EDUCATION, LIFELONG LEARNING AND CULTURE COMMITTEE

AGENDA

14th Meeting, 2009 (Session 3)

Wednesday 13 May 2009

The Committee will meet at 10.00 am in Committee Room 6.

1. **Schools (Consultation) (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

   Donald Gunn MacDonald, Vice President, Scottish Parent Councils Association;

   Sandy Longmuir, Chair, Scottish Rural Schools Network;

   Nicola Welsh, National Development Officer, Association of Scottish Community Councils;

   Judith Gillespie, Development Manager, Scottish Parent Teacher Council.

2. **PE1022:** The Committee will consider a Petition by Dr Murray Hill calling on the Scottish Parliament to debate the urgent need to make a step-change in strategy and vigorously promote foreign language learning and intercultural awareness in Scotland’s schools, colleges and universities.

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The papers for this meeting are as follows—

**Agenda item 1**

Paper by the Clerk  

**Agenda item 2**

Paper by the Clerk
Introduction

1. This paper introduces the second oral evidence session as part of the Committee’s Stage 1 consideration of the Schools (Consultation) (Scotland) Bill.

2. The first oral evidence session was held at the Committee’s 13th meeting 2009 on Wednesday 6 May 2009. Further information on the evidence sessions is available in paper ELLC/S3/09/13/1.

Oral evidence

3. The second oral evidence session will be a panel comprising:

   - Scottish Parent Councils Association (SPCA): Donald Gunn MacDonald, Vice President;
   - Scottish Rural Schools Network (SRSN): Sandy Longmuir; Chair;
   - Association of Scottish Community Schools (ASCC): Vincent Waters, National Secretary; and
   - Scottish Parent Teacher Council (SPTC): Judith Gillespie, Development Manager.

4. The SPCA, SRSN and SPTC have provided written evidence to the Committee and this is attached at Annexe A.

Emma Berry
Assistant Clerk
Education, Lifelong Learning and Culture Committee

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1 http://www.scottish.parliament.uk/s3/committees/ellc/meetings.htm
SUBMISSION FROM SCOTTISH PARENT COUNCILS ASSOCIATION

Schools (Consultation) (Scotland) Bill

1. We welcome the opportunity to return comment from a parental involvement stance on the above, and in the spirit of the guidance you offer (written evidence should be concise) we offer the following –

2. First of all, some brief words on the support offered by:
   - The Policy Memorandum, and
   - The consultation carried out prior to the Bill’s introduction.

3. In the former case we appreciate the clarity of its objectives, the transparency of the specific proposals, the declared intention to strengthen the now outdated consultation process (with its implicit recognition that ‘presumption against closure’ is a healthy foundation), the most useful exemplification of 10 scenarios for consultation, the new educational benefits statement (likely to win the confidence of parents as ‘advance discussion’) and perhaps particularly the involvement of HMIE in the process. Two of us attended separate regional meetings, and the HMIE proposal was certainly suggested by ourselves.

4. As to the consultation meetings themselves, the openness and transparency of these created an ethos of trust (a distinct change in the atmosphere!) in which creative suggestions flowed, were evaluated in a balanced way, and carefully recorded and incorporated – the current papers are the proof of that. Scottish Government staff involved in the process are to be congratulated. So now we turn to specifics.

Policy objectives and overview

5. ‘The Bill’s aim is to establish a consultation process that is coherent, easy to understand, fair, workable, open and transparent and above all commands the trust and confidence of the public’ to quote the Policy Memorandum. As far as the word ‘transparent’ is concerned, we accept that the Bill has all these qualities – and as an organisation which has worked towards the development of School Boards and Parent Councils for around 20 years we welcome that. The only questionable value in the list is ‘workability’ since this will depend in the real world on the willingness of all parties to have empathy with differing or opposing views in the local debate. Commanding the trust and confidence of the public will inevitably take time given the history of passion and heat in debates over local schools. But it is something that can be achieved with time and ‘track record development’.

6. The fact that ALL schools and not only RURAL schools are the issue is a step in the right direction. In a national system where both self-evaluation and external evaluation of schools are taken as crucial, this better reflects the modern situation and it means that rural schools are not unfairly spotlighted.
Rural schools

7. However, rural schools will inescapably continue to be connected with the ‘closure’ issue, no matter what enlightenment increases. Again a quote – ‘decision to consult on a closure proposal would not be made until the local authority had explored all possible alternatives and assessed the likely implications of closure. The intention is to ensure that the future of a rural school is considered in the wider context of rural development planning and the sustainability of rural communities’. We take it as implied that if closure takes place AS A SCHOOL, the building and resources have a pretty fair chance of being used for some other educational and/or community purpose. That – combined with eg the ‘carrot’ of alternative 21st century quality primary school accommodation in the reasonable vicinity – stands a chance of reducing the pain felt by the local parents and community. Very remote or island schools of course are a different kettle of fish and need especially imaginative treatment! The involvement of HMIE in these situations is an excellent idea since the overall quality of a school would receive independent non-local evaluation by every possible criterion. One of the snags in the past, quite frankly, has been that the best possessors of the whole school ‘picture’ namely the head teacher and SMT – have been unable to provide their seasoned and reasoned view by virtue of their being local authority employees and unable to comment. Finally, the three factors to be considered by the authority (viable alternative to closure, community effect, travel) are crucial safeguards against any impression of railroading, and are creative as well.

