Education Committee

18th Meeting, 2005

Wednesday 26 October 2005

The Committee will meet at 11.30 am in Committee Room 1

1. **Child protection reform programme:** The Committee will consider an update from the Scottish Executive.

2. **School closures:** The Committee will take evidence from—
   - Peter Peacock MSP, Minister for Education and Young People
   - Colin Reeves, Head of Schools Division, Education Department

3. **School transport:** The Committee will take evidence from—
   - Peter Peacock MSP, Minister for Education and Young People
   - Colin Reeves, Head of Schools Division, Education Department

4. **Budget process 2006-07:** The Committee will take evidence from—
   - Peter Peacock MSP, Minister for Education and Young People
   - Philip Rycroft, Head of Schools Group, Education Department
   - Colin MacLean, Head of Children, Young People and Social Care Group, Education Department
   - Joe Brown, Head of Policy Support Unit, Education Department

5. **Budget process 2006-07:** The Committee will consider the contents of its draft report

Eugene Windsor
Clerk to the Committee
Room T3.40, Committee Office
Ext. 0131 348 5204
The following papers are enclosed for the meeting

**Agenda item 1**
Clerk’s covering note ED/S2/05/18/1
Letter from Scottish Executive ED/S2/05/18/1a

**Agenda item 2**
Clerk’s paper ED/S2/05/18/2
Letter on school closures from Scottish Executive ED/S2/05/18/2a

**Agenda item 3**
Clerk’s paper ED/S2/05/18/3
Letter on school transport from Scottish Executive ED/S2/05/18/3a
Letter on school transport from COSLA ED/S2/05/18/3b
School transport guidance ED/S2/05/18/3c

**Agenda item 4**
Clerk’s paper ED/S2/05/18/4
Finance Committee budget guidance ED/S2/05/18/4a
Guidance on cash-releasing efficiency programmes ED/S2/05/18/4b
Education Department’s cash-releasing efficiency programmes ED/S2/05/18/4c
Stage 2 report on the 2005-06 budget ED/S2/05/18/4d
Child protection reform update

Introduction

1. Following publication of the Committee’s report on the implementation of the recommendations in the “It’s Everybody’s Job To Make Sure I’m Alright” report\(^1\), the Committee has monitored the progress of the Scottish Executive’s child protection reform programme on a six-monthly basis.

2. The last update was discussed at the Committee’s meeting on 20 April 2005. The attached paper (ED/S2/05/18/1a) provides the latest update from the Scottish Executive.

Action

3. The Committee is invited to NOTE the update.

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\(^1\) Report on the Scottish Executive's Implementation of Recommendations of the "It's Everyone's Job To Make Sure I'm Alright" Report. 8th Report (Session 2). Education Committee. 8 July 2004. Available at http://www.scottish.parliament.uk/business/committees/education/reports-04/edr04-08-01.htm
UPDATE ON CHILD PROTECTION: *It’s everyone’s job to make sure I’m alright*

As requested by the Committee following previous updates on the Executive’s work in relation to child protection, we have compiled this report based on the individual recommendations from the audit and review of child protection published in November 2002. This was specifically referred to in the request for this update received from the Senior Assistant Clerk to the Committee on 8 July.

As explained previously in written and oral evidence to the Committee, the 3 year child protection reform programme is wider than responding to the 17 recommendations made in that report. Along with other work all the elements of the recommendations are being tackled, although not necessarily in the way these were presented in that report and often through a number of threads of the work of the wider reform programme. That said, I hope this reassures the Committee that we are progressing the specific issues raised in that report.

I am copying this letter and the attachments to Lord James Douglas-Hamilton, Deputy Convenor and Eugene Windsor, Clerk to the Committee.

Yours sincerely,

Robert E Brown
Deputy Minister for Education and Young People
"It's everyone's job to make sure I'm alright"
Report of the Child Protection Audit and Review

Update from Scottish Executive: October 2005

Recommendation 1: All agencies should review their procedures and processes and put in place measures - to ensure that practitioners have access to the right information at the right time, and in particular to ensure that:

- Where children present to medical practitioners with an injury or complaint, practitioners must consider what further information is available from their own or other agencies before they rule out the possibility of continuing risk.
- Where children present to any hospital, there should be in place mechanisms for checking other health records to ensure a pattern of injuries is not being missed.
- Where there have been concerns about possible abuse or neglect, schools, police, health service and social work service files should contain a succinct, readily accessible chronology of events or concerns which can be easily referred to should a further incident or concern arise. This chronology should contain information relating to the child and, where known, information relating to other people in the child's life, for example, any previous deaths of children of a mother's new partner.
- Courts should ensure bail address suitability checks are undertaken in cases where the alleged offence is against children, or in the case of domestic abuse, where children may be at risk.
- Caldicott guardians in Health Boards and Trusts should ensure that health professionals are aware of their responsibilities towards the care and protection of children. In particular they should ensure that where children are at risk of abuse and neglect information is shared promptly with other relevant professionals in line with the General Medical Council and the Scottish Executive guidance on when medical confidentiality can be breached.

Update: This is primarily a recommendation for agencies. Immediately following publication of the report (November 2002) the Chief Inspector of Social Work Services wrote to the Chief Executives of local authorities, Directors of Social Work, Directors of Education, Chief Executives of Health Boards, Chief Executives of NHS Trusts, Chief Constables and the Scottish Children’s Reporter Administration to take forward the recommendations in this report.

In November 2003, the Ministers for Education, Justice, and Health and Community Care jointly wrote to the Chief Executives of local authorities, leaders of Health Boards and Chief Constables seeking joint statements of assurance by May 2004 from each Child Protection Committee (CPC) area that local services had been reviewed, singly and jointly, action taken where necessary and that robust quality assurance systems were in place to ensure procedures and processes are robust and fit for purpose. The Committee was sent a copy of the Ministers’ composite response to this request in October 2004. It is the intention to repeat this exercise in due course.

In December 2003 the Chief Executive of the NHS issued a Plan for Immediate Action in the NHS dealing with issues of accountability, information sharing, communication and training. The Child Health Performance Framework (PAF) includes questions on the implementation of this Plan.

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Available at [www.show.scot.nhs.uk/publicationsindex.htm](http://www.show.scot.nhs.uk/publicationsindex.htm) - keyword: child protection, category Scottish Executive
The Chief Medical Officer wrote to all Caldicott Guardians to remind them of the responsibility of sharing information if a child is potentially at risk. He also issued a paper Sharing information about children at risk: a brief guide to good practice to health professionals copied to Chief Executives of local authorities, Directors of social work and CPCs in September 2004. This reinforces points raised in this recommendation: “All staff have a responsibility to act to make sure that all children are protected from harm. Your responsibility to children is not limited to responding to requests for information from other professionals or agencies. All NHS staff are responsible for acting on concerns about a child - even if the child is not your patient. If there is reasonable concern that a child may be at risk of significant harm this will always override a professional or agency requirement to keep information confidential.”

Protecting Children and Young People: Framework for Standards, which applies to all key agencies, clearly indicates in Standard 2 the need for practitioners in all agencies to ensure that information about concerns, risk factors and key events in a child’s life are recorded and readily accessible in each child’s file. The importance of a good chronology is reinforced in the Integrated Assessment Framework recently issued as part of the Getting it Right for Every Child consultation on the development of children’s services and is particularly linked to recommendation 15.

Pilot joint inspections of child protection were undertaken in East Dunbartonshire and Highland early in 2005. As a consequence of issues raised during these pilots, the First Minister has announced that legislation will be put in place to provide powers to allow the inspectorates to work together on joint inspections, and in particular to access and share information jointly. A Bill will be brought forward shortly.

The Framework for Standards, Standard 4 requires agencies and professionals to share information about children where this is necessary to protect them. The Framework also reinforces that all professionals who come into contact with children or adults caring for them:

- Recognise and are alert to the signs that children may need help or protection;
- Use their power to help; and
- Put people in touch with other professionals as necessary.

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2 Available at www.show.scot.nhs.uk/publicationsindex.htm - keyword: child protection
5 What you can do to help if you are worried about a child or young person leaflet at www.scotland.gov.uk/library5/education/pycp04-00.asp
8 Chief Officers are Chief Constables, Chief Executive in local authorities and NHS
10 Child death and significant case review group, membership and remit at www.scotland.gov.uk/topics/people/young-people/children-families/17834/childdeathmembership#top and www.scotland.gov.uk/topics/people/young-people/children-families/17834/childdeathremit#top
One of the projects being taken forward as part of eCare work, which is further expanded upon at recommendation 15, has specifically focused on piloting a framework for automatic messages to be sent to all involved practitioners whenever the Social Work system records a formal child protection activity. Messages will be generated on the child who is the subject of this activity and linked persons, including siblings, other children resident in the household and adult carers. This has been independently evaluated and found to ‘substantially underpin’ recommendation 1 and ‘actively support’ the principles contained in Standard 4 of the Framework for Standards on information sharing.

The Executive provided £1 million last year for bail Information and Supervision Services in Scottish courts. These services allow courts to be better informed about decisions on bail and remand. So, for example, the court can ask the bail service for information about the offender’s or alleged offender’s circumstances before they decide whether to release on bail.

**Recommendation 2:** Through the Child Protection Committees all agencies should improve access to help for children who have been abused or neglected by:

- providing for single-page contact information for telephone directories, public phones and the web, which identifies local contact points in health services, local authorities, police services, SCRA and the voluntary sector;
- providing for services users and referrers, information about how to access help for children about whom they are worried. This should include information about how and when children and young people will be consulted, what will happen after a referral is made and what, and how, feedback to people who refer concerns will be provided.

**Update:** This is primarily a recommendation for agencies and CPCs. The Scottish Executive is working with CPCs to help improve public information, understanding of what might happen when a concern is reported and how to contact services if someone has a concern. This has involved:

- the development nationally and issue locally of a leaflet for the public, *What you can do to help if you are worried about a child or young person* with local contact numbers for access to services, information on what to look out for and an indication of what might happen when a concern is raised;
- piloting of a media campaign to help raise awareness of child protection issues and signpost agencies that can help. Consideration is being given as to how this is best taken forward following the evaluation of the campaign;
- consideration being given to the development of a single telephone number nationally through which people can ask for general information or raise specific concerns.

Locally CPCs are developing and publishing a wide range of information and advice for children and their families to better understand particular processes they might be involved in, for example, Case Conferences.

The new guidance on CPCs indicates the provision of public information as a key function of a CPC and requires them to produce and disseminate public information about protecting children and young people with the development and implementation of a communication strategy. This will be monitored in annual reports from the CPC as well as through the work of the child protection reform team members who are paired with
Recommendation 3: The Scottish Executive should, in consultation with service providers, draw up standards of practice that reflect children’s rights to be protected and to receive appropriate help. All local authorities, health boards, police services and SCRA should undertake regular audits of practice against these standards and report on them annually to the Scottish Executive and local Child Protection Committees.

Update: As part of the child protection reform programme the Children’s Charter and the Framework for Standards have been developed. These provide the context for the ongoing work of the reform programme and what services should do to achieve continuous improvement. The Framework has provided a baseline for agencies/CPCs to consider practice in relation to the standard statements therein. These have also provided the basis for the multi-disciplinary inspection programme and the development of Quality Indicators for inspection and a self-evaluation tool. The reform team and the inspectorate will be working with agencies and CPCs on how this tool might be used, along with other systems they may have in place, to help evidence performance and contribute to continuous improvement.

