George Adam:** I have a final question, convener. To use my daughter and granddaughter as an example, I think that younger parents seem to have more fear. My daughter's fear is about knowing when it will be safe to take the wee one to

school. That is the sort of thing that goes through parents' minds. They might also hear teachers saying that they have concerns. I take on board your commitment to make sure that schools will be safe, but how do we find a balance and offer people the opportunity as they go about their day-to-day lives to feel totally secure about their child going back to school?

**John Swinney:** We have to do two things. We have to widely communicate the advice that we receive on these questions, which we will do. The Government has taken the decisions that it has only because we have scientific advice enabling us to do so. That information should be available for open scrutiny as part of the process.

The second thing is to put in place effective mitigation measures to protect staff and pupils. I have taken great care to ensure that we take every step to prepare relevant, appropriate and effective mitigation measures in our schools. That is published in the guidance that we have set out and I have taken a number of steps to challenge that guidance. We invited the Health and Safety Executive—at least, it invited itself—to check whether the mitigation measures were in place and effective, and we received very positive feedback from the HSE on that. Last week, I spoke to Professor Cath Noakes—she advises the United Kingdom scientific advisory group for emergencies on mitigation measures around ventilation, hand hygiene and other things—to check our assessment of the measures that we had in place. We had a very helpful conversation that reassured me that we had appropriate measures in place.

The measures are formulated by the education recovery group, which involves the professional associations and other trade unions. Unison is a member of that group. It is important that we listen to all staff, hear their views, address their concerns and, crucially, put the mitigation measures into practice. That is the route. It is about making information openly available and putting in place effective mitigation measures.

The evidence from the August to December period tells us that our schools were not purveyors of the virus but victims of it. The virus was out in the community and made its way into schools, rather than circulating its way around schools. That was because our schools were safe environments for pupils and staff. The only way we will sustain that is by reducing community transmission.

**Kenneth Gibson (Cunninghame North) (SNP):** A host of additional educational resources have been allocated since the start of the pandemic—more than £200 million. As we move forward, where should the balance be struck in

terms of providing any further resources directly to schools rather than to local authorities?

**John Swinney:** That is an interesting question. I have been at pains to work with the education system to meet its needs and requirements. The route that we have taken during the pandemic has been to channel resources to local authorities for them to make decisions about. Primarily, they have been used for recruitment of additional staff, generating more than 1,400 additional teaching staff and more than 200 additional support staff. The resources have also enabled local authorities to procure technology solutions in addition to what was put in place by the Government through direct procurement. We purchased and distributed 25,000 devices.

Of course, we have other experience—habitually through pupil equity funding, which has been paid directly to individual schools to enable them to take focused and targeted measures to close the poverty-related attainment gap. Generally, I am very satisfied with the effectiveness of the choices that have been made by schools in the use of pupil equity funding, so I have confidence in the route by which we could channel resources directly to schools to enable that. In the circumstances of the pandemic, in which we needed to make sure that we had effective support in place for all schools, channelling those resources through local authorities was the right decision, but it does not always have to be that way.

**Kenneth Gibson:** I think that an element of flexibility would definitely be appreciated in that regard.

At the start of the session, Mr Swinney, you said that a very high number of teachers are participating in digital learning. Are there any schools or local authorities that are doing particularly well, which others could emulate? In addition, what of physical education teachers and others who we would not necessarily imagine would be as up to speed with things such as digital learning? How are their skills being fully utilised at this time?

**John Swinney:** It is invidious of me to draw out particular areas of success in digital learning but, as an example, Scottish Borders Council has essentially gone for an all-devices approach for all pupils which, frankly, has given it a very strong platform for the delivery of digital learning. Other authorities have gone for much the same approach; Glasgow City Council is in a similar place. There has been a range of solutions, which I think has created stronger platforms for the delivery of learning. The reports by HMIE will draw out some of that good practice. It would be slightly invidious for the inspectorate to name individual schools, but it will draw out that good practice.

On the second part of Mr Gibson's question, which was about PE teachers and digital learning, more things are happening across digital platforms than I had thought possible, with different elements of physical education being delivered digitally and teachers leading exercise routines and skills training across Microsoft Teams and various other applications. The lack of physical presence is not always an impediment, although there will be some elements of practical work that cannot be undertaken over a digital platform—hence the decision that the Government announced yesterday on some access for senior-phase pupils.

**Kenneth Gibson:** I am pleased to hear about what is happening in the Borders. I think that it can be only beneficial to highlight areas in which there are elements of excellence, so that others can decide whether they wish to emulate that, or at least to find out what is going on in such areas so that they can see how they might be able to tweak their own practice. A high tide floats all boats, and if we can share best practice—which I think has always been an issue in Scotland, despite its being a country of only 5.4 million people—we can certainly move forward. Thanks very much for that, cabinet secretary.