Schools generally

8. We find, as indicated above, the ‘10 types of closure proposal’ on page 3 of the Policy Memorandum very comprehensive and a real attempt to cover as wide a range of ‘change scenarios as possible’. But on a note of warning – it is possible that an unforeseen situation might not be covered by any of them. Perhaps an eleventh option might be ‘to discuss a uniquely local need, problem or opportunity agreed by all parties as suitable for discussion’.

Parent councils

9. Briefly, we welcome the explicit inclusion of Parent Council/s as part of the list of mandatory consultees. It may also be helpful for authorities to consult with parent council forums given that a closure in one area may have implications for provision elsewhere.

The educational benefits statement

10. This as described on Section 3 of the Bill is a useful means of structuring and clarifying the discussion needed in any proposal for change in any school. To be commended is the explicit reference not only to pupils and staff of the school, but also other users, future pupils, pupils in other schools, and to the likely effects, minimisation of adverse effects, expected benefits and reasoning behind the proposal. This idea, to our recollection, received
approval in the seminars we ourselves attended, and is very much to be commended as a sea change in transparency. And the connected inclusion of HMIE to ensure this transparency and give supportive advice and comment inspires confidence as to its likely widespread acceptability.

**Ministers’ involvement in closures**

11. We tend to favour the kind of changes proposed to ‘call in’ only if evidence exists of flaws in the consultation process. This ensures fairness as opposed to indiscriminate use of central government intervention.

12. SPCA expresses willingness to co-operate through its training programme to raise parents’ awareness of the ongoing legislative process. Such partnership is fruitful.

Scottish Parent Councils Association
31st March 2009
SUBMISSION FROM SCOTTISH RURAL SCHOOLS NETWORK

Schools (Consultation) (Scotland) Bill

1. The Scottish Rural Schools Network (SRSN) welcomes the invitation to submit evidence to the Education, Lifelong Learning and Culture Committee on the above Bill. A number of our members have been working for many years to bring about a change in the legal framework surrounding the closure of rural schools and we very much welcome the broad thrust of this Bill.

2. SRSN recognise and welcome the fact that the majority of the measures in the Bill apply to all schools and we recognise the place that a school can have in any community. That said, the case studies we have undertaken on educational attainment, costs and impact of travel have all been focussed on the rural situation. We believe that the work we have undertaken demonstrates the unique position of rural education and the need for additional measures recognising that fact.

Education

3. The graduates of primary schools with remote rural status consistently perform above all other area classifications at S4 examinations, university entrance and employment. Remote rural primary schools average just 50 pupils. The advantage shown is more marked in pupils who come from less financially privileged backgrounds. We have numerous strands of research and statistics which confirm this trend.

Finance

4. A number of case studies have shown that additional travel costs, additional overheads at the receiving school and a loss in revenue grant as a result of the closure of small rural schools often result in either no savings or even additional costs on closure. The additional travel costs and loss of revenue grant are unique to the rural situation.

Travel

5. Work in a number of authority areas has shown that travel costs for a five mile journey to primary school are now in excess of £1000 per pupil on average. The statutory requirement for this cost to be met by the local education authority obviously has a much greater impact in rural areas. Because of the distances involved and often sparse public transport it becomes increasingly more difficult and costly for parental participation in school life. We believe that much of the success shown in rural schools can be attributed to the very high level of parental involvement in such schools.

Community facility

6. It is now often the case, especially in remote areas, that the local school is the only publicly operated facility within the community. As such it is often
the focus of community life. Without such a focal point communities often become dormitories for other communities and are less attractive to new families. There is a case where a very small school had to be reopened in order to ensure that a forestry operation could be established for this reason.

7. It is important that the Bill reflects the above four points and we welcome the statement in the policy memorandum:

“16. The authority will be required to set out how it has considered the three factors in its proposal paper. The authority must reconsider the factors again in light of the consultation responses, and publish its reassessment in the consultation report. A presumption will thereby be established that no rural school will be proposed for closure (nor even the consultation process commence) unless and until these factors have been fully taken into account.”

Bill proposal – all schools

8. We welcome the introduction of an educational benefit statement and the involvement of HMIE to comment on the educational effect of any closure. We consider the reporting undertaken by HMIE in current referral cases to be impartial and fair to all parties.

9. It is paramount that the proposal statement of the local authority should be extensive with not only the educational benefit statement as justification for closure but full details of the financial cost/benefit of the closure.

10. The ability of consultees to challenge the information contained in the proposal is an important section of the legislation. Too often we have seen reasoning put forward for closure which is clearly mistaken but the local authority has failed to address the issue within the consultation period. We believe that any closure decision must take place on the most accurate information available. In one case the local authority continued to proffer false financial information for more than a year after the closure vote. A legal requirement to suitably address such challenges is essential.