Recommendation 4: The Scottish Executive should revise the remit of the Child Protection Committees to include:

- Annual auditing and reporting, to constituent agencies and to the Scottish Executive, on the quality of agency and inter-agency work.
- The provision of information to members of the public, volunteers and other professionals.
- Assisting a wider range of organisations to help prevent abuse and neglect through training for staff and volunteers.
- The development of safe recruitment practices for agencies working with young people.

Update: Working with agencies and CPCs we have revised the remit of the CPCs, clarified roles and responsibilities – of Chief Officers and CPCs – in protecting children and young people in their area. The key functions for a CPC have been grouped under the headings of: public information, continuous improvement and strategic planning – and include all the points raised in the first 3 bullets of this recommendation.

The last bullet point in this recommendation on safer recruitment is being taken forward through various strands of work including:

- The commencement of the Protection of Children (Scotland) Act 2003 in January 2005 which provides for Scottish Ministers to hold a list of those Disqualified from Working with Children (DWCL)
- Comprehensive guidance provided for the voluntary sector in respect of the DWCL which also provides advice and good practice in respect of safe recruitment and practices which can be applicable more widely
- The issue, by the Scottish Executive, of detailed information on safe recruitment practices in 2001 in the document Safer Recruitment and Selection for Staff Working in Child Care: A Toolkit. The Executive is also presently considering how safer recruitment practices can be better implemented
- The regulation of healthcare support workers initiative in the NHS currently underway which will focus on the standards for safe recruitment and for
induction into that workforce

- The development of policy on recruitment through the Partnership Information Network for the NHSS
- The recent publication of Safe and Well, a handbook for staff, schools and education authorities which includes a section on staff and volunteer recruitment.

**Recommendation 5:** Local authority Chief Executives, in consultation with other services, should review the structure, membership and scope of the Child Protection Committee covering their authority and report to their Council and partner agencies on whether it is best constituted to take on the responsibilities for assuring the quality of agency and inter-agency services and the recommendations about their role contained in this report.

**Update:** This has been taken forward in conjunction with recommendation 4.

**Recommendation 6:** The Scottish Executive should consult on how child fatality reviews should be introduced in Scotland. This should include consultation on how they should be conducted, how review teams should be constituted, to whom they would report and what legislative framework is required to ensure their effectiveness.

**Update:** A Child Death and Significant Case Review Group has been set up under the independent chairmanship of John Elliot, a solicitor, and overseen by the Child Protection Reform Programme Steering Group. As part of that work the Executive also commissioned a piece of research on systems in use in other countries and what we might learn from these. It is expected that a draft review process and supporting guidance will be produced for initial consideration by the Steering Group around the end of this year with any recommendations for further action. Consultation will be undertaken as required thereafter.

**Recommendation 7:** The Scottish Executive should strengthen the current arrangements for the development and dissemination of knowledge about abuse and neglect. In particular it should identify:

- the most effective arrangements for recording and collating examples of effective practice;
- the delivery of staff training across all disciplines or agencies;
- the best means of disseminating research findings and best practice; and
- the links between research and knowledge and staff education and training and how this can be consolidated.

**Update:** Various strands of work have been undertaken in this respect including the setting up of the Scottish Institute for Excellence in Social Work Education (SIESWE) in August 2003 with funding from the Executive and the nine universities offering social work programmes. A Child Protection Training and Development Project was initiated at SIEWSE in July 2004 by the Scottish Executive. The project is overseen by a reference group consisting of representatives from the range of professional groups involved in child protection. The key objective of the project is to work with stakeholders (including social work educators and educators in health, education, police, care and housing
professions, the Scottish Social Services Council (SSSC) and employers) to:

Establish a consistent approach to the content, teaching and learning of child protection issues for students on the new social work Honours degree and postgraduate routes.

The project is due to complete in July 2006 and will have achieved the following outcomes:

- Evaluative report on audit of current social work degree curricular content in child protection; - completed;
- Publication of the audit outcomes; - completed;
- Report on areas of child protection-related specialist knowledge/skills developed in the Centres of Excellence;
- Arrangements in place to ensure that specialist inputs from Centres of Excellence feed into all child protection teaching and learning within social work degree programmes;
- Publication of agreed set of key capabilities in child protection, identifying the knowledge and skills to be achieved by all students graduating from social work degree programmes;
- Document showing alignment of key capabilities with Scottish Credit and Qualifications Framework;
- Document showing mapping of key capabilities to Standards in Social Work Education;
- Recommendations made on approaches to assessment of key capabilities within social work programmes;
- Key capabilities embedded in social work programmes, including practice learning;
- In partnership with the SSSC, the establishment of a mechanism for the ongoing monitoring of programmes in relation to key capabilities in Child Protection;
- Initial evaluative report on the impact of the project on curricula and practice;
- Proposals for further evaluation of progress in relation to embedding of child protection training within programmes, including potential need for further mapping across Framework for Standards in Child Protection, Children's Charter and multi-agency inspection documents.

In addition, the Children at the Centre project being taken forward by STRADA (Scottish Training on Drugs and Alcohol) and Brigid Daniel at Dundee University also has relevance for this recommendation and recommendation 12 in particular. This joint training programme for criminal justice, children and families and community care social workers on child protection and substance misuse aims to equip these workers with the skills and knowledge they need to:

- Understand and recognise child abuse and neglect and the implications of drug/alcohol misuse;
- Understand children’s development needs and the effect on those of impaired parenting capacity;
- Make a contribution of specific social work groupings to realistic assessments of children’s needs for protection;
- Understand issues in joint working with children and families, workers and other agencies;
- Appreciate the impact of substance misuse on parenting capacity and care giving;
Recognise potential impact on the lived experience of children of substance misuse by parents or carers;
Assess and intervene appropriately with children/young people with their own drug and alcohol problems.

Other work includes:

- The development of the Care Scotland website by the Executive which holds a variety of information on the social care sector, including statistics, case studies of interesting practice and policy resources such as legislation and guidance. It has been set up with the aim of helping authorities deliver continuous improvement in their services.
- The setting up of a Child Protection Strategic Training Group overseen by the Child Protection Reform Programme Steering Group. This is taking forward work started by the then Social Work Services Inspectorate, initially primarily in relation to social work. The production of a national suite of training materials is now being taken forward on a multi-agency and multi-disciplinary basis. Amongst other things the Terms of Reference for the Group includes: recommending the most effective arrangements for recording and collating examples of effective practice and learning and considering the best means of disseminating research findings and best practice. The work of the group is progressing well and an on-line store has been devised for the holding of learning/training materials which can be accessed by all and work has now commenced on how this can be quality assured and populated.

**Recommendation 8:** The Scottish Executive should initiate a long-term study of the effectiveness of current methods of responding to abuse and neglect. The study should follow children from infancy to adulthood.

**Update:** The Scottish Executive has commissioned the first, 3 year phase of research (“Growing up in Scotland”), to explore the experiences of cohorts of children from birth to age 5. This is being undertaken jointly by the Scottish Centre for Social Research and the Centre for Research on Families and Relationships. The initial fieldwork, involving interviews with the parents of 5,000 infants around 9 months of age plus parents of 3,000 children aged from 2-3 years, is currently underway. The intention is that follow up interviews will be undertaken with the parents of each child in the survey until the child is aged 5. The first data should be available in 2006. This will help inform Scottish Executive policy and service delivery in respect of a wide range of issues relating to children including neglect and abuse and the potential for further work in that respect.

In addition, as part of the multi-disciplinary inspection of child protection services, the Services for Children Unit has produced *How Well Are Children and Young People Protected And Their Needs Met: Self-evaluation using quality indicators*. Not only will this inform the inspection process but will help practitioners assess the impact of services on children, young people, families and the community.

**Recommendation 9:** Children's Services Plans should be developed so that they include clear plans for the implementation of national priorities and demonstrate the application of resources to these outcome targets set out in *Building a Better Scotland*.

**Update:** The Executive issued comprehensive guidance to local planning partnerships in November 2004, inviting them to prepare Integrated Children’s Services Plans for
2005-08 to include previously separate plans for school education, children’s service plans, children’s social work, child health and youth justice. The guidance also clarified that the plans should incorporate services for children in need, child protection, services for looked after children, adoption, fostering and residential care, targeted and universal early years and childcare services, youth work and support for Children’s Hearings. The plans should be joint productions between local authorities, NHS Boards, police forces, Children’s Reporters, the voluntary sector and community groups. Evidence of consultation with children and families was also recommended.

The guidance set out Ministers’ vision for all children and young people in Scotland ie that they should be safe, nurtured, healthy, achieving, active, included and respected and responsible. Local planners were invited to set out local visions, shared priorities and objectives based on assessed needs, frameworks for joint management and delivery of services and how actions are to be funded. The need for robust systems for measuring progress and outcomes was highlighted in the guidance and a range of performance measures was suggested from which local planners could select those most appropriate to local objectives and actions.

The deadline for submission of the plans was end March 2005. We have been following up outstanding submissions and the majority of the plans had been received by the end of August with one are still currently outstanding. The Executive is reviewing the plans (Education, Health, Justice and Development Departments are working together on this task) with a view to providing detailed feedback to local partnerships by the end of November to be followed by discussions with planning teams and agencies in local areas. We will then update the planning guidance to reflect experience of reviewing the first round of plans and recent policy developments. This, in turn, will influence local work on the 2006 updates of the plans.

Recommendation 10: Local authorities’ plans for integrated children’s services, as the overarching plans and drivers for all local children’s services, should develop positive childhood initiatives. These should be led by a children's rights rather than a public service perspective and should promote every child’s rights to life, health, decency and development. The Executive should support this with a public campaign.

Update: The Executive’s guidance to local partnerships sets out Ministers’ vision for all children and young people in Scotland (see above) and emphasises that plans must show how planning processes will add value to the outcomes for children and young people. We also make clear that these expectations, which are consistent with the UN Convention on the Rights of the Child, apply across agencies, services and professional boundaries. Engagement with children and families in the planning process is also emphasised. The focus on improved outcomes for all children and young people underlines the aim that the needs of the child are placed firmly at the centre of local planning and delivery of both universal and targeted services. This message is strengthened further in the Executive’s “Getting it Right for Every Child” consultation package which includes new measures to encourage services to work in partnership to ensure that a child receives coordinated support which delivers help when it is needed.

The Executive also provides £1.2m per annum (via the Scottish Parliament Corporate Body) to meet the costs of the activities of the Scottish Commissioner for Children and Young People. One of the Commissioner’s roles is to promote the rights and interests of children and young people. The Executive has also produced a guide for young people on the UN Convention on the Rights of the Child and this has been in high demand from schools, local authorities and voluntary organisations.
Recommendation 11: The Scottish Executive should:

- Advise on how agency resources can be pooled and what systems may best be deployed to ensure the most effective joint commissioning of services on behalf of children.
- Commission a study of the costs and benefits of the current child protection system in Scotland and identify costed alternative options for improving outcomes for children.