**John Swinney:** If I may add to Mr Gibson's points, convener, one of the key elements of reports by HMIE has been to identify examples of good practice. I am certain that members will have looked at those reports. I think that they are a valuable insight into how remote learning is being delivered and into some of the innovation and creativity that has been put into the delivery of education and the change of pedagogy that has been required by that approach, which has been responded to very substantially by members of the teaching profession.

**The Convener:** There are two supplementary questions—I hope that they will be quick—from colleagues.

**Jamie Greene:** Cabinet secretary, I want to return to a previous answer that you gave to George Adam about the role of schools in virus transmission. Presumably, the rationale for keeping schools closed for the majority is that there is an accepted principle that they are part of the vector of community transmission. I want to press you slightly on that. Can we be clear for parents and the public, among whom the case has not been made, what specific roles schools play in community transmission or the increased incidence of the virus? Why has the Government not already set up a nationwide programme of mass asymptomatic testing of senior pupils and/or all staff, which surely would identify positive cases and allow far greater numbers of pupils to return to classes more quickly?

10:00

**John Swinney:** I do not think that it is quite as compartmentalised as that. The issue that I was trying to address in my points to Mr Adam is that, if community transmission is low, we have a greater opportunity of maintaining face-to-face schooling and minimising risk to all involved in the education system. However, if the level of community transmission is too high—obviously, a rate of more than 300 cases per 100,000 people is too high—the ability to sustain face-to-face schooling and to operate on the precautionary principle changes dramatically.

I do not think that we can look at schools as being in one compartment and the community in another. What I tried to set out in my answer to Mr Adam is that I do not think that the evidence demonstrates that schools are significant transmitters of the virus, but they are victims of the transmission of the virus in the community, which can be disruptive to learning and serious from a safety perspective. That is why public participation in complying with the wider measures is so important. It has suppressed the prevalence of the virus to protect face-to-face schooling. That is the strategy that we are forming.

What I think members of the public can now see is that, because they have worked with us to suppress the virus in the community, we are now able to open up some face-to-face schooling, and the more we suppress, the more we can open that up.

**Ross Greer:** In response to a written question from me, you confirmed on 26 January that you were still in discussions with the Convention of Scottish Local Authorities about the distribution of the additional £45 million for schools. I think that COSLA leaders were due to discuss that on 29 January. Has a distribution formula for that £45 million been agreed? If so, has that money been received by councils yet?

**John Swinney:** I am pretty certain that agreement has been reached on that. In fact, I am pretty certain that I authorised a letter yesterday to go to local authorities confirming the distribution arrangements. One point that I will make to Mr Greer is that there is generally not a requirement for the money to arrive in the bank account before local authorities can begin to commit against that expenditure. Local authorities have reserves that enable them to handle cash management and make commitments without the money being in the bank.

The distribution arrangements are consistent with those for the previous £80 million. I had better protect myself, though, by saying that, if things are different from what I have described, I will write to the committee about that. However, I am pretty

sure that the distribution arrangements for the £80 million are the same as those for the £45 million and that that has been confirmed in writing to local authorities. I am much more certain now about that answer.

**The Convener:** Thank you, cabinet secretary. That concludes questions on item 2 on coronavirus and education. Before moving to item 3, I am minded to have a five-minute break. We will resume at 10.10 and will see the cabinet secretary then, too.

10:04

*Meeting suspended.*

10:10

*On resuming—*

## **Additional Support for Learning Review**

**The Convener:** Our next agenda item is an evidence session on the additional support for learning review, which is also known as the Morgan report. Again, I welcome the cabinet secretary, John Swinney. Members who wish to ask a question should indicate so in the chat function.

I invite the cabinet secretary to make an opening statement.

**John Swinney:** Thank you, convener. Scotland's education system is built on the founding principles of excellence and equity for all. We all have the shared goal that children and young people be supported to reach their full potential.

I asked Angela Morgan to review the implementation of additional support for learning because I wanted to understand better the issues that directly affect children and young people and those who support them. I asked her to identify good practice and to explore further the issues that might prevent the successful implementation of additional support for learning within existing legal and financial frameworks. The remit was agreed between the Scottish Government, the Convention of Scottish Local Authorities and the Association of Directors of Education in Scotland.

The review's conclusions and the comprehensive set of actions that we will take to deliver the recommendations have been broadly welcomed by stakeholders. I am grateful for their commitment to continue to work together as we strive towards our goal of improving the experiences of children and young people. Angela Morgan's review and our joint action plan provide the foundation for real improvement in our education system.

I absolutely recognise that enhancements are needed to improve the experiences of children and young people with additional support needs and to strengthen the support that is available to their families and those who support them at school. Equally, I recognise that we remain in challenging times and that the Covid-19 pandemic continues to affect all our lives. Despite those challenges, we have begun to make progress in a number of key areas.