11. We welcome the extension of the consultation period and note that the total period from proposal to vote is likely to be a minimum of 12 weeks. A number of our members see the initial six week period as being too short for consultees who have no experience of consultation practices. We see the period of six weeks between the end of formal consultation and any vote as beneficial to the process. One consultation in 2008 attempted closure of a school with almost no notice of formal consultation with the legal minimum 28 days and a vote a matter of days after the consultation ended. Such practices must be prevented in the future.

12. We have a concern about the clarity regarding exactly when a school can be closed after a vote. The Bill states that in the event of a call-in, closure should be suspended until after the investigation is complete. We would like clarification that no school can close in the six week period between any vote and the decision to call-in.
Rural schools

13. We see benefit in the requirement for additional consideration being given to distance, travel and community impact in the rural situation (see introduction). It is essential that the statutory guidance to be issued expands on these points and provides a nationally consistent method of evaluating the impact closure would have on the various factors. In the current guidance of September 2004 by Peter Peacock it is stated “If an educational advantage will occur to the wider community that clearly should not be secured at the cost of educationally disadvantaging pupils directly affected by the closure. In other words there must be advantages both locally and on the wider scale”

14. It is seen as desirable that the spirit of this message is carried through to the new, statutory, guidance.

Call-in by ministers

15. In SRSN’s submission to the consultation on the Bill we called for an independent appeal process to be established. That would still be our preferred option and would bring school closures into line with many other aspects of public life. It still seems strange that you can appeal a decision to disallow an individual child’s placement request but you cannot appeal the complete discontinuation of education in a given area.

16. That said, we recognise the call-in process to be an acceptable half-way house providing safeguards are in place.

17. It is essential to make clear that no implementation action can proceed before the expiry of the six week call-in period.

18. Following representation asking for a call-in to take place, the reasoning for refusing or agreeing to a call-in must be published by the Scottish Government. It is noted that in the recent referral cases the Scottish Government has published the letters giving reasons for decisions taken. We see this as best practice.

19. We have seen evidence that one local authority prepared a list of schools for possible closure with a consideration for consultation being whether or not it could be referred to ministers. The current system of referral would appear to be directing closures towards a group of schools for reasons other than educational provision.

Statutory guidance

20. As previously stated we are in favour of statutory guidance and see it as a method of making closure consultations nationally uniform. This would make it easier to issue advice to communities facing a closure consultation for the first time.
21. In particular we would like to see the guidance expand on the community impact assessment to be undertaken on rural schools.

Financial memorandum

22. The financial memorandum makes many of the points that SRSN have been making for several years regarding costs of transport, loss of community facility and financial impact of other actions which will be a consequence of the closure of a school.

23. There are not huge sums of money to be saved on the closure of most rural schools. An examination of devolved school management budgets by local authority area shows a trend that average spend per pupil tends to be lower in authorities with high percentages of pupils in small rural schools.

24. One point the memorandum clearly states is that local authorities currently receive funding through the revenue grant for the percentage of pupils educated in rural schools with fewer than 70 pupils. SRSN have proven that, under the current arrangement, the closure of rural schools with less than 70 pupils in order to create larger schools results in the loss of revenue grant for that authority at the next settlement. Several local authorities have argued this point (one for two years).

25. There was some concern that the current review of the revenue grant process would result in this aspect of finance being removed from future settlements. SRSN have now received some verbal assurances that this will not be the case. It would seem perverse if a Bill was to be introduced espousing the need to retain our rural schools while at the same time a financial incentive to close them is created.

26. We see it is essential that in tandem with this Bill, the current funding mechanism is retained in future settlements. This is much more preferable than a rural schools fund as it allows the local authority freedom to spend where they see fit while still creating a disincentive to close their rural schools.

Consultation

27. SRSN found the consultation to be most thorough and inclusive. We would like to take this chance to thank the officials concerned for their time and effort.

Scottish Rural Schools Network
9 April 2009
Myths and Scotland's Rural Schools

1. During the past four years the Scottish Rural Schools Network (SRSN) has encountered a number of criticisms of rural schools and the education they provide. SRSN's approach has always been to evaluate these negative comments and to attempt to quantify them. This has resulted in a large body of evidence being assembled. The following is a small sample of the most recent findings, which we believe justify referring to some of these criticisms as myths.

Myth 1: Large numbers of rural schools lead to an inordinately expensive education service.

If this claim were to be true, then those mainland local authorities with the highest proportion of small rural schools would be seen to have the higher per pupil costs for devolved school management budgets. The following graph was created from information published by the Scottish Government on 25/03/2009.

Sources: Expenditure on School Education in Scotland, 2007-08, Scottish Government March 2009; Green Book - Base Year 2008-09, Scottish Government February 2008
3. In fact there is a wide variation in per pupil costs, but as shown by the trend lines, the tendency is for local authorities with high proportions of rural schools to spend less not more per pupil on devolved school management.

**Myth 2: Despite the above there are large savings to be made by local authorities through the closure of rural schools.**

4. As recognised in the financial memorandum to the Schools (Consultation) (Scotland) Bill, there are several factors which militate against this. In a rural school closure there are almost always additional transport costs and costs such as books, water usage, computers etc which follow the pupil. Data disclosed by local authorities shows that transporting children 5 miles costs at least £1000pa on average; these costs are often heavily underestimated at the time that closure is proposed, and can frequently outweigh possible savings.

