EDUCATION, CULTURE AND SPORT COMMITTEE

AGENDA

35th Meeting, 2000 (Session 1)

Wednesday 8 November 2000

The Committee will meet at 10.00 am in Committee Room 3

1. **New Member of Committee**: The new member of Committee will make a declaration of interests.

2. **Subordinate Legislation**: The Committee will consider the following negative instrument—

   The Teachers’ Superannuation (Scotland) Amendment Regulations 2000 (SSI 2000/366)

3. **Forward Work Programme**: The Committee will consider its programme of forward work.

4. **Consultation with Children and Young People**: The Committee will appoint a contact for the ongoing research project into consultation with children and young people.

5. **School Exams Results Inquiry (in private)**: The Committee will consider a paper on themes and issues arising from the inquiry.

   Martin Verity
   Clerk to the Committee
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The following papers are attached for this meeting—

- **The Teachers’ Superannuation (Scotland) Amendment Regulations 2000** (SSI 2000/366)
- **Clerk’s note on SSI 2000/366** (Both above agenda item 2)
- **Draft Forward Work Programme** (Agenda item 3)
- **Issues paper from Dr Hamish Long**

ED/00/35/1

ED/00/35/2

Private Paper
Scottish Statutory Instruments – SSI 2000/366, Teachers’ Superannuation

1. The Teachers’ Superannuation (Scotland) Amendment Regulations 2000 (SSI 2000/366), were laid on 18 October and are subject to negative procedure. The Regulations will come into force on 20 November and would remain in force, unless they are annulled by the Parliament within 40 days of being laid before the Parliament, i.e. until 1 December.

2. The Regulations make further amendments to the Scottish Teachers’ Superannuation (Scotland) Regulations 1992, which are the statutory provisions governing the Scottish Teachers Superannuation Scheme.

3. The Education, Culture and Sport Committee is the lead committee for this Order, and should report to the Parliament by 27 November 2000.

4. A copy of the SSI, an explanatory note which is not part of the Order, and a separate Executive Note are attached.

Subordinate Legislation Committee consideration

5. The Subordinate Legislation Committee met on 31 October to consider the Regulations, and a copy of its report is attached. The Committee noted that the Regulations had been amended a considerable number of times, and asked the Executive if it had any plans for consolidation. The Executive explained that work on consolidation was underway, but that some major issues such as pension-sharing on divorce would require further amendment first. The Committee accepted this explanation.

Amendments to the Regulations

6. The amendments:

- provide that teachers in full-time service will not be eligible to be in the Scheme in future in respect of any concurrent additional teaching employment (for example evening work)
- make the date of implementation of the Scheme more flexible
- provide that the factors governing the proportion of Scheme benefits payable by the scheme and teachers’ employers in early retirement cases are slightly changed, to the extent that the proportion paid by employers will be marginally less
- withdraw the availability of a specific method for buying additional years of service
- provide that the definition of “adviser” is changed in order to remove the reference to teachers’ salary scales
Consultation

7. The Executive has consulted local authorities and employers of teachers on the Regulations. The Executive’s Note indicates that the responses they received have borne out its view that these are uncontentious.

Action

8. The Committee is invited to consider whether it wishes to make any recommendation in relation to the instrument. The Order is not subject to amendment.

9. A procedural note is attached.

Martin Verity
Clerk to the Committee
**Procedural Note**

**Standing Orders**
1. The procedures for dealing with Scottish Statutory Instruments (SSIs) are covered by Chapter 10 of Standing Orders. SSIs are laid by being lodged with the chamber clerks, and are published in the Business Bulletin. They are referred to the Subordinate Legislation Committee, the appropriate subject committee (the ‘lead committee’), and, where relevant, any other committee.

**SSIs subject to annulment: ‘negative instruments’**
2. Where an SSI is subject to annulment, it comes into force on a specified date and then remains in force unless it annulled by the Parliament. Any MSP may by motion propose to the lead committee that the committee recommend that nothing further is to be done under the instrument. Such motions are lodged with the chamber clerks.

3. The lead committee debates such a motion for no more than 90 minutes.

4. The lead committee reports to the Parliament, setting out its recommendations. If it recommends annulment, the Bureau will propose to the Parliament a motion that nothing further is to be done under the instrument.

5. All the above must take place within 40 days of the instrument being laid.

6. To date, no motion to annul SSI 2000/366 has been lodged with the chamber clerks.

**Proceedings in the committee**
7. This committee is invited to discuss the SSI. Members will then be asked whether the committee wishes to make any recommendation in its report to the Parliament.
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| 8 November        | 10.00am| CR3       | 1. Draft Work Programme  
2. Statutory Instrument  
3. Research into consultation with children and young people – appoint a contact.  
4. Exams Inquiry – issues paper (in private) |                                   |
| 15 November       | 10.00am| The Hub   | 1. Exams Inquiry – oral evidence  
2. Exams Inquiry – outline draft report (in private)  
3. Consider and agree report on Education Budget (in private) | FE students / school leavers       |
| 22 November       | 10.00am| CR3       | 1. Exams Inquiry – Discuss 1st draft report (in private)                |                                   |
| 29 November       | 10.00am| CR3       | 1. Exams Inquiry - Discuss 2nd draft report (in private)                |                                   |
| Week commencing 4 December | 10.00am | CR3       | Publish Exams Inquiry Report                                             |                                   |
| 6 December        | 10.00am| The Hub   |                                                          |                                   |
| 13 December       | 10.00am| Chamber   | 1. SEN Draft Report (In private)  
2. Report on the Scottish Film Industry (Mike Russell)  
3. Work Programme for 2001          |                                   |
| Week commencing 18 December |        |           | Publish SEN Report                                                      |                                   |
| 20 December       | 10.00am| CR1       | 1. Hampden Inquiry                                                      | Queens Park FC Glasgow City Council |