We must raise the profile of additional support for learning and further celebrate the successes and achievements of children and young people. Key to that is the development of a vision

statement, which is already being worked on by the young ambassadors for inclusion, who are bringing in their unique perspective and experience. The creation of a national measurement framework, which is being driven by the additional support for learning implementation group, will elevate the successes and achievements of children and young people.

We are working to strengthen the available support to teachers through initial teacher education and professional development. We are working with support staff to ensure that they have the tools that they need to fully support children and young people. We are also working with partners, including parents and carers, to consider how to empower and support families to access the right support at the right time, as well as how to promote positive communication and collaboration between families, schools and local authorities.

The review of the use of co-ordinated support plans to ensure that children and young people with the most complex needs can be fully supported by all agencies to achieve their full potential has started. The working group has met already.

The Morgan review and its findings have enhanced our understanding of the issues that are currently preventing successful implementation, and they will further inform our consideration of resources. We accept the recommendation that the expertise that is required for legitimate analysis of the resourcing and financial implementation of additional support for learning lies with Audit Scotland and its audit of additional support for learning.

I remain fully committed to working collaboratively with partners to improve the experiences of children and young people with additional support needs and to celebrate their significant achievements and successes. I am grateful to the committee for its detailed consideration of this vital work, and I look forward to answering any questions that members have on the actions that we are taking.

**The Convener:** Thank you, cabinet secretary.

**Beatrice Wishart:** In September 2019, the Scottish Government announced that it would provide £15 million of funding for the recruitment of 1,000 classroom assistants to support those with additional support needs. I understand that the statistics on the support staff who were working in September 2020 will be published in spring 2021 and that staff who were employed as a result of the additional funding will not be identified separately. Has the cabinet secretary had any feedback from COSLA or local authorities about the implementation of the commitment?

Have there been any recruitment drives? If so, have they been successful?

10:15

**John Swinney:** Local authorities are pursuing recruitment of individuals as a consequence of the grant funding from the Government, which is focused funding for the recruitment of staff to provide additional support needs activity. In due course, we will see the reports from local authorities. We need to give them reasonable time to make progress on those matters, but, when we have information on that progress, we will share it more widely.

**Beatrice Wishart:** Will the funding be ring fenced to ensure that the extra support is directed towards those with additional support needs?

**John Swinney:** The funding is given for that purpose, so it must be used for that purpose, and we will get detailed feedback from local authorities at the appropriate time.

**Beatrice Wishart:** I had a conversation with an ASN support worker who highlighted the conditions that everybody is working under at the moment. Support workers feel that they are being spread thinner and pushed to their limits. Although they feel that they are valued in the school and the community, that person said that she did not feel valued higher up. What might you say to support workers such as my constituent?

**John Swinney:** I would be profoundly disappointed if that is how that individual felt. It is not fair or appropriate that they should feel like that. I suspect that a general point comes out of a lot of this discussion, which is perhaps that due account is not taken of the significance of the role of support staff. I have seen countless examples of support staff successfully establishing a relationship and a connection with a child—perhaps because they have more time and space to do that than teachers who have multiple demands on their time—and, as a consequence, making huge progress in enabling the young person to be active and to fulfil their potential.

One of the conclusions of Angela Morgan's review was that the work of additional support needs staff is undervalued, which is at the heart of Beatrice Wishart's question. I was a bit startled when I saw that issue emerging from the review, because it is not the way that I feel. However, if Angela Morgan felt that she had to include it in her recommendations, it must have been how other people were feeling. We must take very seriously the fact that Angela Morgan put such emphasis and weight on that point, and I take it very seriously.

**Daniel Johnson:** At our previous evidence session on the review, the committee heard from a number of witnesses, including representatives from the Association of Directors of Education in Scotland and Education Scotland. I am not convinced that their interpretation of the Morgan review was the same as mine. I am interested in your thoughts. I feel that a step change is required in the approach to ASN, if for no other reason than the finding that parents have to fight to get support. That must change, and that requires deep systemic change and change in individual practice. Therefore, I am interested to know how you view the Morgan review: how far reaching is it, and how big a change does it require in our approach to ASN in our schools? I recognise that that is a broad question.

**John Swinney:** I hope that Daniel Johnson took from my answer to Beatrice Wishart, when I began to get into some of this territory, that I found Angela Morgan's review really quite challenging—justifiably so. I did not ask Angela Morgan to review the legislative framework behind additional support for learning, as I believe that that is good and robust. The question that we asked her, if I can put it colloquially, was, "Does the rhetoric live up to the reality?" Perhaps it was the other way round: "Does the reality live up to the rhetoric?" I am not sure which way round that goes. What I found challenging was that Angela Morgan highlighted a difference between the reality and the rhetoric.