5. In addition, closures of rural schools with fewer than 70 pupils lead to a reduction in the Revenue Support Grant payable by the Scottish Government to a local authority. SRSN has created an on-line calculator (www.srsn.org.uk/gae.aspx) which demonstrates the impact on the current grant levels had schools been closed prior to the current settlement. As an example, the calculator shows how the annual impact on Highland Council’s Revenue Grant (after flooring adjustment) would have been a loss of just under £83,000 annually had a school of 34 pupils closed prior to the current settlement – the total annual running cost of the school at the time was £148,000.

**Myth 3: Children do not achieve well in small rural schools.**

6. The Scottish Government no longer collates attainment figures for individual schools on a national basis. Those historical figures which do exist (eg Social Focus on Urban Rural Scotland 2003) demonstrate that most of the schools attaining the highest percentage attainment are small rural schools. Indeed a number of rural schools recently threatened with closure have had perfect 100 / 100 / 100 attainment results in reading, writing and mathematics. The English system does still collate primary school attainment by the post code of the pupil. Analysis of the results of over 2,000,000 students gives the following graph, (Key Stage2 is at the end of primary education).
Myth 4: Although they do achieve well at primary school the children suffer on transfer to secondary school.

7. A study undertaken by Dundee University, and other institutions, on the teaching of science in Scottish primary and secondary schools found that rural children had a greater knowledge of science going in to secondary but also that they achieved better once at secondary.

8. "There was some evidence that transition for pupils from rural and urban primary schools might not have the same impact upon previous learning and attainment. Those follow-up pupils from rural locations tended to do better after transition on the attainment tests than those from urban locations. In primary, rural pupils tended to have higher attainment scores and this was sustained in secondary on different measures. This is in contrast to the expectation that rural pupils will have greater difficulty adapting to secondary school"


9. This tendency is borne out by the annual tariff scores achieved by pupils in S4 examinations as published by the Scottish Government. Year-on-year pupils from remote rural schools consistently outperform their urban counterparts.
Myth 5: Although it is accepted that attainment is better, it is not linked to school location or size but instead is purely related to levels of deprivation.

10. There are some 25 secondary schools in Scotland which draw 100% of their intake from rural schools with fewer than 100 pupils. If there are problems associated with rural education in Scotland it should be shown up in the results of the children attending these schools.

11. A study was undertaken by SRSN using the Scottish government spreadsheet of individual secondary school attainment at S4. The feeder primary schools for these secondary schools were categorised by the Scottish Index of Multiple Deprivation (SIMD) decile and weighted to account for pupil numbers attending the school in each datazone.

12. The percentage of students gaining 5 or more credit grades at S4 was considerably higher than the Scottish average, despite the SIMD rating being very similar. In every case, except one, the average attainment in the schools with 100% small rural intakes outperformed their local authority average. In common with the results above (Myth 4), it is noted that, although still very noticeable, the effect of deprivation on student outcomes is much less marked in these schools than elsewhere in the educational system.
More detailed analysis of a single local authority shows a similar pattern:

Sources: Scottish Government spreadsheet a68-SSO exam and leaver destinations data 2008.xls, Scottish Schools Online and Scottish Index of Multiple Deprivation 2006

13. Because deprivation rankings are not a linear measure, there is an inherent danger in averaging ranking scores. The method used above averages the number of datazones in each SIMD decile which, although statistically an improvement, is not ideal. In order to verify these findings a number of checks have been undertaken. These include looking at deprivation spread patterns in similar areas and then comparing the school results in these areas.
14. Another check was to look at the calculation of SIMD itself. 14% of the deprivation score is a measure of educational deprivation within each datazone. The Scottish Government statisticians have created an agreed measure which involves several factors such as school absences, attainment at S4, % of students entering Higher Education and the number of pupils who become unemployed on leaving school.

15. It is possible to strip out the educational ranking score for each datazone in Scotland and then compare it with its own overall deprivation ranking. An area where the education score is better than expected from the overall ranking gains a positive score, where the education score is worse than the overall ranking the datazone gains a negative score.

16. When datazones are ranked by their urban/ rural classification only two area classifications have a significantly positive score – Rural Accessible and Remote Rural.

17. Far from showing educational disadvantage, the measure used by the Scottish Government demonstrates a positive relationship between education and rurality. It also indicates that the areas benefiting the most are those rural datazones with higher degrees of deprivation. This confirms the annual tariff scores at S4, which routinely show the greatest educational advantage in rural schools for those pupils who qualify for free school meals.

18. In this brief paper we have aimed to demonstrate how many of the criticisms of rural schools frequently made in the media, by educational commentators and sometimes quoted as fact in closure consultations, do not hold up under even the most rudimentary analysis, using publically available data.

19. There is clearly much more research that needs to be done, especially to establish why small rural schools do well and to see whether there are useful indicators for other schools. If evidence-based policy making is to work, then real evidence, rather than myth and hearsay must be its basis.
SUBMISSION FROM SCOTTISH PARENT TEACHER COUNCIL

Schools (Consultation) (Scotland) Bill

Introduction

1. We welcome the opportunity to comment on the principles of the Schools (Consultation) (Scotland) Bill, which brings in new requirements for local authorities when consulting on school closures, with special additional provisions for rural schools.