Update: As part of developing the integrated children services agenda, consideration is being given with local agencies on how best to support and encourage effective arrangements for the joint commissioning and funding of services for children and young people. Changing Children’s Services Fund, Integrated Community School approach and early years initiatives already support joint planning and delivery of multi-agency services. The agenda set out in Getting it Right For Every Child will further support this.

Initial scoping of a project to determine the costs and benefits of current child protection services in Scotland and identification of costed alternative options discussions was undertaken in 2004. Following extensive consideration by the Child Protection Reform Programme Steering Group it was agreed, given the proposed developments on the integrated children's services agenda and the need to ensure that children get the help they need when they need it and the requirement for all services to work together as appropriate to achieve that, this work, as described in the recommendation should not be progressed.

The publication of Getting it Right for Every Child on improving services children’s services focuses on outcomes for children and young people through improved integration of policy and practice at both national and local levels. This reinforces the importance of child-centred rather than system centred approaches - whatever the need identified. While not progressing this specific part of the recommendation, we will continue to examine what approaches and support are effective and efficient in meeting children’s needs and seeking to share good practice and address weaknesses.

Recommendation 12: There needs to be a new approach to tackling risks and the needs of the most vulnerable. As a first step this should start with assessment of the needs of all new-born babies born to drug- or alcohol-misusing parents; parents who have a history of neglecting or abusing children and parents where there have been concerns about previous unexplained deaths in infancy. The inter-agency assessment and subsequent action plan in respect of each child should clearly state:

- standards of child care and developmental milestones the child is expected to experience or achieve;
- resources to be provided for the child or to assist the parents in their parenting role; and
- monitoring that will be put into place along with contingency plans should the child's needs fail to be met.

Update: The Executive is committed to giving all of Scotland’s Children the best start in life – even before birth – and maternity services play a vital role in this. In 2001 ‘A Framework for Maternity Services’ set out a vision for family centred, locally accessible, essentially midwife-managed care before, during and after childbirth. All health boards are working towards this vision. This, linked with developments in respect of the
integrated assessment framework for all agencies and embedding of the Framework for Standards. Standard 5 in particular requires agencies and professionals to work together to assess needs and risks and develop effective plans and to ensure that plans:

- identify individual and family responsibilities;
- identify the professional with the lead role in ensuring co-ordination of work amongst professionals;
- indicate expected actions and outcomes with timescales for their achievement;
- identify action to be taken should the plan fail to protect the child or improve their situation within agreed timescales; and
- detail monitoring and review arrangements.

Alongside this, the Scottish Executive’s response to *Hidden Harm: Responding to the needs of children of problem drug users*, noted that there was a lack of robust data on alcohol and drug misuse during pregnancy. Funding has been secured to conduct research on this topic, which will consider the current system for enquiring about and recording of substance misuse data in pregnancy and make recommendations for improving this practice in the future. This should help improve identification of families who may need additional health and social support both during pregnancy and following birth.

Many elements of the work being done reported at recommendation 7 is also relevant in regard to this recommendation – especially in relation to the work of STRADA.

**Recommendation 13:** In keeping with the philosophy of the Children (Scotland) Act 1995, agencies referring to the Reporter should indicate what action they or their agency has undertaken to achieve change through consent and why compulsory measures of supervision may now be necessary.

**Update:** Proposals for action contained in consultation, *Getting It Right For Every Child*, include changes to the referral making process. Where a child's needs are complex, serious, require multi-agency input or are likely to require compulsory measures, it is proposed that an action plan must be agreed by all agencies involved and kept under review. The action plan would be the principal source of information for the Reporter if the child is subsequently referred. It would be for a Children's Hearing to determine if compulsion is required. In order to assist the hearing to take a decision it would be necessary for agencies to demonstrate what action had been attempted and why in their view compulsion was necessary.

The First Minister announced at the start of September that there will be legislation in the 2006-07 Parliamentary session to improve and modernise the Children’s Hearings system. The detail of the legislation will be shaped once the consultation responses have been analysed and is likely to include measures to help with the implementation of *Getting it Right for Every Child*.

**Recommendation 14:** The Scottish Executive should review the grounds for referral to the children's Hearing's system. Specifically, it should explore the feasibility of grounds being framed to reflect more clearly the needs of the child and to be more closely aligned with definitions of need outlined in the Children (Scotland) Act 1995.

**Update:** At present the grounds for referral are centred around the occurrence of a specific incident or risk to the child. *Getting It Right For Every Child* has proposed rewriting the grounds for referral to concentrate on the need rather than the incident. It
is proposed that significant need will be defined by reference to the list of incidents or risks as indicators of the need.

**Recommendation 15:** In order to meet the shortcomings identified in this report, developing linked computer-based information systems should include a single integrated assessment, planning and review report framework for children in need. For those in need of protection the framework should include reason for concern, needs of the child, plans to meet them and protect them when necessary, and progress since any previous meetings. This core assessment, planning and review framework should be accessible and common to all partner agencies, multi-agency case conferences and the children’s hearing. Arrangements should be made for appropriate access to information by agencies in other areas should children or their families move.

**Update:** *Getting It Right For Every Child* covers the issues raised in this recommendation including an integrated assessment framework, the provision of a single plan and record, and proposals for joint case handling with the identification of a single key worker. The Data Standards and eCare Division located in the Education and Young People Department is currently developing electronic multi-agency information exchange for a number of client groups, including vulnerable children and adults to help support such an approach. Working in partnership with local agencies, eCare is piloting an Integrated Children’s Services Record (bringing together summary care information from social work, health and education), electronic delivery of the Integrated Assessment Framework, and a Personal Care record (to provide web-enabled access by a young person of their own summary record). Information is shared only with authenticated practitioners on the basis of informed consent, except where a duty of care overrides the need to obtain consent.

The eCare technical architecture has been independently evaluated and found to have successfully met its technical challenges. eCare has started consideration of the options for an architectural framework for Scotland-wide information sharing.

**Recommendation 16:** The Scottish Executive in partnership with the regulatory bodies should consult on the minimum standards of professional knowledge and competence required of practitioners who undertake investigations, assessments and clinical diagnosis when working with children and their families. In particular it should establish the minimum necessary qualifications and experience required of those making decisions that fundamentally affect the future wellbeing of children.

**Update:** The Royal College of Paediatrics and Child Health Scottish sub-committee on child protection, with the involvement of NHS Quality Improvement Scotland, is developing standards for training of medical staff at different levels – from junior staff to consultant paediatricians – with a special interest in child protection. The UK Royal College of Paediatrics and Child Health is developing packages on child protection. Questions on child protection are now included in all College examinations. The College is also producing clear guidance for the clinicians on current best practice in the identification and investigation of child abuse.

In addition, the UK healthcare professional regulators would expect that all practitioners work within their respective professional codes of conduct and legislative framework. The work being done on an inter-agency basis already mentioned in relation to the Child Protection Strategic Training Group is building on an approach based on levels of learning which progressively increase through: awareness raising; foundation;
prevention and recovery advanced/specialist and management. This work also will be considering how to link in with the current competency frameworks of agencies and/or professions in relation to child protection, and how to signpost to relevant training resources.

The Scottish Social Services Council (SSSC) has consulted on the post registration training and learning requirements that all registered social workers must meet to ensure their continued suitability for registration. All registered social workers within the period of registration, complete 15 days (90 hours) of study, training, courses, seminars, teaching or other activities which could reasonably be expected to advance their professional development. The SSSC has also consulted earlier this year on the proposal that at least 5 days of this shall focus on child protection issues including their application to the protection of vulnerable people. The outcome from this consultation led to revised recommendations being made to Scottish Ministers which encompass the need to work effectively with other colleagues and professionals to identify and assess risk to vulnerable people to ensure that all social workers are assisted to meet their primary responsibility of protecting children and adults from harm.

The SSSC has also recently completed a consultation on Post Registration Training and Learning (PRTL) requirements for all newly qualified social workers. The Council will be making recommendations to Ministers in the near future regarding the outcome of this consultation.

**Recommendation 17:** The Scottish Executive should:

- Establish a national implementation team to take forward the recommendations in the review, in particular the development of standards and local auditing processes.
- Establish a review process for annual reporting on progress and improvements.
- Implement a further national review of child protection in three years' time to be undertaken by a multi-disciplinary inspection team using this report as a baseline against which progress can be assessed.

**Update:** As a result of this review the Scottish Executive committed to a 3 year child protection reform programme which is now part way through its final year. To help take this work forward a multi-disciplinary team was seconded to the Executive – with representatives from health, police, education and social work – to work with SE policy staff. The reform programme is overseen by a Steering Group comprising representation from ACPOS, SOLACE, ADSW, ADES, health, the voluntary sector, SCRA, inspectorates, the Crown Office as well as from across SE Departments.

Work on child protection is now linked to the integrated children’s services planning and reporting agenda and the long term vision for children’s services as described in *Getting It Right for Every Child*. CPCs will also provide reports on an annual basis and a full programme of multi-disciplinary inspection of child protection will commence in 2006. This process will include the examination of individual cases.

Scottish Executive

Children and Families Division

October 2005
School closures

1. At its meeting on 14 September 2005, the Committee noted the Minister for Education and Young People’s letter ED/S2/05/18/2a regarding school closure policy and asked for the opportunity to discuss issues regarding school closure policy with him.

Eugene Windsor
Clerk
Education Committee
Your assistant clerk asked the Education Department on 8 July for an update for the Committee on how last September’s additional guidance on local authority proposals for the school estate, including school closures, is being interpreted and applied. I thought it more appropriate for me to respond direct to you with my own views of the impact which the guidance has had, given my appearance before the Committee on 26 May 2004 on this matter, and the helpful comments offered by the Committee before the guidance issued.

In addition to the guidance itself, my covering letter to Education Conveners of 30 September last, set out my expectations of how Councils should handle proposals which, as you know, can arouse the strongest feelings within local communities. Every case for a school closure needs to be considered on its individual merits. Councils must make a clear case and set out openly for parents and the wider community the arguments for the proposals and be seen to be weighing up the advantages and disadvantages of any proposal. This has to be done by engaging in proper consultation.

I have followed through the media a significant number of consultations on closure proposals where the final decision is again of course for the Council but where there is no requirement for referral to Ministers. What has been apparent over the last year is a very full spectrum of final decisions taken by Councils following the public consultations – right from confirming the original proposal to close, to withdrawing it, and a large range of alternatives in between, such as deciding to explore some different configuration of merger or closure proposals or even deciding to look at entirely new options which may have emerged during the consultations, and which may actually require the formal process to be gone through again. In other words I think the guidance has a beneficial impact on the way Councils handle these matters. I welcome their flexibility, demonstrated through their willingness to look at different options and to change tack or timescale. They are well aware of the need to be seen to be open-minded, to engage in genuine consultations, and to show that the final decision is not a foregone conclusion.
In the cases involving closure proposals which have been referred for Ministerial consent, I have seen over the last year a focus on consultation, openness and transparency. Councils then weigh all the results of the consultations, in the context of all the other relevant factors bearing on the case, and then have to justify and stand accountable for the final decision.