Mr Johnson asked whether is it acceptable to have a culture in which parents must fight for every inch of education that is available to a child who needs additional support for learning. No, it is not. There should be collaboration and an open, friendly and accommodating discussion. Everyone should ensure that the child or young person gets the support that they require to thrive. That might not be what parents experience, but it is, in my view, what the law says should be happening. If that is not the experience, then Angela Morgan's review has shone an appropriate light on something that we must challenge.

**Daniel Johnson:** The committee and the cabinet secretary know that I am interested in the additional support needs of those with neurodevelopmental disorders. Edward Mountain recently asked an interesting question about diagnosis of those disorders in early years education. I hesitate to call it screening, but is there a role for more and better use of neurological tools that can predict conditions such as autism spectrum disorder, or attention deficit hyperactivity disorder? Those tools are not diagnostic, but they can put young people on a path towards diagnosis. Is there a role for greater use of such tools in schools?

A number of autism charities have called for the creation of a commissioner for autism. What does the cabinet secretary think about the call for a commissioner specifically for autism or for neurodiversity?

**John Swinney:** Both of those questions go to the heart of the issues. Before Mr Johnson moved on to ask about the possibility of an autism commissioner, I was going to answer his question about pathways to diagnosis as follows.

Even before early learning, our approach to child support—including visits by midwives and the series of health visitor appointments that we encourage families to have to assure them about their children's development—is part of a pathway that ensures that a child's needs are properly identified at the earliest opportunity. That should continue into early learning, which starts for some children at age two and for most at three. By August, we will be providing 1,140 hours of early learning for those young people.

We must use all of that engagement to identify how best to support the development of individual children. We have just had a long evidence session looking at how the Government decided to prioritise the return to early learning and childcare during the pandemic. We recognise that that is significant to children's capacity for development.

All that individual assessment of a young person or a child, their challenges and their issues should inform any further scrutiny that might be required on additional support needs. That is how I see the system operating. I would like to think that that is how we identify any individual child who might need additional support. I therefore question whether it is necessary to have a specific commissioner to deal with children with autism. The needs of children would be ordinarily identified, met and supported in our system.

Going back to Mr Johnson's first question, Angela Morgan's review tells us that there is a difference between the rhetoric and the reality. I can understand that people would argue for there to be an autism or neurodiversity commissioner because they fear that such a difference will always be there. I suppose that Angela Morgan is challenging us—me, local authorities, directors of education and all of us—to ensure that the reality and the rhetoric are the same thing.

**The Convener:** Before we move to questions from Ms Mackay, I will ask a supplementary question. At our meeting last week, Mr Johnson asked Maree Todd a question about support in early years settings. In her response, she was unequivocal that there should be no need to wait for a diagnosis or a reason if a child's need has been identified and that support should, absolutely, be in place. However, my own

experience of representing constituents has been that that is not the case. There is also the issue of transition from such early years settings, whereby support that had previously been identified and put in place is not being taken up with the education authority when a child moves into primary school.

When you say that our approach has to be challenged, who is responsible for doing that? Parents and individual members are doing that, and I myself have advocated for parents. What role do HMIE and Education Scotland have in moving things forward, so that we are not just continually battling the issue between local authorities and the Government?

**John Swinney:** Part of my approach to the composition of the review was to recognise that providing such support is a shared priority. It is not a parcel to be passed between different tiers of Government; it is a priority for all of us. Parliament has passed a legislative framework, which I think is really strong—I do not think that there is anything wrong with it—but Angela Morgan's review challenges the gap between the rhetoric and the reality.

The review was commissioned jointly by the Government, local authorities and directors of education. I chose that approach deliberately so that the commissioning and the addressing of the issues would be jointly owned—and, frankly, so that I did not need to send in Her Majesty's inspector of education to check up on whether it was happening. The aim was that we would all take forward such a change in culture.

I suppose that I am feeling a bit uneasy about that point, having listened to Mr Johnson's first question to me. He said that when a variety of our partners were before the committee he did not quite feel as though the challenge was being owned and addressed. Angela Morgan's review says that we have to own, accept and address it, so that is what we must do.

10:30

**Rona Mackay:** I want to ask about co-ordinated support plans and the difficulties that have surrounded those. Does the cabinet secretary still think that they are fit for purpose? Many parents are unaware of them, and the ones who are often ask for the support but it is not forthcoming and there does not seem to be a co-ordinated support plan. Will the short-life working group examine the issue as a result of Angela Morgan's report?

**John Swinney:** There are two points to be made in response to that question. My view of how additional support needs must be met, which goes back to my answer to Daniel Johnson, is that our care education system needs to support families from day 1 to address any challenges and issues

that their children face. We know, from all the research that has been done, that the sooner we address any challenges that a child faces, the better, because that will narrow any gaps that become more embedded in the years to come.