Consultation process for all school closures

2. A local authority has a duty to all its parents and pupils to ensure that school provision meets pupils’ needs. However, within an authority’s area there can be, over time, considerable movement in population resulting in half-empty schools in some parts of the authority and over-crowded schools in another such that the existing provision of schools does not meet the needs of pupils and parents, and some adjustment is necessary. Sometimes this can be done by a revision of catchment areas but sometimes it requires more radical action such as school closure/mergers in one area and new-built schools in another.

3. However, school closure is nearly always a contentious issue, even in cases where the majority of catchment area pupils have exercised their right to make a placing request and moved to other schools. For the pupils and parents who have continued with the local school, it is their school and it is normal for any closure proposal to be met with fierce opposition. However, it is also true that where closure has been undertaken for the right reasons, the change is quickly accepted and new parents coming into the school often wonder what the fuss was about.

4. An important element in ensuring that the painful but sometimes necessary process of schools closure is accepted is a good and open consultation process and we welcome the proposal that the good practice used by many authorities in consulting over school closure is to become the norm. We welcome:

• the requirement for a published consultation paper outlining the educational benefit of closure,

• the provision for consultees to correct any factual errors in that document,

• a generous period for consultation covering at least 30 school days,

• the requirement to notify a wide range of consultees,

• the requirement to hold a public meeting,
• the requirement on authorities to issue a post-consultation report outlining the points made during the consultation.

Focus on educational benefit

5. However, we feel there needs to be more clarity over what constitutes educational benefit, whose education benefit and who determines what it is.

Whose educational benefit?

6. We note that in drawing up its educational benefits statement the authority must consider the impact of the proposal on the pupils at the school, other users of the facility, children who will be likely to attend the school and other pupils in the authority area. However, the interests of and benefits for the different groups are likely to be very different. Whilst it may be beneficial in the long term for children at the affected school to move, they are the ones who will suffer the short term disadvantage of disruption, and history suggests that the parents and pupils most closely involved will always protest a school closure vigorously. Moreover, there is no reason to suppose that the education provided at the school by the teachers is anything other than of the very highest quality. The main benefit of school closure could well be in terms of the wider group – other pupils in the authority. It could be that it is a means of providing schools in the right places for the current pupil population in the authority area or it could be a way to reduce the money that is being spent on maintaining empty school places.

7. It is generally regarded as wrong to consider school closure in terms of money, but it is important to emphasise that money spent on maintaining an empty school place is money that cannot be spent on pupils actually within the system. We offer the following very rough calculation as an illustration. Currently in Edinburgh City, 27% of the primary school places that it provides (i.e. has teachers and classroom space for) are unoccupied. Given that staff and buildings constitute the main part of the education budget, then this means that something like £30,000,000 is spent on maintaining empty places and the real per pupil spend in primary schools is cut from a notional £4,515 to £3,299.\(^2\) There is therefore a real cost to all school pupils in maintaining empty classroom places and, if a school closure programme is undertaken in order to cut the number of unoccupied places, it is this wider group who will benefit most as the money available to spend them will go up.

What constitutes education?

8. In our response to the official consultation document, we made it clear that we saw social experience as part of the “educational” provision. For all children, links with their peers are a very important aspect of their learning and development. Children who do not learn how to socialise at school often find it hard to socialise successfully later in life. We cited a number of cases where children were socially isolated e.g. where the only two pupils in a

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\(^2\) This calculation uses the 2006/07 school costs figures which were the latest available to us.
school were siblings or where there was no other child of the same gender and stage. This is likely to be a problem for rural schools but small urban schools often have a very limited mix of children and do not provide pupils with the range of peers/potential friends/role models that it would be reasonable to expect in a town. It is not clear that this “social” dimension is part of “educational benefit” as determined by the legislation. We think it should be.

School buildings

9. Another driver on local authorities in proposing the adequacy of a school is the state of the school buildings. We feel this is best explained by the following description of a school that was originally earmarked for closure, but then saved after vigorous local opposition to the proposal. Accommodation is a big issue. The school’s official capacity is 92, but it can only provide PE and school meals by having access to the village hall next door. There is no staffroom for teachers, the library is effectively a corner in the corridor, and the toilet facilities are not good enough. The buildings are not fit for purpose. It was built in 1850 as a one-teacher school, which it isn’t any more. That said, all of our children are happy.

Role of HMIE

10. This brings us to consider the role of HMIE. They are to be required to provide an independent assessment of the educational aspects of an authority’s proposals. It is not clear what this will mean in reality. Will they look at the quality of teaching in the schools that the authority proposes to close/merge or will they take proper cognisance of the social experience of the children in the school and of the impact of the proposed closure on all the pupils within the authority? Recent decisions on school closure would suggest that HMIE will give greatest weighting to the quality of education provided by the teachers in the affected school and not give proper consideration to the greatest imperative on the authority, which is to provide a good education service for all its pupils. We cite the recent situation in the Western Isles when that authority had put forward proposals to close its S1-S2 secondary schools and had been praised by HMIE for finally moving to cut surplus school places. (Its pupil population has fallen from 6,300 30 years ago to 3,730 now). However, when the closure of four of the schools was referred to the minister, it was disallowed on the grounds that, according to HMIE, there was no educational justification for the closure.