Having said all of that, I must at the same time signal my concern at some of the ‘consultations’ which have been conducted in recent months, in a way which has seemed to raise unnecessary alarm in local communities – because there has been real confusion about the status of the proposals offered for consideration. There has in some cases been an insufficient distinction made between what might better be described as informal, preliminary soundings and the more formal, statutory consultations involving proposals which have emerged from a thorough appraisal of possible options, which are well developed and for which the resources for implementation have been clearly identified. It is sometimes appropriate, perhaps for purposes of informing the formulation of future strategic plans or even the identification of possible options, for Councils to seek to take such preliminary soundings of public or community views. But the principles of clarity, openness and transparency must apply equally to such actions. If the proposal in question is just one of a range of future ‘possibles’ and not necessarily in early prospect, then it would seem to me important that that should be made abundantly clear. To do otherwise runs a serious risk of impacting adversely on the Council’s, and perhaps also on other Councils’, scope for future consultations and decisions. I also believe the quality of some consultation papers could improve. I am considering what I can do further to address this and to ensure Councils improve in this very important area. I am also concerned that parents sometimes appear to be less than clear about the role of Ministers and Councils in the process, exactly what their statutory rights are and what they, and indeed we, expect of Councils. I am considering ways in which to ensure that parents are better informed.

I am in discussion with CoSLA about exactly the matters which the Committee has signalled its specific interest in - the way the guidance has been received and used by Councils, and the impact which it has had. CoSLA and the education authorities’ role in all of this cannot be overstated. It is on the education authorities that Parliament has placed the overarching statutory duty to provide adequate and efficient school education, the context within which all the proposals for changes to the configuration of the school estate have to be considered. This of course is against a background of a declining school population which means an obligation on all to think about the implications for the long-term planning of the school estate.

Finally, we should keep in mind that it is only a year since the guidance was issued and so recognise that some bedding-in time is required. Nevertheless, I am very clear about the need to take steps now to bring the practices of all Councils up to the standards of the best, in relation to consultation and the information they make available to parents.

PETER J PEACOCK
ED/S2/05/18/3

Agenda item 3
26 October 2005

EDUCATION COMMITTEE

School transport

1. At its meeting on 8 September 2005, the Committee noted a response from the Minister for Education and Young People to a letter from the former Convener of the Committee regarding school transport policy.

2. The Committee requested that the Convener wrote to COSLA seeking their views on the subject of school transport and sought the opportunity to discuss issues raised in the Minister's letter with him.

3. Members will recall that the Committee wrote to local authorities seeking their views on school transport policy earlier in the year and that the Scottish Consumer Council published a report on school transport in January 2005\(^1\).

4. A copy of the Minister’s letter (ED/S2/05/18/3a), a response from COSLA (ED/S2/05/18/3b) and a copy of the existing guidance on school transport (ED/S2/05/18/3c) are attached for information.

Eugene Windsor
Clerk
Education Committee

\(^1\) [http://www.scotconsumer.org.uk/publications/reports/reports05/rp02scho.pdf](http://www.scotconsumer.org.uk/publications/reports/reports05/rp02scho.pdf)
SCHOOL TRANSPORT

Robert Brown wrote to me on 10 May following the Committee’s consideration of how authorities are implementing the revised guidance on school transport (Circular 7/2003). I am grateful for the consideration that the Committee continues to give to school transport, and welcome the constructive spirit in which the Committee, the Scottish Consumer Council and the respondents to the Committee’s letter have approached the issues.

We are committed to delivering significant improvements in the health, safety, wellbeing and fitness of our young people. We are equally committed to reducing environmental pollution and traffic congestion around schools. I was much encouraged by the Committee’s focus on integration of local authorities’ school transport policies and practices. I very much share this concern for a “joined up” approach, as I said in my letter to Robert of 8 December 2003. I believe that a modal shift in patterns of travel to school has the potential to contribute to improved health and fitness, as well as to reduce significantly the environmental pollution and congestion generated around schools at either end of the school day.

Points raised by local authorities and other respondents

The Committee first seeks my comments on the points raised by authorities and others in response to its letter of 4 February 2005. I am encouraged to note that a good number of the responses indicate that authorities are already integrating their school transport policies with other policy strands. Some are clearly making the link with health and fitness; several indicate that school transport has links to wider environmental policies; and there are also indications of a holistic approach to transport, in which school transport is an integrated element. I have noted, and welcome, the emphasis many of the responses also place upon safety. They describe procedures for dealing with behaviour and disciplinary issues, and there is widespread determination to discourage use of private cars and to encourage safe walking, cycling or use of buses. Though only around one third of authorities responded to the Committee, it is clear that there is already much innovative work under way.

The statutory walking distance (section 42 of the Education (Scotland) Act 1980) refers to a distance beyond which a parent would have a reasonable excuse for keeping a child from school. This is why some authorities adopt the 2mile/3mile distance criteria for providing school transport. However, the section 51 provisions relating to school transport do not set any distance criteria, thereby allowing authorities to adopt criteria to suit local circumstances. I note that most of the respondents who already adopt different, ie shorter, distance criteria than the current statutory walking distances have reservations about the net benefits of reverting to statutory norms. This is not something that the Executive either has suggested or plans to suggest.

Five authorities expressed no views on the walking distances, and six suggested that they may now be outdated and due for review. It is not entirely clear what is being proposed here. The current statutory provisions do allow authorities to select distance criteria in relation to the provision of school transport to suit local needs and priorities. These may match the statutory walking distances or be set at shorter distances. In other words, the current statutory walking distances do not seem to act as a constraint on authorities’ ability and flexibility to set what they see as sensible school transport criteria that are appropriate to local circumstances, which is as it should be. Were the Executive to shorten the statutory walking distances some
authorities’ transport policies would be unaffected but others would be obliged to change theirs. I would also be concerned about the mixed message that a centrally imposed reduction in walking distances might send. It could reduce reliance on cars, but it might also act as a disincentive to walking or cycling, thus undermining other key policies directed at promoting healthier modes of travel. Furthermore, circumstances and expectations differ in different parts of the country. Distance is not the sole criterion used by authorities when considering whether or not to provide school transport. For instance, regardless of distance, there will be walking routes where particular local safety factors will be a consideration.

Two responses expressed views about the Executive’s funding for school transport. A number of authorities spend more on school transport than the GAE provision but, conversely, others spend less. The formula for distributing GAE provision uses pupil numbers as the primary indicator, but a further adjustment is made for population dispersion in recognition of the additional needs of rural communities. GAE provision is not hypothecated for any particular service; it is a mechanism for distributing the overall resources amongst authorities. It is for individual authorities to prioritise spend to reflect local needs. The current distribution formula was established with COSLA and councils over time and engenders a degree of stability in the shares of resources it delivers. However, the Executive would be prepared to discuss with COSLA changes to aspects of the GAE distribution formula which they might propose.

In its response to the Committee, the National Autistic Society sought a new statutory duty on authorities to provide free and appropriate transport for children and young people with disabilities where it is unreasonable to expect them to make their way to school on their own. Legislation already covers this. The Education (Disability Strategies and Pupils’ Educational Records) (Scotland) Act 2002 already requires authorities to prepare and implement accessibility strategies, and the Executive’s guidance makes it clear that these strategies should include their policy on transport to and from school. The Education (Additional Support for Learning) (Scotland) Act 2004 will, when it comes into force in November, strengthen the framework for supporting children and young people who require additional support to benefit from education. As you know, a key feature of the 2004 Act is that authorities will be under a duty to make adequate and efficient provision for such additional support as is needed for each child or young person for whose education they are responsible. Authorities will have to take account, inter alia, of issues of access to school, including travel to school.

**Recommendations in the Scottish Consumer Council (SCC) report**

Second, you ask for my comments on the recommendations made in the SCC report. I consider that their investigations and report are both timely and welcome.

The issue of achieving greater consistency across Scotland, identified in the SCC report, is about the extent of variation in practice in matters such as bus safety checks, monitoring of contractors’ performance, codes of conduct and training for drivers, and accessibility of authorities’ complaints procedures. It is for authorities themselves to negotiate with local transport providers on the terms and conditions of school transport contracts, including frequency and quality of bus safety checks. The Executive cannot intervene in the detail of these negotiations. The SCC’s report has, however, highlighted the need for authorities to monitor standards and to ensure that the service provided is at all times and in all ways fit for purpose. I commend to authorities the SCC’s recommendations on aspects of safety and
contract monitoring. I particularly welcome the recommendation that future school transport guidance should include examples of best practice, and can confirm that we intend to pursue this.

The issue of “attendants” is complex. Schools, parents and pupils can all contribute to preventing bullying, indiscipline and unruly behaviour on school buses. The SCC’s report suggests that behaviour is not a problem on all school buses, and it may be that placing escorts on all routes is neither necessary nor desirable. I accept that this is a matter of particular concern to many parents, and it is a concern which I fully share. The Executive has made £34.9 million available over the next three years for additional staff to support schools in tackling indiscipline. It is for authorities themselves to allocate these according to local priorities, which could include supervision on school transport. The Executive will be seeking information on current practice within authorities on promoting positive behaviour on school transport.

I have noted the concerns expressed in the SCC’s report about lack of transparency in complaints procedures. I agree that the procedures should be easily accessible to parents, and easy to use. This is a matter for authorities. I have also noted, with concern, the inconsistencies identified in practice on disclosure checks. It is vitally important that parents have confidence in the adults their children meet on school transport. This is clearly an area where our school transport guidance needs to be strengthened. I am grateful to the SCC for highlighting these issues, and again commend their recommendations on these subjects to authorities.

**Co-ordination of Scottish Executive policies**

Third, you ask how the Executive co-ordinates its policies and guidance on school transport with those on children’s health and safety and environmental issues such as air quality and traffic congestion. As I sought to emphasise in my letter of 8 December 2003 the integration and coordination of school transport policy with other relevant polices is absolutely central to the Executive’s agenda, not only where the connection is obvious and direct, but also in the wider context of planning, environmental and other transport issues. The following list of examples is illustrative (though not exhaustive) of some of the Executive’s cross-cutting initiatives which - whether that is the principal or a subsidiary purpose - support or encourage the consideration of school transport in the context of wider policies:-

- All schools to become health promoting schools by 2007. This will involve addressing all aspects of health - diet, physical fitness and activity throughout the school day (and indeed beyond ie in modes of school travel), emotional wellbeing, sexual health etc.

- *Active Schools* aims to increase physical activity among children and young people, to promote healthy activity throughout life - walking and cycling is a school travel choice that can contribute to that aim.

- Funding to authorities for Safer Routes to School (SRTS) schemes is available for the current and the next 2 financial years, through the cycling, walking and safer streets allocation, bringing the total investment in SRTS for the period from 2000 to 2008 to over £55 million.
• Executive funding for school travel co-ordinator posts in all authorities commenced in 2003 and will continue at least until 2008.

• Executive guidance to authorities on their local air quality management duties under the Environment Act 1995 refers specifically to SRTS and also suggests that authorities encourage schools to obtain copies of the school information pack on air quality issues produced by the National Society for Clean Air and Environmental Protection.

• The National Transport Strategy will provide a long-term strategic framework to all Scottish transport developments in all modes of transport. In order to ensure that the strategy is truly cross-cutting it will be based on widespread consultation with as broad a range as possible of key stakeholders.