We should identify needs at the earliest possible opportunity, intervening and providing the support that an individual child requires. That process should not need to wait until the formalisation of a co-ordinated support plan but should just be the right thing to do if we are to live out the rhetoric of getting it right for every child. That should be the experience that families have.

As matters develop, there might be a requirement for formalisation in a co-ordinated support plan. I have seen examples of such plans having made a huge difference to the lives of individual children, because they have given order to the type of support that is in place to meet the needs of individual children—[*Inaudible.*] I am aware, however, that families have to make quite an effort to secure a co-ordinated support plan, and that is not how the system was designed to operate. Generally, all of that comes back to the fundamental challenge from Angela Morgan, which is about ensuring that the rhetoric and the reality are one and the same thing.

**Rona Mackay:** Do you think that the difficulties with CSPs are perhaps around the communication of them and what they mean, as well as a lack of understanding as to exactly what you said—that children's needs should be addressed initially, regardless, whereas CSPs are a more formal process? I am not sure that that message is being communicated properly to parents so that they fully understand what it means, because they feel that it should be something that is automatically given, and that is clearly not the case. Is there a communication problem surrounding CSPs?

**John Swinney:** We have the—[*Inaudible.*]—short-life working group to—

**The Convener:** I am sorry, Mr Swinney, but we lost the sound there. Could you start again, please?

**John Swinney:** As part of the response that we set out to Angela Morgan's review, we established a short-life working group, which is exploring the relationships between getting it right for every child, the role of different partner organisations and the formulation of co-ordinated support plans in tackling some of the issues that Rona Mackay has raised.

The questions that Rona Mackay has put to me reflect some of the difficulty that can exist with taking a more formal route in the process, whereas I am keen that we take a much more informal route and address needs as they present themselves in the education system, promptly and

early. By that means, we will avoid having to formulate co-ordinated support plans. They may be necessary in some circumstances—that is absolutely right—but I would rather that we did not wait for that—[*Inaudible.*]

**Ross Greer:** [*Inaudible.*]

**John Swinney:** [*Inaudible.*]—approve the right of families to go to an additional support needs tribunal, as I fundamentally accept the point in Mr Greer's question that families must have a place in the ultimate decision making if they feel that their concerns have not been properly addressed. I would rather avoid adding to the tribunal's caseload.

**Ross Greer:** I agree—I am sure that we all agree—that families should not have to go to the ASN tribunal and that only a difficult, extremely challenging set of circumstances would lead to that. However, as we have just discussed, and as we have been discussing for years, there are thousands of families across the country who are in that situation—who are struggling but are not getting the support that they need. The committee has repeatedly taken evidence from parents, support staff and charities who have had to explain that too many children in Scotland have to be traumatised by a failure to provide adequate support before that support is provided.

Given that we know that that is happening—that there are so many families for whom a lack of support is causing such severe problems—does it not concern you that there is a gap between the large number of families that we know of who are in that situation and the very small number of people who are using the tribunal system, which is designed to solve the problems that those families are all going through? We do not want them to have those problems, but we know that they do. Is the problem not that the ASN tribunal system is not being used to resolve them?

**John Swinney:** I think that the cases that reach the ASN tribunal will be properly and effectively handled by the tribunal. I have every confidence in the tribunal system and in how the tribunal goes about its functions.

The answer to Mr Greer's question lies at the heart of Angela Morgan's review, which—I am afraid that I am going to use this language persistently this morning—challenges the gap between the rhetoric and the reality. If we are saying to families that the needs of children and young people should be met and accommodated at the earliest possible opportunity, that should be the experience. I do not think that the first response to that should be to put more cases to the ASN tribunal; the first response to that should be to do something to tackle the gap between the rhetoric and the reality. That is why I invited

Angela Morgan to undertake that work, and it is why I have accepted—as have our partners—her recommendations, which require us to take more effective steps to ensure that those issues are properly addressed.

**Ross Greer:** I have one final question. Before the pandemic, back when we did end-of-term exams, we had reached a point, in 2019, when pupils with additional support needs were sitting in exam halls for up to three and a half hours—certainly, on average, for longer than anyone else, because of the extended time that they were given. Giving more time to those with greater needs is well intentioned, but it causes problems of its own. Does our qualifications system adequately take additional needs into account, or should we consider more imaginative ways to meet those needs than simply adding half an hour at the end of an exam?

**John Swinney:** That question raises significant issues that merit exploration, and I am not sure that those issues are all contained in the matter of meeting the needs of pupils with additional support needs. What should the purpose of an assessment system be? It should be to assess the command of learning and teaching, as well as the improvement in capacity that has been achieved as a consequence of the efforts of an individual learner. There are multiple ways in which we can undertake that task, some of which will be relevant to pupils with additional support needs and some of which will be relevant to all pupils.