11. If the weighting is always in favour of the particular group against the benefit of the wider group, the authorities will stop proposing school closures and, as they are only funded for the children actually in their schools – not for empty places – then it will be the pupils in the schools who will carry the cost of this through cuts in the funding available to them.
Special conditions for rural schools

12. Rural schools come in as many different shapes and sizes as urban schools. Some are tiny and extremely remote; others operate with a number of classes and serve quite thriving communities. In looking at rural schools we think it is important to consider their particular circumstances along with the factors that affect all schools – how good is the provision? Are the pupils socially isolated? Is the school building adequate? And obviously, in many ways the most significant consideration, how far away is the next nearest school?

13. As we stated in our response to the consultation, we are concerned that the legislation seems to make community viability a priority over good educational provision for children. It starts from the presumption that the case for keeping rural schools open is different and more compelling than the case for keeping open urban schools, which similarly find themselves the object of rationalisation/closure plans, because a rural school is an essential dimension to the life of its community. The consultation document painted a picture of rural communities actively using local schools as community/sports/leisure centres. This may be true in some areas, but it is far from the truth in other areas. Indeed we recently heard from the parents’ group at Roslin Primary school in Midlothian who were in danger of having to give up because they could not use the school out-of-hours as it was firmly shut for cost-saving reasons and there was no alternative venue in the village.

14. Also, many small rural schools that might find themselves being considered for closure are in small, inadequate buildings, often with no indoor hall and with remarkably little outdoor space, let alone facilities. We refer you back to the quote in the section on school buildings.

Revised “Ministerial call-in” arrangements

15. Our final area of concern is over the changed arrangements for “Ministerial call-in”. It is proposed to remove the requirement to refer closures to the Minister only in specific circumstances and instead potentially allow all school closure to be referred to the Minister. It is suggested the number of instances that are referred will actually be very few because the Minister will only consider whether the consultation process has been carried out properly and will not overturn the local authority’s decision as such. However, according to the consultation document, this is the minister’s current role but, as we observed in our response, there is confusion over the role of ministers in cases of school closure that are referred to them; we are interested to learn that ministers restrict themselves to considering whether due process has been followed and do not re-take the council’s decision. Certainly, this has not been clear from observing previous ministerial review of decisions. Indeed, we cannot think of a single school closure proposal that has been called in and not refused by the minister; this applies even in situations where there was considerable local agreement that closure was the right thing to do.
16. We think this opens the way for every school closure proposal to be referred to the minister because the meaning of “educational benefit” and in particular “whose benefit” will be subject to different interpretations. We have already highlighted the tension between the local authority’s duty to consider the needs of all its pupils and the HMIE’s more focused review of “good education”. We cannot imagine that, if there is a process by which a complaint about a consultation process can be lodged, this will not be taken simply because school closures are always highly contentious.

Conclusion

17. We recognise that school closure is always a very painful business, particularly for those most directly caught up in the process, and it should never be undertaken lightly. It is inevitable that school closures generate much passion and heated argument. However, it is important that local authorities can adjust their school provision to meet the changing needs of parents and pupils in their area and to release much needed money back into all their schools. Where this requires school closure, it is important that the process is well managed, with open and fair procedures. However, if different interpretations of “educational benefit” mean that school closures are always blocked, we will reach the point where local authorities no longer attempt to rationalise their school provision and this will be to the disadvantage of all pupils, including those in the affected schools, who will have to suffer cuts in service as a consequence.

Scottish Parent Teacher Council
3 April 2009
Introduction

1. This paper updates members on progress in relation to petition PE1022 and invites the Committee to agree its next steps.

Background

2. Petition PE1022 was lodged on 23 November 2006. The text of the petition is:

Petition by Dr Murray Hill calling on the Scottish Parliament to debate the urgent need to make a step-change in strategy and vigorously promote foreign language learning and intercultural awareness in Scotland’s schools, colleges and universities.

Consideration by the Public Petitions Committee

3. The petition was first considered by the Public Petitions Committee (PPC) on 18 September 2007. The PPC took oral evidence from the petitioner and invited the Scottish Government, Universities Scotland, the Scottish Centre for Language Teaching and Research, the Language Network Scotland, the Scottish Funding Council, COSLA, Scottish Enterprise and Highlands and Islands Enterprise to write to the Committee with their views on the petition.

4. The PPC considered the responses, with further correspondence from the petitioner, at its meeting on 15 January 2008. At this meeting, the PPC agreed to refer the petition to the Education, Lifelong Learning and Culture Committee.

Consideration by the Education, Lifelong Learning and Culture Committee to date

5. The Education, Lifelong Learning and Culture Committee first considered the petition at its meeting on 20 February 2008. The Committee agreed to write to the Cabinet Secretary for Education and Lifelong Learning, seeking the Scottish Government’s view on both the petition and the written responses to the PPC. The Committee also asked how the Scottish

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1 PPC – http://www.scottish.parliament.uk/business/petitions/docs/PE1022.htm
2 PPC – http://www.scottish.parliament.uk/s3/committees/petitions/petitionsubmissions/sub-07/subIndexForPE1022.htm
Government intended to proceed on the issue and how it believed modern language learning could best be promoted in Scotland. The Committee also agreed to allow the petition to remain open, pending the publication of a Scottish Funding Council report on the provision of modern languages education in Scotland.