• In assessing development proposals (including proposals for new schools) there is a planning presumption against uses likely to generate significant travel in locations where immediate links to walking and cycling networks are not, or cannot be made, available; where access to public transport networks are further than 400 metres’ walk; which would encourage reliance on the private car; which would be likely to have a detrimental effect on the capacity of the strategic road and/or rail network; or where a Transport Assessment does not include any satisfactory mechanism for meeting sustainable transport requirements.

• The publication “Sustainability”, in the Building our future: Scotland’s School Estate series, highlights the importance of devising a green travel plan as one of the key issues in delivering a good and sustainable building.

Legislative changes as proposed for England and Wales

Finally, you ask whether I believe there is any merit in considering legislative change as was proposed in the recent Westminster Bill. I understand that the School Transport Bill and Prospectus was the final stage in a long process, which had at its centre a concern to get children out of cars, promote healthier travel options, reduce congestion and encourage local solutions for local problems. These are concerns which we share, but I am not persuaded that replicating the DfES proposals would best serve our interests. There has been no clamour here to do that, perhaps because a measure of what the Bill proposed is already happening here.

The recent DfES Bill retained the current statutory walking distances to ensure that distance is not a barrier to accessing education but introduced the possibility of charges for journeys that are currently free to pupils living beyond the walking distances, with a small number of specific exceptions. As I said in my letter of 8 December 2003 I would have serious concerns about withdrawing an entitlement which would disadvantage a very significant number of parents who live at some distance from their local school.

Conclusion

In this necessarily lengthy letter I have set out fully my thoughts and reactions to the various aspects of school transport policy and practices which you raise, in a way that I hope is helpful to the Committee. Finally, let me reassure you that I and my officials continue to work with
colleagues within both the Executive and the local authorities, with a view to ensuring that school transport policy is well integrated with a range of other relevant policies, and to encouraging the dissemination and application of best practice.

I am copying this letter to Ross Finnie, Tom McCabe, Malcolm Chisholm and Tavish Scott, for their respective interests.

PETER J PEACOCK
Dear Eugene

SCHOOL TRANSPORT

Thank you for your letter of 13 September 2005 requesting a view from COSLA on the current guidance issued by the Scottish Executive on School Transport.

We are content with the existing guidance, and would strongly resist any additional central direction on this, or indeed on any other, matter. It is for each local authority to determine its own arrangements for school transport taking into account local circumstances which could include geographical, social and/or environmental issues. For example, walking distances have quite different implications for area to area, as other factors than just the distance must be taken into account.

COSLA is strongly supportive of encouraging children to walk to school wherever possible to support the health improvement and environmental agendas. We are very happy with the initiatives such as School Travel Co-Ordinators and Safer Routes to School and will be actively seeking to continue them into the future. It is important that policies on specific areas such as school transport dovetail with wider objectives such as improving air quality, the power of well-being and sustainability and we would encourage both the Executive and our member councils to take a joined-up approach. In the main, we believe this is happening at present, but recognise that things can always improve.

We note that the Scottish Consumer Council has raised concerns about behaviour on school transport, and again would argue that it is a matter for each authority to assess its needs and to deal with any issues in a way which fits with its own behaviour management policies, and we would expect that the resources provided by the Scottish Executive for Better Behaviour Better Learning could be used to support this.

The funding of school transport is an issue which COSLA raised in its Spending Review Submission last year, and it continues to be a pressure on local authorities. In particular, we have concerns about the funding of school transport for children with special needs as the move towards mainstream education wherever possible (which of course we support) has
increased the unit cost of transporting those children for whom special provision remains the best option. Also, there is no provision for 3 and 4 year-olds who are now entitled to a nursery place and this is an issue which has been raised particularly by rural councils.

I hope this is sufficient, but will be happy to provide further information should the Committee require it.

Yours sincerely

Anna Fowlie
Team Leader – Children & Young People
School Transport Guidance Circular

Purpose

1. This circular provides updated guidance to local authorities about the provision of school transport and replaces Circular No 17/1996. The topics covered in this circular are divided into 3 sections:

SECTION 1 - DUTIES AND POWERS OF EDUCATION AUTHORITIES

SECTION 2 - SAFETY OF PUPILS

SECTION 3 - SCHOOL TRANSPORT CONTRACTS

Background

2. Many parents rely on school transport provided by their education authority to get their children to school. Authorities have a common law duty of care for the safety of pupils under their charge and this duty extends to pupils using school transport. Accordingly, parents have a right to expect that suitable arrangements for a safe school transport system will be made by education authorities, taking account of local circumstances.

Scottish Ministers expect authorities to provide, whenever possible, a school transport service that uses modern and reliable vehicles of the highest standard.

SECTION 1 - DUTIES AND POWERS OF EDUCATION AUTHORITIES

3. Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of school transport and transport facilities on such terms and conditions as may be arranged, and to pay all or part of reasonable travelling expenses for school pupils residing in their area and attending designated schools. They are further required, when considering whether to make arrangements for the provision of school transport for pupils attending their schools, to have regard to the safety of those pupils.

4. Scottish Ministers expect authorities to keep their school transport provision under review to secure, as far as is reasonable and practicable, the safety of pupils at all times, in accordance with their duties under the Act and the Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990.

5. Authorities are now permitted to charge the parents of a pupil taking up a vacant place at a cost they consider appropriate. They may make different charges for different cases or different classes of case. Authorities are also reminded that they should have regard to the financial circumstances of the parents and consider when a charge should be paid by the parents without undue hardship.

SECTION 2 - SAFETY OF PUPILS
6. A Safe School Travel Pack, provided by the Scottish School Board Association and endorsed by the Scottish Executive, provides sound advice on ways in which school staff, parents and pupils can all play an important part in making the journey to and from school a safe one.

The Pack comprises 4 parts:

- a guide book
- a video
- a CD-ROM and
- curriculum material.

The guide book consists of a series of do's and don'ts aimed at pupils, parents and school staff. The video depicts various scenarios of accidents arising from unruly behaviour associated with school transport. The CD-ROM produces a multimedia element for parent and pupil participation, whilst the curriculum material focuses on ways in which pupils can positively affect their safety when travelling to and from school. This material is readily related to the 5 - 14 curriculum. Copies of the pack were sent to all education authorities for distribution to schools in 1996. Additional copies of the pack, or parts of it, can be obtained from The Scottish School Board Association, Newall Terrace, Dumfries, DG1 1LW (telephone: 01387 260428 or fax: 01387 260428). A charge may be made.

7. The Safe School Travel Pack suggests ways in which school staff can assist in the operation of a safe and efficient transport service. These include :-

- Ensuring that pupils understand the rules for safe travel on school buses, including the consequences of misbehaviour and banned activities such as smoking, vandalism, fighting, moving about the vehicle and tampering with the emergency doors and windows;

- Working with transport operators and the education authority as appropriate in cases of problem behaviour;

- Ensuring observance of a "No Smoking" policy on school buses (for example, by using supervisors or liaising with drivers), taking firm action against any pupil found smoking (see paragraph 9) and reporting any driver observed smoking to his/her employer (see paragraph 10).

- Taking a firm line with pupils who misbehave on or around school transport;

- Warning pupils of the danger of distracting the driver's attention by misbehaving on the vehicle;

- Encouraging pupils to stand back from the edge of the kerb when waiting for the bus;

- Providing safe access to and from the bus park for both vehicles and pupils and ensuring adequate supervision of transport arrival and departure from the school;

- Ensuring that private cars on school property are not parked in such a way that they cause obstruction or danger;
· Establishing contingency plans for bad weather or other emergencies in line with education authorities' policies;

· Providing transport operators with advance details of dates when schools are closed for teacher training, or early dismissals for any other reason;

· Ensuring that buses are not overloaded (for example, by supervising pupils when they board buses and ensuring that sufficient buses are available); and

· Reporting to the Education Department any shortcomings in the transport service, including late or non-operation, incorrect route and poor driving standards.

8. A booklet "Safe School Trips" gives an insight into the legal and safety implications in the preparation and taking of School Trips. Copies can be purchased from the Scottish School Board Association at the address given in paragraph 6. Again a charge may be made.

9. "Minibus Safety - Code of Practice", developed by several key organisations and published by the Royal Society of the Prevention of Accidents (RoSPA) in March 2002, is designed to help those who either own, hire or lease minibuses to provide a safe, effective and efficient service. Primarily written for persons who have responsibility for the operation and management of the minibus, the Code is for use by people such as drivers, headteachers, centre managers, group leaders etc. It is not written for commercial operators who require a full PSV operator's licence. The Code includes sections on:-

· Best Practice

· The Management System

· The Driver

· Passenger Care

· Journeys Abroad

10. Copies of this publication are available from RoSPA, Edgbaston Park, 353 Bristol Road, Birmingham, B5 7ST, Tel: 0121 248 2222. A charge per copy will be payable.

**Supervision**

11. Recommendation 12 of "Better Behaviour-Better Learning" (the Report of the Discipline Task Group, 2001) encourages authorities and schools to consider the promotion of positive behaviour outside the classroom, in playgrounds, corridors and public areas. Supervision on transport can help to maintain good behaviour amongst pupils and this in turn can contribute to more positive behaviour within the classroom. Discipline problems which start on the journey to school, can spill over into the classroom. Supervision contributes more generally to greater school transport safety. It is for education authorities themselves to determine, in the light of local circumstances, whether or to what extent to provide supervision. Some authorities now provide supervision on school transport where, for example, double decker buses are used. Other authorities benefit from using vehicles with CCTV cameras or by using
designated school escorts (e.g. teachers, assistants, prefects, travel monitors, volunteer parents etc.).

12. Some authorities actively use the journey time to build positive relationships with school pupils and youth workers or other staff, which can be particularly beneficial in rural areas where access to youth services is more limited.

13. There is no statutory requirement for education authorities to provide supervisors on school transport provided under the Education (Scotland) Act 1980. While Scottish Ministers agree that, on many journeys, the supervision of pupils is unnecessary, there is little doubt that it would be desirable in some circumstances, and may have a positive impact on discipline issues such as bullying, which frequently occur in areas where pupils may not be subject to supervision.

14. For example, such circumstances might include school outings; when very young children or children with special needs are travelling; or when travelling outwith normal school hours. Scottish Ministers expect authorities to keep under review the issue of when, where and how they might provide appropriate supervision.

**Pupil behaviour on school transport**

15. Parents and school staff have a key role in encouraging pupils to behave responsibly whilst on a school bus. The safety of pupils using school transport, particularly when boarding and alighting a bus, could be jeopardised as a direct consequence of inappropriate or unruly behaviour. The Safe School Travel Pack includes advice specifically for pupils themselves. Education authorities are urged to ensure that pupils have access to and are given the opportunity to read the advice included in the pack.

**Smoking**

16. Under the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 smoking is prohibited in any part of a vehicle where a "No Smoking" notice is displayed by the operator, unless the vehicle has been hired and both the operator and the hirer have granted permission. It would be a matter for operators to decide whether to display "No Smoking" notices in their vehicles. Some children nonetheless choose to smoke and in these circumstances there is a clear role for school staff and parents to discourage such behaviour.