**Iain Gray:** I would like to go back to Ross Greer's line of questioning about co-ordinated support plans. As he pointed out, that is the only plan that a family of a child with additional support needs can have that has statutory force, and it is the only plan that allows a family to go to the tribunal to get the support that they need for their son or daughter.

We need to understand the scale of this. In December, the Scottish Children's Services Coalition published figures that showed that 0.7 per cent of children with additional support needs have a co-ordinated support plan. That means that more than 99 per cent of children with additional support needs have no statutory underpinning to the services that they require and no recourse to the tribunal. Is the cabinet secretary really saying that he thinks that that is okay, because he prefers an informal approach and does not want to overburden the tribunal?

**John Swinney:** Mr Gray's question mixes up a number of different concepts and answers that I have given to the committee's questions. In my answer to Daniel Johnson, I said that I want to make sure that we have a system that addresses and meets the needs of children with additional support needs from the earliest opportunity.

Angela Morgan challenges us to ensure that that is the case. For me, the gold standard of what we should be trying to achieve is that, at the earliest possible opportunity, we meet the needs of individual children and young people to enable them to fulfil their potential.

10:45

If the needs of a young person are being met adequately, we would all ask why it is necessary for there to be a co-ordinated support plan. Multiple plans will be in place to meet the needs of learners that do not have the formality of a co-ordinated support plan. There will be various arrangements and agreements around what will meet the needs of individual young people. I do not think that it is appropriate to say that the number of co-ordinated support plans measures the degree to which there are specific provisions in place—that is not a fair assumption at all. Essentially, we make sure that those needs are met, and, if there is a case for the formulation of a co-ordinated support plan, a plan should be put in place. If that gives rise to a tribunal case, then, regrettably, that needs to be addressed.

To me, the fundamental issue is that we focus our system on addressing the needs of children and young people at the earliest possible opportunity and as fully as we possibly can.

**Iain Gray:** I do not want to be mixed up here. For the sake of absolute clarity, is the cabinet secretary seriously suggesting that more than 99 per cent of children with additional support needs do not have co-ordinated support plans because the support that they need is in place through other, non-statutory, less formal means?

**John Swinney:** I am not saying that. I will be responsible for—*[Inaudible.]* I said that the system that I want to see in place—which, as I have acknowledged in my answer to Daniel Johnson, is not everybody's wish just now—is one in which the needs of children and young people are addressed at the earliest possible opportunity with appropriate intervention. That is what we should be working towards, and that is what Angela Morgan has challenged the whole education and care system to ensure is the case. It should be the product of dialogue with families and with the education and care system to ensure that children and young people are properly supported.

The law is very clear about the circumstances in which a co-ordinated support plan should be put in place, and in no way would I seek to change or amend those provisions. However, I think that it would be better—this follows the logic of Angela Morgan's review—to ensure that the support that children and young people require is put in place at the earliest possible opportunity.

**Iain Gray:** It has been almost two years since you said that you would review co-ordinated support plans—that was in May 2019. Today, you have said that the short-term working group has met. In terms of looking at the role of co-ordinated support plans and trying to explain why there are so few in place, it has been two years and we have a short-term working group that has met. Do you really think that that is an urgent enough response?

**John Swinney:** It has to be seen alongside the other work that we have commissioned in relation to the work of the Morgan review. The review has given us a comprehensive assessment of the measures that are in place to support young people with additional support needs and of the challenges of Government and local authorities in addressing those needs fully. That is what we embarking on.

The co-ordinated support plans have a specific statutory focus. You will notice the participation of certain organisations. The Morgan review says to us that, ordinarily, we have to make sure that that support is in place at the earliest possible opportunity, and I am whole-heartedly committing myself to ensuring that that is the case.

**The Convener:** Mr Gray, I feel that things are not moving forward. You can come back in if you want to, but other members have other areas to cover.

**Iain Gray:** I just find it very difficult to accept that the cabinet secretary feels that it is okay for less than 1 per cent of children with additional support needs to have access to the rights that were placed in law. He referred to the gap between rhetoric and reality. I am sure that many families who are listening today will feel that that applies to their access to support. Those families have rights, and they should be able to exercise them.

**John Swinney:** A range of mechanisms other than co-ordinated support plans are available to ensure that the needs of individuals are met, whether that involves the ordinary provision of services, mediation or arbitration to avoid some of the more complex and confrontational challenges that exist around some of these issues. I want to avoid those challenges so that people get the support that they require.

I do not want my comments to be misunderstood or misinterpreted. I want young people to get the support that they need at the earliest possible opportunity, and I do not want that to be a product only of their having a co-ordinated support plan. I want that support to be available in the first instance, ordinarily, and the Morgan review challenges us to ensure that that is the case.