6. The Committee considered the response from the Cabinet Secretary for Education and Lifelong Learning at its meeting on 2 September 2008\(^4\). At this meeting, the Committee also considered further correspondence from the Cabinet Secretary setting out the Scottish Government’s plans for a Scottish Language Baccalaureate and the Scottish Funding Council’s report *Modern languages in Scotland*, which had been published in May 2008. The Committee agreed to write again to the Cabinet Secretary to ask for the Scottish Government’s views on the SFC report and what the next steps would be.

7. The Committee considered the Cabinet Secretary’s response on 19 November 2008\(^5\) (attached at *Annexe A*) and agreed to write to the petitioner for further information relating to the petition. The petitioner’s response is attached at *Annexe B*.

**Recommendation**

8. The Committee is invited to agree how it wishes to proceed with PE1022.

9. The petitioner, in his latest submission, endorses the views of the Scottish Centre for Information on Language Teaching (SCILT) that—

   “there is a need to conduct a review of the goals and outcomes of higher education provision for languages in Scotland, including both degree programmes and Institution Wide Learning Programmes (IWLPs), in order to establish whether current provision meets the needs and aspirations of actual and potential students, and of employers.

10. The Committee has taken no evidence on whether there is a need to hold such a review. If the Committee were minded to support this view, it might be appropriate for it to take further evidence to support a future recommendation to the Scottish Government that such a review be held.

11. The Committee could also agree to hold its own inquiry, which would clearly fall within the its remit

12. However, the Committee, in common with previous parliamentary education committees, has generally taken the view that it is not appropriate to become involved in debates arising out of lobbying on behalf of particular


subjects or curricular areas and that it is more appropriate for the Committee to concentrate on a strategic approach to its scrutiny of the Scottish Government. Moreover, it is clear that there is unlikely to be sufficient time in the current parliamentary session to carry out such an inquiry, given the work programme that the Committee has already committed itself to and the legislation that is understood to be likely to come before it.

13. The Committee may, therefore, wish to consider writing to the Cabinet Secretary to ask for her views on the petitioner’s suggestion that there is a need to conduct a review of the goals and outcomes of higher education provision for languages in Scotland.

Emma Berry  
Assistant Clerk  
Education, Lifelong Learning and Culture Committee
Thank you for your letter of 10 September 2008 regarding the Education, Lifelong Learning and Culture Committee's consideration of Petition PE1022 on 2 September 2008. The Committee sought a response following the Scottish Funding Council (SFC) publishing its report *Modern languages in Scotland: supply and demand in post school education*.

In publishing its report the SFC called for a debate on why and how we learn foreign languages in terms of the supply and demand of modern language courses in colleges and universities. The aim was to encourage discussion on the shape, type and amount of language provision in colleges and universities for both economic and cultural reasons.

The SFC report provides a helpful analysis of the supply and demand issues within both the further and higher education sectors. The report, importantly, also recognises the real current challenges in the provision of modern languages within colleges and universities. The wide range of comments from stakeholders was welcomed by the SFC’s Skills Committee when it considered the report on 10 September.

The SFC report makes a welcome contribution to the ongoing debate on the importance of language skills and how these can help to deliver this Government's overall purpose and strategic objectives. I am encouraged by the SFC's commitment to continue to monitor the supply and demand for languages provision in colleges and universities while maintaining a dialogue with the Scottish Government, employers, sector skills committees and other stakeholders. This approach is entirely consistent with our aspirations for the future, as set out in the interim report of the Joint Future Thinking Taskforce on Universities. The report calls for "a responsive framework of provision fit for the needs of our people and our country in the 21st century" and the SFC's commitment is a necessary step in implementing that approach.

The provision for teaching and learning of modern languages must be considered within the context of lifelong learning. Through the review of curriculum under the *Curriculum for Excellence* 3-18 programme, we recognise the need to improve learners' achievements and provide learning experiences that are more relevant, engaging and exciting. Meeting the ambitions of this curriculum involves pre-school centres and schools working in partnership with colleges, universities, employers, partner agencies, youth work and the voluntary sector to provide a coherent package of learning and support based around the individual learner and in the context of local needs and circumstances. Making connections between different areas of learning and developing relevant course content will be important in attracting our young people to learning a modern language.

We published draft experiences and outcomes for modern languages in October 2007 for engagement with the teaching profession and a number of schools and local authorities have been involved in trialling activities. We
expect the revised experiences and outcomes for modern languages teaching and learning to be released in January 2009 and we are providing funding to Scottish Centre for Learning and Teaching (SCLT) to support the modern languages teaching profession in the engagement with Curriculum for Excellence.