17. The same Regulations also ban drivers from smoking in a bus, unless the vehicle is not available for the carriage of passengers, or the vehicle is on hire and both the operator and the hirer have given permission for the driver to smoke. Scottish Ministers consider that it would be appropriate to clarify this point in the contract between the education authority and transport providers. Any driver who ignores a "No Smoking" ban should be reported to his/her employer. Ultimately a driver can be reported to the police or to the Traffic Commissioner.

**Walking distance to school**
18. In making their arrangements for the provision of school transport authorities must take into consideration the distance between a pupil's normal place of residence and school. The details of the arrangements are for each education authority to determine in light of local circumstances. In general, they make free travel available to pupils who live outwith the statutory walking distance, defined in section 42(4) of the 1980 Act as being 2 miles for any pupil under 8 years of age and 3 miles for any other pupil. Those distances relate to school attendance issues, and are used to determine what would constitute a legitimate reason for not sending a child to school.

19. Section 51 of the 1980 Act does not itself set any distance beyond which transport should be provided, in recognition of the fact that each school transport journey is different.

20. Scottish Ministers appreciate that authorities have to make difficult decisions, and there will instances where individual pupils residing just within measured boundaries would not normally be entitled to free transport, whereas those residing just outwith the boundaries would qualify. Ministers expect authorities to keep under review their criteria on this provision by introducing added flexibility and taking into consideration the increased volume of traffic on our roads, the availability of crossings, sufficient pavement and footpaths, subways, built-up and wooded areas, adequate street lighting etc.

SECTION 3 - SCHOOL TRANSPORT CONTRACTS

21. It is for education authorities themselves to negotiate the terms of contracts for school transport.

22. However, the Safe School Travel Pack referred to in paragraph 6 recommends that education authorities' Condition of Contract or Good Practice Codes, applicable to school transport provided by hired contractors, should place a number of responsibilities on the contractor. These include the need to ensure that :-

· Staff and vehicles meet both statutory obligations and any additional requirements set by the education authority;

· Drivers are comprehensively briefed on the operation of school transport arrangements, with particular attention focused on any Codes of Practice issued by the education authority;

· Contingency plans are in place to deal with vehicle failures, staff unavailability, emergency closure of school(s) and other emergencies;

· All necessary specialist equipment, including tail lifts, is in good working order and that the operational staff are trained in the correct use of the equipment;

· Operational staff are briefed on issues involving pupil safety and behaviour, and that they know never to eject a pupil from a school transport vehicle;

· They do not sub-contract to another operator without the permission of the authority; and

· Operational or behaviour problems are reported immediately to the school concerned, the education authority and the authority's school transport organiser.
Disclosure Scotland

23. Many children travel to school either on designated school buses or by taxi. Scottish Ministers expect authorities, when negotiating school transport contracts, to require that all drivers and escorts are fully scrutinised by Disclosure Scotland. Relevant checks should be undertaken by the bus company and the authority as necessary.

24. If an authority subsequently has concerns about the suitability of an individual driver or escort in such circumstances the authority should take this up directly with the bus company or other appropriate authorities.

Type and Standard of Vehicle

25. The type of vehicle used for school transport should be suitable for the purpose intended. It is open to authorities, for example, to exclude the use of double decker buses where they consider that to be appropriate and to specify that minibuses must be used on certain routes, such as narrow and difficult roads.

26. It is for education authorities to set appropriate contract conditions when letting contracts for school transport, which take full account of the circumstances of particular journeys, such as distance and the nature of the route. It is a legal requirement that vehicles are in a fit and roadworthy condition, regardless of their age. Education authorities should however consider stipulating the maximum age of vehicles used for school transport in their contracts and seek assurances from operators that such vehicles are of the highest possible standard.

School Bus Signs and Hazard Warning Lights

27. In terms of the Road Vehicles Lighting Regulations 1989 as amended by the Road Vehicles Lighting (Amendment) Regulations 1994, designated buses and coaches that are used for journeys to and from school are required to display distinctive retro-reflective yellow school bus signs fitted to the front and rear of the bus. These signs must be plainly visible to road users ahead of, and behind, the bus. Vehicles displaying school bus signs are also permitted to use hazard warning lights when the vehicle is stationary and children are boarding or alighting.

28. The purpose of the school bus sign and hazard warning lights is to make other road users aware that when the vehicle is stationary children are likely to be getting on or off the bus and may be crossing the road. Other road users should, therefore, be very cautious when passing a school bus in those circumstances. There is no statutory requirement to remove the school bus signs when the vehicles are not being used to transport children, or to use hazard warning lights when the vehicle is stationary and children are boarding or alighting. However, Scottish Ministers invite education authorities to stipulate in their contracts that the signs should only be displayed when children are being transported and that hazard warning lights should be used when children are getting on or off vehicles.

Prohibiting access by certain vehicles to school transport routes

29. Authorities may consider it desirable to prohibit access by certain vehicles to some routes in the interests of school transport safety. For example, they may consider it desirable to
prohibit large goods vehicles (LGVs) on narrow country roads during times when school buses are likely to be running on these routes.

30. Local authorities can achieve this by exercising powers available to them under the Road Traffic Regulation Act 1984 which allows authorities to make Traffic Regulation Orders preventing the use of local roads by vehicular traffic of a kind or in a manner which is unsuitable having regard to the character of the road. Mandatory restrictions can cover small lengths of a road or large area networks and can be based on gross vehicle weight, axle weight, length, height or width or any other readily understood characteristics of the vehicles.

31. One of the most cost-effective traffic management measures is the signposting of suitable alternative routes, where appropriate, to direct LGV traffic away from particular parts of a road network, at certain times, such as when a road is likely to be used by school buses.

32. When considering schemes to control LGVs the local authority should bear in mind the need to maintain a balance between the protection of the community against the effects of heavy lorry traffic on one hand, and on the other, the maintenance of an effective road freight distribution system essential to a healthy local economy.

**Seat Belt Requirements**

33. Coaches and minibuses are required to be fitted with seat belts when carrying 3 or more children, aged 3 or over but under the age of 16, on organised school trips. In this context "organised trips" includes journeys when children are being carried between school and home and on school outings. The Road Vehicles (Construction & Use) Regulations 1986 (as amended) require that a forward facing seat with a minimum of a lap belt must be available to every child travelling in these circumstances. For vehicles first used after 1 October 2001, rearward facing seats may also be used. In minibuses with an unladen weight of 2,540 kgs or less, seat belts, where fitted, must be worn and the driver is responsible for ensuring that pupils under the age of 14 wear them. For larger minibuses and coaches, while there is no legal responsibility for the driver, passenger or any supervisor to ensure that seat belts are worn, education authorities will wish to consider how they might best encourage pupils to wear seat belts for their own comfort and safety.

34. For the purpose of the regulations a "minibus" is defined as a motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver and a "coach" is defined as a "large bus with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph". These regulations apply to :-

- all minibuses used from 10 February 1997
- all coaches used from 10 February 1997; if they were registered on or after 1 October 1988
- all coaches used from 10 February 1998; if they were registered before 1 October 1988

35. Since 1 October 2001, seat belts have been required in the forward and rearward facing seats of all new minibuses, coaches and buses (apart from those specifically designed for urban use with standing passengers). The requirements are :-
· minibuses and buses with a gross weight of 3500 kg or less - 3 point belt in forward facing seats and 3 point belt or retractable lap belts in rearward facing seats;

· minibuses and buses with gross weight of more than 3500 kg - 3 point belts or retractable lap belts in forward and rearward facing seats; and

· coaches - 3 point belt or retractable lap belt in all forward and rearward facing seats.

36. A guide to the seat belt requirements in minibuses, coaches and other buses is available on the Department for Transport website at: www.roads.dft.gov.uk/vehicle/standard/consum/02.htm.

37. Vehicle operators should ensure they comply with existing statutory requirements and education authorities will wish to satisfy themselves on that point. When setting the terms of contracts with bus and coach operators, authorities will wish to consider whether to require that vehicles are fitted with 3 point seat belts rather than the minimum statutory requirement of lap belts.

Enquiries

38. Enquiries relating to the duties and powers of education authorities, the safety of pupils and general school transport issues should be addressed to Schools Division, Scottish Executive Education Department (e-mail: Schooltransport@scotland.gsi.gov.uk).

39. Enquiries relating to school bus signs and hazard warning lights, the prohibition of access by certain vehicles to school transport routes and seat belt requirements, should be addressed to: Road Safety Policy Branch, Transport Division (e-mail roadsafety2@scotland.gsi.gov.uk).

40. Further copies of this Circular are available by contacting Schools Division on 0131 244 4485/0942.
Introduction

1. The Finance Committee has sought responses from subject committees on the Scottish Executive's proposed 2006-07 budget.

2. The Finance Committee’s guidance on budget scrutiny is attached as ED/S2/05/18/4a. The Finance Committee’s budget adviser has provided guidance for subject committees on scrutiny of the Scottish Executive’s cash-releasing efficiency programmes ED/S2/05/18/4b. Details of the Education Department's cash-releasing efficiency programmes are provided as paper ED/S2/05/18/4c. For reference, the Committee’s Stage 2 report on the 2005-06 budget is provided as paper ED/S2/05/18/4d.

Timetable

3. At today’s meeting, the Committee will take evidence from the Minister for Education and Young People and officials and will discuss the issues that it wishes to highlight in its report to the Finance Committee. The Committee will discuss a draft report at its meeting on 9 November. The final deadline for submissions of subject committee reports to the Finance Committee is 16 November.

Eugene Windsor
Clerk
Education Committee

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1 Copies of the draft budget 2006-07 have been circulated to members previously. It is available electronically at http://www.scotland.gov.uk/Publications/2005/09/06112356/23573.
2006/07 Budget Process – Budget Guidance to Subject Committees: Paper by the Budget Adviser

1. The Budget process this year is a shorter one, in the absence of a Stage One. This is by agreement with the Executive to align the Scottish process with the annual Spending Reviews at Westminster. The Finance Committee is currently considering the implications of the postponement of the 2006 Spending Review for next year’s process.

2. As the strategic choices are exercised in Spending Review years, this year’s process should focus on changes to the expenditure plans agreed last year. There is, therefore, no need to ask for spending recommendations for additional funding, but Committees may wish to consider whether the pattern of expenditure within its portfolio is acceptable, or whether it wishes to recommend transfers between programme budgets within its portfolio.

3. The signals from the Treasury imply a tightening of the fiscal climate by 2008. Subject Committees may therefore wish to use their evidence session with Ministers to probe their thinking about priorities – as it is clear from the Draft Budget that portfolios list far too many priorities to be meaningful and a more systematic and rigorous approach to priority-setting will be required if resources become constrained.

4. A new development in the current Draft Budget is the use of efficiency savings to reallocate resources. Parliament has now received a full set of cash-releasing efficiency savings with budgetary implications and it would be helpful to have Subject Committees’ views on these. Time-Releasing Savings Technical Notes are also available, but for the purpose of the budget exercise, Committees should focus on the cash-releasing projects. The attached note on Efficient Government explains the current position (FI/S2/05/17/3).