**Jamie Greene:** Angela Morgan made it clear to the committee that the remit of her review of the delivery of ASN provision did not specifically extend to issues of staffing and resource, be that financial or workforce resource. We know that the number of ASN pupils in our schools has almost doubled since 2012, which is a huge increase, yet the number of specialist ASN teachers appears to have fallen by a quarter over roughly the same period. Why is that?

**John Swinney:** The best way to address that issue is to look at the way in which we have fundamentally expanded the definition of children's additional support needs to reach a much wider group of our school population. The overwhelming majority of those pupils are educated in the mainstream environment, and teaching and support staff are supported to meet their needs in that context. That is the model that we operate. We adopted the mainstreaming principle, which we believe is the most effective way of delivering that support. Our teaching and support staff are working to meet the needs of individual children and young people in the context of our education system.

**Jamie Greene:** Is that not exactly the point? The presumption of mainstreaming is a principle that I think that most stakeholders support in theory, but—to throw the cabinet secretary's words back at him—the theory and perception are very different from the reality. The Educational Institute of Scotland, which represents the teaching community, recently surveyed its members, and the stark response was that 80 per cent of teachers felt that additional support needs were not being met in their schools.

Given that the Morgan review did not look at the overall concept of the presumption to mainstream, will the Government itself undertake any work to look at the efficacy of that policy? Although it is a good policy in principle, it is clear that, on the ground, teachers—and many parents—believe that it is not being delivered properly.

**John Swinney:** In that respect, it is important that we go back to first principles. On our approach to education, I frequently set out to the committee that our first principle is our determination that we get it right for every child. That should be the foundation of our approach to education policy. From my discussions with educators around the country, I am satisfied that they are focusing directly on the needs of individual children and identifying how they can most effectively meet those needs in the context in which those children are being educated.

Judgments will be made about whether such provision can be delivered in a mainstream environment. For some pupils, the decision is taken that it cannot be, and the needs of those

children can best be met in the context of an additional support needs unit or a special school. Individual judgments will be made on the position of each individual pupil to determine how their needs can best be met. The Morgan review challenges us to ensure that that approach is being taken as effectively as possible.

I do not have a policy appetite to review the principle of mainstreaming. That is not the Government's position. The Government supports the policy of mainstreaming. Essentially, we invited Angela Morgan to identify for all partners, particularly local authorities, which are responsible for the statutory delivery of education at the local level, how best that could be accomplished. That is what her review helpfully sets out for us, and we are now responding on how we are taking forward its recommendations.

**Jamie Greene:** The problem is that we have a triple whammy at the moment. Your Government made a firm commitment to reduce class sizes, but that commitment has not been met in the majority of cases. There has been a huge increase in the number of ASN pupils in mainstream education and there has been a reduction in support teaching staff, ASN staff and other classroom personnel. That has inevitably led to the perfect storm that we are now in, with overstretched teachers who feel that ASN is not being delivered in school. What is your Government going to do to address that?

**John Swinney:** A number of points of evidence counter what Mr Greene has just put to me. For example, according to the most recent data available, local authority spending on education has increased from £5.2 billion to £5.6 billion. That is a £400 million increase in expenditure on education at the local level. As part of that, expenditure to support the education of pupils with additional support needs increased from £633 million to £661 million. That is a very substantial increase in expenditure at the local level. The evidence of investment runs contrary to the narrative that has been put to me by Mr Greene.

We are trying to ensure that young people have the best educational experience that they can have. I have not seen anything that leads me to the view that we should change our policy presumption here, but, from a policy perspective, the principle of mainstreaming is the right approach and the inclusive approach for us to take. In my observation of our schools, the application of the principle of mainstreaming creates an inclusive environment in schools and makes young people feel very much part of our society. I very much welcome that.

**Oliver Mundell:** I do not think that this is a declarable interest, but, given the questions that I am going to ask, I draw members' attention to the

fact that I have been diagnosed with dyspraxia and dyslexia.

How confident did you feel in the identification of ASN? One issue that comes up time and again is the role of teachers—whether classroom teachers have the skills, training and confidence to identify additional support needs such as dyslexia and how those are applied across the board. It seems that less use is being made of educational psychologists. I wonder whether the cabinet secretary has any reflections on that in the light of the report.

**John Swinney:** There is a series of stages in the identification of needs, and it is important that they are all properly followed. As I have gone through with the committee before, assessment is made of the development of an individual child at a number of stages in their life journey. Initially, in the child's early days, that is done through the intervention of midwives. Then there is the health visitor community. Crucially, there must be a connection between all those different stages as the child moves into early learning and childcare and then into formal school education.