The Scottish language Baccalaureate will be an important element in the wider Curriculum for Excellence programme. The award will also contribute to the Government's principal purpose and strategic objectives. The language Baccalaureate aims to encourage pupils to study more than one language in the later stages of secondary school. They will raise the status of S6 and assist our young people in making the transition from school to higher education and employment. As the Baccalaureate will not constitute an entire programme of study during S5 and S6, young people will be able to pursue additional subjects and activities. Scottish Government, Scottish Qualifications Authority and SCLT are currently engaging with stakeholders on the detailed arrangements for the awards.

I hope this response makes clear that the work required to address modern language provision is under way. This will be taken forward through the SFC's monitoring and engagement with stakeholders. We will also continue to support the work of SCLT to promote best practice in learning and teaching of modern languages and the work of Learning and Teaching Scotland to promote international education in schools.
CORRESPONDENCE FROM DR MURRAY HILL, DATED 1 MAY 2009

I welcome the opportunity to thank the Education Lifelong Learning & Culture Committee of the Scottish Parliament for its continuing efforts with regard to Petition 1022, originally submitted in November 2006.

I am also grateful to have the opportunity to have sight of recent correspondence between Fiona Hyslop, Cabinet Secretary and the Committee in this matter.

It is encouraging to learn that progress continues to be made in support of Curriculum for Excellence and I hope the attempts to raise the status of foreign languages in schools with the introduction of the Scottish Language Baccalaureate meet with success.

However, I also note with regret that previous initiatives regarding the introduction of an integrated, national strategy to promote languages have not been taken forward. The government consultation document published in 2007, A Strategy for Scotland’s Languages, appears meantime to have been abandoned. Similarly, it is my understanding that government funding for Languages Network Scotland, an agency which has promoted the value of foreign language and cultural awareness, has been withdrawn. This is at a time when the Scottish Parliament celebrates 10 years of devolution and when, in the words of a previous First Minister, “our agenda should be global (and) European”.

With particular regard to the situation in Scottish HE, I do not share the Cabinet Secretary’s confidence in the recent SFC report, Modern Languages in Scotland: supply and demand in post school education (2008). The report’s admission that “current data on modern language provision in both sectors are inadequate and need improving” is helpful, but the proposal to “continue to monitor demand and supply of languages provision in Scotland’s colleges and universities” needs to be much more robust.

In particular, with regard to provision, the SFC report focuses on traditionally structured language degree courses and fails to even mention the concept of University Wide Language Programmes (UWLP) which promote flexible, often vocationally-oriented language module provision to a much wider student audience including non-specialists from other disciplines. Nor is any mention whatsoever made in the report of the role which vocationally-oriented languages research might play in contributing to the success of Scotland’s economy.

Much more comprehensive, up-to-date, informed employer comment, both within and outwith Scotland, is required. The questionnaire used in the recent Scottish Government Futureskills Employer Skills Survey (2009), for example, contains only one brief question regarding language training and cannot adequately assess the impact that deficits in foreign languages skills and cultural awareness potentially have for the Scottish economy.
Sadly, the SFC report also fails even to mention the serious decline in take-up rates by Scottish students of Socrates-Erasmus undergraduate exchange programme opportunities (not to mention the impact on take-up of new Erasmus-Mundus postgraduate opportunities for study abroad). Among other things, *A Strategy for Scotland’s Languages*, sought to encourage mobility. It is a concern, too, that the SFC report does not attempt to consider foreign languages provision in the wider context of ‘internationalisation’ strategies adopted by Scottish universities. The recent report, *UK Universities and Europe: Competition and Internationalisation* (Middlehurst 2009), warns that “UK universities should be doing more to provide and encourage second-language training in undergraduate degrees”. Another recent report by the European Students’ Union, *Bologna with Student Eyes* (2009), is critical of the lack of widening participation and student mobility in the context of the Bologna Agreement to create a European Higher Education Area by 2010. (It is worth noting here that the Middlehurst report also notes that Germany poses a “current and future competitive threat” to the UK as the world’s third biggest recruiter of international students after the US and the UK).

The SFC report concludes that “there is no current crisis in modern language provision (my italics) in Scotland” at the same time as HE languages provision appears to be contracting further still, e.g. Strathclyde University was recently reported to be considering a 25% languages staff reduction. Simultaneously, the SFC report concedes that “Scotland currently falls well short of meeting the language aspirations of the Council of Europe”.

The petition PE1022 statement expressed concern that we face being left behind increasingly by fellow European Union citizens and others when competing for jobs. In my view, it is vital that we support new initiatives in Scottish schools to effectively promote foreign language uptake. Equally, however, a coherent strategy and programme to stimulate access to foreign languages in Scottish colleges and universities similar to the *Routes into Languages* programme currently being rolled out England is required, but none is yet in sight.

Finally, let me note my wholehearted support for SCILT’s original response to petition PE1022 when invited by the ELLCC Committee to comment:

> In short, existing policy documents deal principally with the school sector and there is therefore a need for a national strategy adopting a holistic approach in which issues relevant to higher education are addressed. Following a long period of attention to provision in schools, we suggest that there is a need to conduct a review of the goals and outcomes of higher education provision for languages in Scotland, including both degree programmes and IWLPs, in order to establish whether current provision meets the needs and aspirations of actual and potential students, and of employers.

I strongly commend this as a course of action.