5. With these comments in mind, the Finance Committee would welcome responses from the Subject Committees on the undernoted key questions:

a) Is the Committee satisfied with the responses from Ministers to its recommendations for the 2005-06 Draft Budget?

b) Does the Committee wish to raise any matter regarding the changes to spending plans referred in the ‘New Resources’ section?

c) Does the Committee wish to recommend any specific changes to programme budgets within the portfolio? If so, which programmes should be increased and why, and which programmes should be reduced to fund such changes?

d) Is the Committee content with the Statement of Priorities set out in its portfolio chapter?

e) Does the Committee have any comments to make regarding the cross-cutting issues set out in its portfolio?
f) Is the Committee content with the efficiency proposals identified for its portfolio? Are there projects to promote efficiency that the Committee would like to see considered by the Executive?

g) Further to the above, each chapter contains information regarding departmental contributions to the equality agenda. Does the Equal Opportunities Committee wish to make any comments on this information and does it wish to make any proposals regarding specific spending programmes which promote equality?

Professor Arthur Midwinter
September 2005
1. Further to the previous discussion regarding the form of efficiency savings, the Executive has now clarified the position for the Committee. There are two types of savings, one in which the efficiency assumptions were built into budget baselines in the Spending Review settlement; and the other in which there is a savings target which is not built into a budget baseline, which departments are free to redirect into frontline services once the saving is made.

2. There are £201m of the first category of cash savings in the local government settlement, and £125m of target savings which can be redirected to frontline services.

3. In the Health portfolio, the NHS efficiency savings (H/C 7) of £90m over three years (1% of NHS Boards spending) is in the first category. The other health savings are all in the second category.

4. Thirdly, there was a cash efficiency saving built into the Scottish Prison Service budget of £10m.

5. In addition, there are a number of small projects which contribute cash savings in the Spending Review Settlement. These are:

   1. EYP/C3 savings on EYP Central Government Expenditure of £9.8m
   2. J/C1 Fire Central Government of £0.1m
   3. Administration savings of £8.4m

In each of these three cases, budgets were “flatlined” in the Spending Review, constituting a real terms cut and these savings contribute to meeting that reduction. Not all of the savings in the Administration Budget are efficiency savings, and some £5.6m additional savings were made by reducing spending in areas where less resource is required. These are not efficiency savings and have not been included within the total.

6. This makes a total of £319.3m of cash savings built into budgets. The Executive has said these savings have been realigned within portfolios and generally within programme budgets, towards front-line services. This leaves £411.7m as targets available for redirection to frontline services. As with the efficiency savings in total, local government again bares a disproportionate share of the first category of savings at 63% - nearly twice its share of the
budget. This leaves £125m which could be used to reinvest in frontline services.

Table 1 – Efficiency Savings Built Into Spending Review Plans

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Savings (£m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EYP/C3</td>
<td>Savings from EYP Central Government Expenditure</td>
<td>£9.8m</td>
</tr>
<tr>
<td>FBSR-LG/C1</td>
<td>Assumed Local Government Efficiency Savings</td>
<td>£168.3m</td>
</tr>
<tr>
<td>FPSR-LG/C3</td>
<td>Common Police Services</td>
<td>£5.5m</td>
</tr>
<tr>
<td>FPSR-LG/C4</td>
<td>Efficiencies in Supporting People Programme</td>
<td>£27.0m</td>
</tr>
<tr>
<td>H/C7</td>
<td>NHS Efficiency Savings</td>
<td>£90.0m</td>
</tr>
<tr>
<td>J/C1</td>
<td>Fire Central Government</td>
<td>£0.1m</td>
</tr>
<tr>
<td>J/C5</td>
<td>Efficiency Savings in SPS</td>
<td>£10.0m</td>
</tr>
<tr>
<td>A/C1 to A/c5</td>
<td>Scottish Executive Administration Budget</td>
<td>£8.4m</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>£319.1m</strong></td>
</tr>
</tbody>
</table>

Professor Arthur Midwinter  
Budget Adviser
5. EDUCATION AND YOUNG PEOPLE

Cash-Releasing Efficiency Technical Notes

<table>
<thead>
<tr>
<th>1. Portfolio/Number/Name:</th>
<th>EYP/C1 Efficiency savings in the Scottish Qualifications Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Programme/Activity:</td>
<td>SQA will deliver continuous improvement and increasing efficiencies in financial management leading to more efficient operational activity.</td>
</tr>
<tr>
<td>Cash (£m)</td>
<td>0.3</td>
</tr>
<tr>
<td>Time Releasing (£m)</td>
<td>0</td>
</tr>
<tr>
<td>4. Accountable Officer for delivery</td>
<td>Mike Ewart</td>
</tr>
<tr>
<td>5. Project Manager</td>
<td>Kenny McKenzie</td>
</tr>
<tr>
<td>6. EGDG account manager</td>
<td>Gillian Woolman</td>
</tr>
<tr>
<td>7. Quality Impact</td>
<td>Describe any impact on the quality of service delivery. Be specific and explain if the expectation is positive, negative or neutral.</td>
</tr>
<tr>
<td></td>
<td>Neutral</td>
</tr>
<tr>
<td>8. Dependencies</td>
<td>Explain if your savings are dependent on legislation or other structural changes being achieved.</td>
</tr>
<tr>
<td></td>
<td>None</td>
</tr>
<tr>
<td>9. Description of efficiency and actions to be taken</td>
<td>9.1 How will the saving being made? Be specific about number/size of contracts, staff, posts, dates, etc.</td>
</tr>
<tr>
<td></td>
<td>Procurement and purchasing regimes will be improved and budget holders will be required to continuously challenge the need to incur cost. Operational costs will be flat-lined across each of the three years and savings to offset the impact of inflation on an ongoing basis.</td>
</tr>
<tr>
<td>9.2 What action is critically needed to secure delivery of this saving? Be specific, name the key action managers if they are outwith your immediate management chain (eg in an NDPB)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Delivery is dependent on the SQA. As Chief Executive of the SQA, Anton Colella is accountable for the delivery of these savings.</td>
</tr>
<tr>
<td>10. Impact on Staffing to achieve the efficiency gain</td>
<td>If there are to be any changes in staff numbers (at activity level) to achieve the efficiency gain, please indicate how many full time equivalents and how far you expect savings to be achieved by natural wastage (show additions as + and</td>
</tr>
<tr>
<td>Reductions as -</td>
<td>2005-06</td>
</tr>
<tr>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>+</td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Net</td>
<td></td>
</tr>
<tr>
<td>Explanation</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 11. Benefits

In general, the benefits of the Scottish Executive Efficiency Plan are the enhanced outputs from the resources Minister have been able to allocate in SR04. but if there is a direct connection between this efficiency saving and the enhancement of a particular service please describe it here. 

N/A

### 12. Gross/Net Cash Savings

12.1 Please set out the gross recurring saving and any offsetting recurring expenditure.

£0.3m in 2005-06, £0.7m in 2006-07 and £1m in 2007-08

12.2 Against which budget does this expenditure and saving fall?

SQA Resource - A/C0100290

12.3 Has this saving been built into your budget?

Yes

12.4 If so, what is the maximum allowable expenditure against the budget data, in each year, for that saving to be delivered?

£11.5m in 2005-06, £8.7m in 2006-07 and £8.2m in 2007-08

12.5 If not, how do you propose to invest the additional cash back into public services?

N/A

12.6 What plans do you have to exceed the required saving? Explain by how much in each year.

N/A

### 13. Time - release savings

13.1 Please explain any time-releasing savings indicated at question 3

N/A

13.2 Please describe the method you plan to use to calculate
the cash equivalent of those time release savings

N/A

14.1 How are you proposing to measure the expected efficiency benefits (eg in terms of costs, level of output or quality of service)?

Delivery will be measured through monthly financial monitoring and annual budget setting exercises.

14.2 What monitoring and reporting procedures will be put in place to measure the efficiency savings (How often will progress towards the target be monitored? Who will have lead responsibility for reporting progress and what procedures are in place?)

Efficiency savings will be monitored as part of the normal monthly financial monitoring provided by SQA.

14.3 Monitoring Data: Sources, validation and risks

- What data will be used to measure progress? Is all the required information quantifiable and readily available? If not what action will be taken to rectify this?
- What measures will be in place to validate the accuracy of the data? Who will take responsibility for this?
- Are there any issues or risks relating to how you plan to use the data? (e.g. accuracy, difficulties in collection)

Progress will be measured through the provision of financial data provided to the sponsor team by SQA.

1. Portfolio/Number/Name: EYP/C3 Savings from EYP central government expenditure

2. Programme/Activity:

In the 2004 Spending Review, it was decided to hold specific budget baselines constant at 2005-06 levels despite inflationary pressure and the ongoing requirement to deliver established policy commitments. The saving thus secured is the total amount by which those budgets would otherwise have increased in line with inflation.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash (£m)</td>
<td>0.0</td>
<td>4.2</td>
<td>9.8</td>
</tr>
<tr>
<td>Time Releasing (£m)</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>

4. Accountable Officer for delivery: Mike Ewart

5. Project Manager: Joe Brown
6. EGDG account manager  | Gillian Woolman

7. Quality Impact  
Describe any impact on the quality of service delivery. Be specific and explain if the expectation is positive, negative or neutral.

Neutral impact on the quality of service delivery.

8. Dependencies  
Explain if your savings are dependent on legislation or other structural changes being achieved.

Savings are not necessarily dependent on legislation or other structural changes being achieved.

9. Description of efficiency and actions to be taken  

9.1 How will the saving be made? Be specific about number/size of contracts, staff, posts dates etc.

The cash saving will be made by holding specific budget baselines constant at 2005-06 levels despite inflationary pressure and the ongoing requirement to deliver established policy commitments. This decision freed up resources for Ministers to direct to other priorities as part of the Spending Review.

9.2 What action is critically needed to secure delivery of this saving? Be specific, and name the key action managers if they are outwith your immediate management chain (e.g. in an NDPB.)

Delivery of established policy commitments within existing programme baselines. Individual policy managers will devise and implement innovative methods to enable specific policy initiatives and outcomes to be delivered with no growth in budget in real terms.

10. Impact on Staffing to achieve the efficiency gain

If there are to be any changes in staff numbers (at activity level) to achieve the efficiency gain, please indicate how many full time equivalents and how far you expect savings to be achieved by natural wastage (show additions as + and reductions as -).

<table>
<thead>
<tr>
<th></th>
<th>2005-06</th>
<th>2006-07</th>
<th>2007-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanation  
Savings emerging from programme baselines, not Departmental Running Costs.

11. Benefits  
In general, the benefits of the Scottish Executive Efficiency Plan
are the enhanced outputs from the resources Ministers have been able to allocate in SR04. But if there is a direct connection between this efficiency saving and the enhancement of a particular service please describe it here.

N/A

12. Gross/Net Cash Savings

12.1 Please set out the gross recurring saving and any offsetting recurring expenditure.

Total recurring saving of £9.8 million per annum from 2007-08.