11:00

We should consider the expected developmental milestones at all stages. If anything emerges to suggest that a child might have a need or face a challenge or an issue, that should be explored further by appropriate specialists.

Mr Mundell asked about the role of educational psychologists. If a classroom teacher feels that a young person is not developing as they should, the system should begin a dialogue with the family so that they are fully involved and understand the issues. If necessary, there should be external assistance to support the family, and, in many situations, that support will come from an educational psychologist.

A classroom teacher might not have all those skills, but they will be able to identify whether a young person faces particular challenges or obstacles that might merit further investigation. In such circumstances, that investigation should be forthcoming.

**Oliver Mundell:** The answer is helpful, but that is another area where the rhetoric does not match what happens.

That leads me to my second question. If the identification of dyslexia was going well across Scotland, would we not expect to see a consistent picture in all local authorities? How does the cabinet secretary explain the different levels of identification of dyslexia and other additional support needs in different local authorities? There is a low number of cases in some areas and far

higher prevalence in others. Can we improve the quality assurance in the system to ensure that all local authorities meet a minimum standard? There seems to be no way of ensuring consistency.

**John Swinney:** That is a fair question. That assurance should be available to parents in all parts of the country. Her Majesty's Inspectorate of Education could explore those questions in individual educational settings and could carry out a thematic inspection to look at how those issues are pursued. I am happy to take away the question about consistency of approach across local authorities and to discuss it with the chief inspector of education.

I have rehearsed this point already: the Morgan review was not something that the Government did to local authorities. We commissioned the review jointly with COSLA and with the Association of Directors of Education in Scotland. I hope that that assures Mr Mundell and the committee that the Government and local authorities share a joint interest in ensuring that the legitimate concerns that he has expressed are properly addressed. I want that to be the case.

**Oliver Mundell:** I would be interested in hearing the outcome of that conversation—as, I am sure, would other committee members.

**Beatrice Wishart:** An additional support for learning implementation group was set up in response to the Morgan review, and it was to meet every three months. There are published minutes for its meetings in October 2019 and January 2020, but there seems to be nothing further. Can the cabinet secretary confirm whether other meetings have taken place and, if so, whether the minutes are available?

**John Swinney:** I regret that there has been a bit of an interruption to those meetings because of the demands of Covid-19. I understand that there was a further meeting, the minutes of which have probably not yet been published. I will ensure that those are made available to the committee.

**The Convener:** I have a couple of questions before we finish. When we took evidence on the Morgan report last week, I asked about the use of the Enquire service in encouraging parents—I have often encouraged parents to use Enquire—to seek support across the board. I asked specifically about advocacy, and the parent organisations at the committee said that they could get advice but not advocacy. However, on the front page of the Enquire website there is an offer of advocacy for 12 to 15-year-olds. I would be interested in finding out, either today or in a written response, how effective that advocacy is for young people and the level of take-up. I would also be interested in the information around that. Are young people being made aware that such a service is available

to them should they wish to engage with their school about their needs?

**John Swinney:** I can definitely provide some information on that question in writing. Enquire does tremendous work in raising awareness. I had better check the detail of the advocacy scope and role that it offers.

One of the points that Angela Morgan makes strongly is that the whole policy area would benefit from being addressed in a collaborative environment. Such collaboration should mean the active engagement of children and families in the process. That would significantly strengthen the process from a child rights perspective. I would be happy to respond to your specific point in writing, convener.

**The Convener:** Finally—and I hope this is not too philosophical a point to be making at this late stage in the meeting—we talked about rhetoric and reality, but would we benefit from changing some of the rhetoric and language used around additional support needs? We know how many more young people are being identified as what we now call ASN, and we now know that bereavement, caring responsibilities, being in care and other issues have an impact on the support that a young person might need. It strikes me that it is just the human condition and that perhaps we should be talking about education and learning entitlements for people and dropping the idea of something “additional” that is provided to some sort of mythical child who might never need support at any point in their education. That might help us in fully adopting the GIRFEC ethos.

**John Swinney:** There is everything philosophical and fundamental about that point. I come at this from the point of view that getting it right for every child is an important philosophy as well as a fundamental right. If we got it right for every child, we would enable children to have much more fulfilling, happier lives, and we would also reduce the strain and stress carried by some of our fellow citizens as they wrestle with the needs of their children.

I would much rather we had a discussion about getting it right for every child because I would rather that we were meeting the needs of all children properly—that is what getting it right for every child is all about. If we were able to do that and work through the different stages that I have talked about—the engagement with health visitors, midwives and early learning—we could do that. The ethos of universal early learning and childcare from the age of three upwards is designed to give children the very best start in life. That is an important ethos and should be the foundation of our education and care system for children.

**The Convener:** Thank you very much, cabinet secretary, for talking to us on both issues this morning.

11:10

*Meeting continued in private until 12:03.*



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