12.2 Against what budget does this expenditure and saving fall?

Expenditure and savings relate to the following budgets:

<table>
<thead>
<tr>
<th>Budget</th>
<th>2005-06 baseline</th>
<th>2006-07 saving</th>
<th>2007-08 saving</th>
</tr>
</thead>
<tbody>
<tr>
<td>NED/broadband</td>
<td>17.7</td>
<td>0.4</td>
<td>0.8</td>
</tr>
<tr>
<td>Pupil Support and Inclusion</td>
<td>3.3</td>
<td>0.1</td>
<td>0.2</td>
</tr>
<tr>
<td>Additional Support Needs</td>
<td>29.1</td>
<td>0.6</td>
<td>1.4</td>
</tr>
<tr>
<td>Children and Families</td>
<td>72.7</td>
<td>1.5</td>
<td>3.4</td>
</tr>
<tr>
<td>Youth Crime etc</td>
<td>66.2</td>
<td>1.3</td>
<td>3.1</td>
</tr>
<tr>
<td>Looked After Children &amp; Youth</td>
<td>11.3</td>
<td>0.2</td>
<td>0.5</td>
</tr>
<tr>
<td>Information &amp; Analysis</td>
<td>2.8</td>
<td>0.1</td>
<td>0.1</td>
</tr>
<tr>
<td>Gaelic</td>
<td>3.3</td>
<td>0.1</td>
<td>0.2</td>
</tr>
<tr>
<td>Other</td>
<td>2.2</td>
<td>0.0</td>
<td>0.1</td>
</tr>
<tr>
<td>TOTAL (sum)</td>
<td>208.7</td>
<td>4.2</td>
<td>9.8</td>
</tr>
</tbody>
</table>

The saving is the amount by which that budget would otherwise have increased in line with inflation.

12.3 Has this saving been built into your budget?

These savings have been built into SR2004 budget outcomes.

12.4 If so, what is the maximum allowable expenditure against the budget data, in each year, for that saving to be delivered?

Subject to appropriate funding of any new policy developments, the maximum allowable expenditure against the published budget data, in each year, for that saving to be delivered is:

<table>
<thead>
<tr>
<th>Year</th>
<th>2005-06</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Services</td>
<td>baseline</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>NED/broadband</td>
<td>17.7</td>
</tr>
<tr>
<td>Pupil Support and Inclusion</td>
<td>3.3</td>
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<tr>
<td>Additional Support Needs</td>
<td>29.1</td>
</tr>
<tr>
<td>Children and Families</td>
<td>72.7</td>
</tr>
<tr>
<td>Youth Crime etc</td>
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<td>11.3</td>
</tr>
<tr>
<td>Information &amp; Analysis</td>
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</tr>
<tr>
<td>Gaelic</td>
<td>3.3</td>
</tr>
<tr>
<td>Other</td>
<td>2.2</td>
</tr>
<tr>
<td>TOTAL (sum)</td>
<td>208.7</td>
</tr>
</tbody>
</table>

12.5 If not, how do you propose to invest the additional cash back into public services?

N/A

12.6 What plans do you have to exceed the required saving? Explain by how much in each year.

N/A

13. Time - release savings

13.1 Please explain any time-releasing savings indicated at question 3

N/A

13.2 Please describe the method you plan to use to calculate the cash equivalent of those time release savings.

N/A

14. Measurement and Monitoring

14.1 How are you proposing to measure the expected efficiency benefits (e.g. in terms of costs, level of output or quality of service)?

Efficiency benefits will be measured in terms of costs.

14.2 What monitoring & reporting procedures will be put in place to measure the efficiency savings (How often will progress towards the target be monitored? Who will have lead responsibility for reporting progress and what procedures will be in place?)

Established monitoring and reporting procedures will be used to measure the delivery of efficiency savings. Ministers and the
Departmental Management Board receive progress reports at least on a quarterly basis.

### 14.3 Monitoring Data: Sources, validation and risks

- What data will be used to measure progress? Is all the required information quantifiable and readily available? If not what action will be taken to rectify this?
- What measures will be in place to validate the accuracy of the data? Who will take responsibility for this?
- Are there any issues or risks relating to how you plan to use the data? (e.g. accuracy, difficulties in collection)

*Budget allocation information is quantifiable and readily available. Finance Group will validate the accuracy of the data.*
Introduction

1. The Committee took evidence on 10 November 2004 from Peter Peacock MSP, Minister for Education and Young People, Philip Rycroft, Head of Schools Division, Colin Maclean, Head of Children, Young People and Social Care, Gill Robinson, Head of Qualifications, Assessment and Curriculum, Colin Brown, Qualifications, Assessment and Curriculum Division and Joe Brown, Information, Analysis and Communication Division, Education Department, Scottish Executive.

2. This report is based on the evidence provided to the Education Committee and structured according to the questions posed to subject committees by the Finance Committee on the draft 2005-06 budget.

Is the Committee content with the Executive’s response to any spending issues?

3. The Committee is concerned that despite stressing the continued importance of additional support needs, this budget line will only increase 2.36% over the three year spending review period with the increases in expenditure being felt entirely during 2005-06 while there are real terms decrease in expenditure during 2006-07 and 2007-08. Although the Committee appreciates that there are other budget lines which are relevant to additional support needs, the structure of the budget document makes this difficult to identify and prevents proper scrutiny of the level of overall spend in this critical area.

Is the Committee content with the Executive’s response to other budgetary issues raised by it at Stage 1?

4. The Committee notes the continued difficulty of scrutinising the budget when central government spending on education and young people (c. £445 million planned for 2005-06) is dwarfed by the expenditure in these areas made by local authorities (£3.9 billion for 2005-06) and the need to preserve local authorities’ autonomy and accountability. It recognises that this issue does not solely pertain to issues relating to education and young people and welcomes the Minister’s continued commitment to striving for greater transparency of local authority
expenditure and will ensure that Parliamentary and Executive staff continue to work together to improve mutual understanding. However, the Committee believes it should be possible to make education spending in Scotland much more transparent and accountable than at present. In addition, the Committee notes that the Executive’s approach of working with individual local authorities to provide tailored solutions presents the Executive with particular challenges in terms of creating a robust performance measurement and reporting framework, as required by target 10.

5. However, the Committee is not wholly reassured by the Minister’s responses which referred the Committee to a number of additional sources of data, including the Grant Aided Expenditure calculations and the National Priorities Performance Report. Firstly, the Grant Aided Expenditure calculations refer to inputs, not outputs and secondly, the National Priorities Performance Report relates to monitoring performance against National Priorities which, although of profound significance, are not the targets that the Executive has set itself to have its performance assessed. Furthermore, the Committee believes that the information required to scrutinise the budget effectively should be provided clearly, transparently and in an integrated form in the budget documentation itself and should not be reliant on other external sources. The Committee believes, that with regards to budget scrutiny, it should not need to undertake its own additional analysis to ascertain whether the Executive is performing effectively.

6. Despite this, the Committee welcomes the Minister’s commitment to provide additional detail on how expenditure from National Priorities Action Fund is broken down as this is a significant component of the Executive’s expenditure on education and young people.

7. The Committee is concerned that some of the budget headings are vague at best (for example, “Schools” at Level 3 within the Level 2 heading of “Schools”) and it therefore remains difficult for the Committee to understand the contents of some of these headings. Although this information may be available in the technical notes to accompany the budget, these had not be published at the same time as the budget document (see discussion below regarding milestones).

Is the Committee content with the revised statement of portfolio priorities, objectives and targets for its area?

8. The Committee welcomes the revision of the targets in the Education and Young People portfolio as recommended in its report on the Scottish Executive’s Annual Evaluation Report. It also welcomes the clear, separate statement of priorities in the draft budget 2005-06, although notes that eleven is a large number of priorities to maintain focus on. However, the Committee is concerned at the incomplete linkage between the priorities and the targets with five priorities having no corresponding targets and would encourage the Scottish Executive to continue to move towards a suite of targets that correspond precisely to its priority areas for action.

9. In addition, it would be helpful if, in the future, there could be progress towards presenting budgetary detail according to targets rather than in its current format which appears to replicate the Education Department’s internal
organisational structure. This would enable a direct linkage to be made between the Scottish Executive’s education and young people priorities, the targets used to monitor performance against these priorities and the budget assigned to delivering them.

10. The Committee noted that there was a mixture of styles of target within the Education and Young People portfolio with some being focused on outputs and some being focused on process. The Committee questions the use of process targets (eg establishing an inspection regime) as these do not necessarily secure a desired outcome for children and young people.

11. The Committee’s report on the Annual Evaluation Report recommended that there were clear milestones for each target. The revision of the targets following the spending review and as reported in the draft budget 2005-06 resulted in many of the timescales for delivery moving further into the future. The Committee regrets that the technical notes to accompany the budget and which will detail the milestones to be achieved will not be published until after the Parliament’s scrutiny of the draft budget for 2005-06 as this hinders the Committee’s ability to be reassured that the Executive’s performance management framework is adequate.

12. The Committee was scrutinising the budget in the week following the announcement of a major education reform programme by the Minister. The Committee were reassured by the Minister’s responses to how this reform programme would be funded (including his response on special schools) during the spending review period and that there were measurable targets for improvement in the documentation outlining the reform programme. However the Committee believes it would have been helpful if this had been clearly laid out as an integral part of the budget documentation as the reform programme will be a critical part of the change agenda that will take place in schools over the next three years.

13. As noted above, the suite of targets has been revised since the Committee’s scrutiny of the Annual Evaluation Report, resulting in some targets being “dropped”. The Committee queried how progress against these would continue to be monitored. Although the Committee were comforted by the response that progress would continue to be closely monitored, especially as some of the “dropped” targets represented Partnership Agreement commitments, it is concerned that this information may not be made readily publicly available.

Is the Committee content with the Executive’s highlighting of its portfolio’s contribution to the wider cross-cutting priorities of growing the economy, closing the opportunity gap and sustainable development?

14. The portfolio’s contribution to the Scottish Executive’s three cross-cutting priorities is represented by a restatement of the some of the eleven priority areas listed in the draft budget. The Committee is not convinced that this is an effective approach and questions whether it adds any genuine value.
Is there any other budgetary matter the Committee would wish to draw to the attention of the Finance Committee?

15. The Committee welcomes the Minister’s commitment to provide further information to the Committee on precisely where there have been budgetary movements (both upward and downward). The Committee would also welcome clarity as to where underspends had occurred during the previous year. Both these aspects should, however, be routinely included as part of the budget process.

16. The Committee notes the increased emphasis on delegation of budgets to individual schools and notes that this raises possible questions about the future role of education authorities and whether there is scope for efficiency savings at an education authority level.

Does the Committee want to make any comment on the efficiency target set for its portfolio by 2007-08?

17. The Minister noted that the Scottish Executive were committed to increasing teacher numbers at a time when school rolls were falling and that this could, in strict financial terms, be construed as inefficiency. However, he reported to the Committee that the teacher numbers were being exempted from having to meet any efficiency target.

18. However, the Committee noted the Finance Committee’s recent discussion regarding a requirement on local authorities to achieve a £150 million of savings through efficiency across the three year spending review period. Given that the majority of local authority expenditure lay in education, and that teacher numbers was being exempted from achieving savings, this could apply severe pressure to other areas of expenditure within education. The Committee were concerned that the Scottish Executive had not concluded its discussions with local authorities about how these efficiency savings would be achieved and stressed the importance of any savings being auditable.